HOUSE OF ASSEMBLY

Thursday 25 September 1986

The SPEAKER (Hon. J.P. Trainer) took the Chair at 11 a.m. and read prayers.

MILLION MINUTES OF PEACE

The House observed one minute's silence in acknowledgment of the International Year of Peace.

REMUNERATION ACT AMENDMENT BILL

Mr S.G. EVANS (Davenport) obtained leave and introduced a Bill for an Act to amend the Remuneration Act 1985. Read a first time.

Mr S.G. EVANS: I move:

That this Bill be now read a second time.

Before giving my prepared second reading explanation of the Bill, I wish to make one or two comments. I am grateful that someone seconded my motion that I have leave to introduce the Bill. That does not mean that the member who seconded the motion supports the Bill, but it gives Parliament the opportunity to discuss an issue about which a member has a concern. I am grateful for that which occurred today and which did not occur last week.

At this stage, I wish to refer briefly to some other salaries paid in the community. Earlier, I said that my salary was $38 000 but, after research, I find that it is $39 900—near enough to $40 000. A C7 engineer (a professional engineer) working for the Electricity Trust of South Australia earns $46 243; the Executive Director of the Kindergarten Union $63 000; the Deputy Crown Solicitor, in the Crown Law Department, $64 000; and the Crown Prosecutor $58 000. Under the Administrative and Clerical Officers (South Australian Government) Award, an officer on the AO3 scale, which is not even the middle of the range, receives a maximum salary of $37 000.

The Manager of the Sports Institute of the Department of Recreation and Sport, the Area Manager of the Department of Woods and Forests and the Director of State Emergency Services are all included in that category. The AO4 person receives, as an accountant $39 900, about the same as members of Parliament. The adviser on Women and Welfare to the Department of the Premier also receives the same salary as members of Parliament. The AO5—and that takes in the Deputy Public Trustee and the Department of Public and Consumer Affairs—has a top salary of $43 000. The Industrial Registrar of the Department of Labour has a similar salary, as does an accountant in the Treasury Department.

I want to draw a comparison with some of the injustices in other areas. I have not set out to pick the highest salaries in talking about Public Service salaries. When others debate this proposition, they will highlight many of the other inequalities within our wage structure in the public sector as compared to the private sector. Some salaries are amazingly unfair. A senior nurse in charge of the Red Cross Blood Transfusion Service receives $25 000. The Royal District Nursing Service nurse-in-charge in Iron Knob, a remote area, receives $22 000. The Senior Psychologist at the Kindergarten Union is entitled to $31 000. The Senior Clinical Psychologist at the Adelaide Children's Hospital, requiring a post-graduate qualification and experience, is on a maximum of $35 000. A research associate in agricultural studies, who requires a Ph D in the field, is paid a salary of $27 000, and the post recently advertised was for one year only. I have given these salaries without drawing extremes, to show that there is room for debate in this area and to see whether the present method that we have is the best method of deciding what a member is worth to the electorate.

I move now to my prepared speech. In introducing this proposal to change the law regarding the salaries and allowances that members of Parliament may receive in the future, I am aware of the sensitivity of the issue to sitting members of Parliament. Members and would-be members have a vested interest in parliamentary salaries, so it is possible to understand the difficulty they would have considering this issue with an open mind. I appeal to members to view this Bill with an open mind and give the people at least some say in how much they pay their individual representatives. At the moment they have no say. If the electors choose the wrong people—so what? It is their Parliament, their State, their future and their decision—let us make it their right. In a democracy we should never be fearful of the people's decision. I seek leave to have the remainder of my second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

As the principle in this Bill is the same as that which is contained in Liberal Party policy, I expect that they would support this Bill. The particular Liberal policy is that which would give small businesses, and their employees, the opportunity to negotiate the terms and conditions of employment. This Bill seeks to achieve a similar situation where the employer (i.e. the people) have the opportunity to assess which employee (i.e. the member of Parliament) is likely to be the most effective representative in cost and ability.

When I first promoted the concept that is in this Bill, the challenge was made: what would I ask for? To represent my area as I do now and to make the same donations and accept very few of any local complimentary invitations, would necessitate at least the present salary of $39 937 and electorate allowance of $10 000. I am not saying that I could not get by with less, as that is possible by giving less and going to fewer functions.

This does not mean that I believe members of Parliament are overpaid for their efforts or responsibilities. If they are being paid adequately, there must be many public and private salaried people grossly overpaid. I am sure other members will take the opportunity to use this debate, quite rightly to expand this area of the debate. However, this Bill is not about what members should be paid; it is establishing the principle by law of allowing the electors to decide what their member is worth to them. I indicated earlier that we should stand aside from our own vested interest on this Bill, but it is obvious people would ask where I, as the mover, stand personally on this issue, and that is why I declare that position.

The last point relating to my own position is that financially it is easier for my family to get by now with all of the children as employed adults. That does not mean that I do not appreciate the difficulty members with young families have, as our five children were very young when I entered this place. The important point all sitting members must accept is that we all knew what we were to receive and what the conditions were. If we did not, it does not place us in a very high intelligence bracket as planners for the future of the State.

When we set out to be members we left no stone unturned to win—it was our decision to seek this role. In the future, when this Bill becomes law, the same will apply for each candidate—if they do not like the conditions they should not nominate. Is it proper for us, once elected to this position, to play around with salaries to suit the political climate, regardless of the independent tribunals recommendations? That is what has happened in the past.

Once this Bill becomes law it removes all this humbug and shenanigans, for the electors in each electorate know what their member is to be paid for the term of the next Parliament. The amount sought does not have to be the same for each year of that Parliament. A candidate can make provision in the declaration to allow for CPI increases or whatever. At least the electors know what the candidate expects and will receive if elected.

The argument has already been put to me, and in very strong terms, that some fool will offer to do it for nothing. So what? The people decide. If they select a low calibre candidate, who are we to judge? That has happened before and will again, regardless. It is not only fools who would offer to represent for nothing—some of the most intelligent and community-minded people serve for nix in local council, and I might add, that they meet more regularly than this Parliament does. No doubt, some persons with limited ability may offer to do it for very little and some a huge sum. The important fact is, that it is not the right of sitting members of Parliament or political parties to choose who represents the people: that is the people's right. Fortunately, Parliamentarians only get one vote each at elections, as does every other elected member.

Consider what class of candidate may offer to do it for next to nothing. Maybe an executive type who has been retrenched in their 50's, living on the dole, with a grown-up family, prepared to be a member at double the dole rate for an inner metropolitan electorate. They could be an excellent member, making Parliament more aware of this age group's problems and fears. At the same time they know the difficulties private enterprise faces, as well as the other unemployed. There are also many young unemployed without family responsibilities who now survive on the dole and who may offer themselves to the electors for a low salary. Also, there are many families in our community where one partner brings home ample money to maintain that family's expected standard of living. The other partner in that family could become a member for a small remuneration and do it well. So why not let the electors have that choice? They are not fools and any candidate who takes them as such will soon be made to realise otherwise.

Then there are those who have retired on a satisfactory income or superannuation, and there will be many more in the future, who could well afford and be willing to represent the people for little remuneration and do it well. The strange thing is the response I received from most members on this issue—the fear of someone offering to become a member for less. What if they do? If the people accept them, is not that democracy at work? I suggest that, in fact, the people will do exactly the opposite; they will be forced to consider what they are prepared to pay their member. In doing this, the vast majority of electors will assess the situations wisely, look closely at the abilities of those offering, and compare the salaries paid to other professions within the community.

This being the case, if a well-respected, highly intelligent and capable person is available, even at a very high salary, we may well find that the people of an electorate are prepared to support such a person. From my experience people see their own electorate as important and, if given the choice of a low-cost incapable person as against an expensive and very capable person, they will go for the best for their representative. If the reverse is the choice offered they will still go for the best and save taxpayers money. When it comes to Party candidates they can all state the same required remuneration or leave it to the individual's own requirements.

We as parliamentarians should not see this as a threat to our chances of re-election because we already have great advantages over any other possible candidates. For example, we receive fortnightly updates of electors on the roll and we have the use of an electorate office and parliament etc., to keep in contact with the people. If we do properly represent our electors, they will see us as persons worthy of a fair salary and re-elect us, if not, they will do what they are entitled to—choose another.

There is an argument that, if a person wants to do it for less than others, then they can make a donation to some charity or community group. That sounds good but the people still have no guarantee what will happen to salaries generally, over the four year term—this Bill gives that guarantee. This Bill also allows for an electorate to vote for a more capable candidate who may require and deserve a higher salary, which is not possible under the present conditions. When this Bill is passed, all members who wish to continue or become a people's representative will use all the power they can muster to win—and I will be one of them.

I have confidence this Bill will make people consider more closely each candidate's capacity to represent and their real worth, and I commend the Bill to the Parliament.

Clause 1 is formal.

Clause 2 inserts a new clause 23A which makes it an obligation for a person nominating for State Parliament to declare the remuneration, which includes salary and electorate allowance, that that person shall receive if elected. It also provides that without that declaration the nomination is invalid. An obligation is placed on the Electoral Commissioner to publish the declared expected remuneration of candidates in a newspaper circulating generally throughout the State at least two days prior to polling day. Also, it is made quite clear that this expected remuneration is all the person shall receive if elected but it does not include any salary or allowance to which a member might be or become entitled whilst holding a ministerial or parliamentary office.

Mr BLACKER secured the adjournment of the debate.

IDENTITY CARD

Mr S.G. EVANS (Davenport): I move:

That in the opinion of this House all adult Australians should be issued with a card which clearly identifies them as a person entitled to the great benefits this country makes available to its people.

There is a shortage of time for private members' business, and for that reason I have agreed to make my contribution on this issue as short as possible. In doing that, I ask members to refer back to when I first introduced this proposition in October 1983. I believe that I was the first person in an Australian Parliament to do it. At that time Parliament did not sit long enough or provide enough time for private members' business to be handled properly. Only one other person in the Parliament was given an opportunity to make a contribution, and that was the member for Mawson (Ms Lenehan) who at that time, and I believe without her Party federally making a decision on the issue, gave some support, albeit qualified, to the proposition that identity cards should be introduced in Australia.

I ask members to refer to that speech, as I believe that most of the points that I wish to make are made there. Briefly, when I first came into this Parliament, I would have objected in the strongest terms to identity cards but, in the 18 years plus that I have been here, I have seen our society through its Parliaments make greater and greater benefits available to its citizens, and with those benefits becoming available—

The Hon. E.R. Goldsworthy: What about a photograph?

Mr S.G. EVANS: Yes, I want a photograph. I will come to that. With those benefits becoming available to our citizens, it has given the opportunity for more and more people to exploit the system be they people who exploit the income tax system, people who exploit other individuals by paying them below the award rate because they happen to be illegal migrants, or people who exploit social security and community welfare benefits, or whatever. In today's society it is accepted practice for a growing number of citizens to take the Government for a ride. However, it is not the Government that they take for a ride; it is just the same as taking the money out of a till. In fact, it is even worse than that, because it is done more slowly. If the average taxpayer saw those individuals putting their hand in a till to take out the money, they would immediately seek out the law to have some action taken. I am asking the Parliament to accept the principle so that we give some back-up to those who now support the introduction of identity cards.

I know that in the philosophy that I hold, the Liberal philosophy throughout Australia, a significant number, if not a greater majority, say through Party policy that they do not support the introduction of identity cards: they prefer to do it through some form of taxation number. I do not support that view: it does not go far enough. We need an identity card with a number, a photograph and a name. I am told that some people can cheat on that system. I find it difficult to accept that people would cheat very successfully.

In relation to Medicare cards, I believe that about 104 000 people more than what the authorities thought was Australia's population have a card. It appears that something like 100 000 people have two or more Medicare cards. However, nobody in authority has yet set out to really try to isolate those people. They could if they wanted to. If a person's name was put on a computer, someone else's name or number could not get into that system unless it was on the end of the line and the computer indicated that that number should not be there, or if a method was found to break into the system and eliminate another person's name and the associated details from the number.

Because of the shortage of time, I shall make my plea briefly. Thousands of people are cheating because they are able to go around under a false identity. We have well off people who are exploiting the system. We have people who are working under a fictitious name and collecting dole under their real name. We have people who are working under a fictitious name and have another full-time job under their real name, and who are therefore paying the lower rate of tax on both salaries rather than aggregating them and paying a higher rate. That merely makes our younger people ask themselves, 'Why should I not cheat if mum, dad, uncle and aunty do?' They understand what is happening, and it is important that we attempt to stop it.

As I said last evening, some younger people around 20 years of age are invited into people's homes to care for children. They are paid $2.50 an hour and told that, if they take the money in cash, they can continue to get the dole and nobody will worry about it. Other people offer youngsters accommodation, use of the kitchen and all the food that they want in return for looking after the children before and after school so that both partners can earn professional salaries. The employers ask the youngsters to stay on the dole, and pay them a few bob on the side. Such practices must be stopped.

Some years ago during Mr Fraser's term of office as Prime Minister we had an amnesty on illegal migrants. As long as they were in good health, had no disease and no traceable criminal record in their homeland, they could stay. Some 5 000 came forward. Many were being exploited in work by members of their own ethnic group because they were in hiding: they were not paying tax. One restaurant owner asked me whether his five employees would have bother with the authorities if they gave themselves up.

Identity cards would help if employers were obliged to pay a heavy penalty for employing somebody illegally. Employers should tell the department that they are employing a person, give his name and identification number and vouch that they have seen his identity card. I know that that would mean more bureaucracy but, when a society gives benefits, an opportunity to exploit the law and a chance to steal from taxpayers, we must go to such regulatory lengths. I hope that, at the Federal level, the Labor Party pursues the idea of identity cards, regardless of what Senator Bolkus or others on the extreme left may say. I believe that we need them.

I congratulate the Government on picking up the problem. I am not disappointed that it took three years for the political Parties to debate the issue more fully. As the original mover of the proposition in Australia, I hope that we soon have identity cards showing the name, number and photograph of people over 18 years, although there should be no compulsion to carry them. There should, however, be a requirement to produce an identity card when people want to gain a benefit from our society, perhaps in the form of employment. I ask members to support the motion.

Mr KLUNDER secured the adjournment of the debate.

WASTE MANAGEMENT REGULATIONS

The Hon. H. ALLISON (Mount Gambier): I move:

That the regulations under the South Australian Waste Management Commission Act 1979 relating to licence fees and wastes, made on 31 July and laid on the table of this House on 31 July 1986, be disallowed.

I move this motion at the request of the Mount Gambier city corporation and, in addition, I believe, with the substantial support of country councils across South Australia. The regulations that were made in 1980 have now been extended to include country councils, and I understand that the Mount Gambier city council has been asked this year to expend an additional $5 000 in waste management licence fees. I am advised by the Clerk of the Mount Gambier city council that this is only one additional sum: a total of about $45 000 has been landed on the Mount Gambier city council since the budget was brought down. This means that these sums have not been budgeted for.

More importantly, there was no consultation by the Waste Management Commission or by the Government before these fees were fixed simply by regulation: local government was advised after the fees had been fixed and when they were gazetted. There was no warning, no prior alerting of local government that councils would have to budget for these sums. I believe that consultation is an essential feature in such matters. Furthermore, I am advised that generally local government in country areas is completely unaware of there being any corporate plan for the Waste Management

Commission. Councils have never been consulted on that sort of forward planning. However, they are very suspicious that moves such as this to further embrace local councils could mean that engineers and inspectors will be appointed by the Waste Management Commission at considerable additional cost to local government and that this move to increase licence fees is, in fact, the thin end of a substantial wedge. Who will be expected to pay the additional costs? Obviously, it will be local government in country areas.

The concern is that already the Waste Management Commission in South Australia is faced with a substantial deficit and country councils believe that they are being asked to finance this deficit. They claim that no substantial service is currently being offered by the Waste Management Commission to rural areas. They are not really complaining about that, because at present they prefer to administer their own affairs and they believe that they are conducting matters quite satisfactorily. There is no indication that these councils will obtain any additional service from the Waste Management Commission as a result of this change in the regulations.

However, the councils also make the point that many of the issues confronting local government in country areas, such as animal and human effluent, quarrying, and the disposal of radioactive waste that could take place in remote South Australia, are not covered in any case by the Waste Management Commission legislation that was passed in 1979. I do not intend to protract this debate. I have moved that the regulations be disallowed at the request of country councils in South Australia and seek the support of my Parliamentary colleagues for this motion.

Mr DUIGAN secured the adjournment of the debate.

DAYLIGHT SAVING ACT REGULATION

Mr BLACKER (Flinders): I move:

That the regulation under the Daylight Saving Act 1971 relating to extension of daylight saving, made on 4 September and laid on the table of this House on 16 September 1986, be disallowed.

My moving this disallowance motion will come as no surprise to other members. By the same token, I protest to the House that daylight saving has been extended as much by stealth as by anything else. I refer to a gazettal referring to this matter, which states:

Regulations under the Daylight Saving Act 1971

1. These regulations may be cited as "Daylight Saving Act Regulations 1987".

2. The prescribed period for 1986-87 is the period from 2 a.m. South Australian standard time on 19 October 1986 until 2 a.m. South Australian standard time on 15 March 1987.

I protest about this regulation on two grounds. First, it is an extension of daylight saving by bringing the commencement time forward. It has been published in the press that the date has been brought forward to facilitate the Grand Prix. I think that that action was unusual and that that is insufficient reason for bringing forward the date for the commencement of daylight saving. This change in the commencement time of daylight saving further disadvantages people, particularly those in the western part of the State, and, as such, is unwarranted.

More particularly, I protest about the way in which this was done. The Government made an announcement some six weeks or so ago that it would do this. After a press release appeared the Eastern States changed their daylight saving period. An article in the *Bulletin* of 9 September at page 24 states under the heading 'The Week's Action' and the subheading 'Living Daylight':

The New South Wales Government followed the example of South Australia and Victoria by deciding to start this year's summer daylight saving period one week earlier (October 19) and finishing a fortnight later (March 15).

I protest at that happening, because it is quite evident that one State is playing off against the other. It is improper of the Eastern States to do this on the basis of a press release, particularly when the change had not been implemented in South Australia at that time. The regulation states in part that South Australian summer time will be extended to 15 March 1987. Members will recall that earlier this year daylight saving was extended by two weeks, ostensibly because of the royal visit: in other words, Her Majesty's coming to South Australia was deemed by some as reason to extend daylight saving in South Australia—it was an excuse. It was at that time that other amendments were introduced which related to the Daylight Saving Act and which are now causing some problems.

In moving this motion I lodge my protest. I trust that the House will recognise what is occurring — the extension of daylight saving by stealth — and will protest against it and move for its disallowance. Bringing daylight saving forward a week cannot be justified. The extension at the other end for two weeks is also unjustified. Last year's excuse was the royal visit. I call on the House to oppose this regulation.

Mr ROBERTSON (Bright): I oppose a number of points made by the member for Flinders. The regulations are supported by most people in this State. We live in the most urbanised State in one of the most urbanised countries on earth. There is no doubt in my mind or, I believe, in anyone else's mind as to the acceptability of the general principle of daylight saving. Certainly we can argue about the precise weekend on which it is to be introduced and the precise weekend on which it is to finish, but all the survey material we have indicates that the vast majority of South Australians support the idea of daylight saving and would not want to see it abolished. Indeed, the vast majority of Australians support it, and that is reflected by the fact that the other States have come in behind us very quickly on this issue.

Having said that we live in the most urbanised State in the most urbanised country on earth, I make another point—the majority of the State's population lives east of Port Lincoln. Certainly, people living in the west of the State have an argument; I would not deny that. However, about 95 per cent of the State's population live east of Port Lincoln and for them daylight saving is overwhelmingly acceptable.

The point about the regulation that the honourable member fails to recognise is that it gives flexibility to vary daylight saving from place to place through the State. If it were found to be necessary for one reason or another to exempt the western area of the State from the Act by regulation, I am sure that could occur. I believe that the legislation is sufficiently flexible to allow us to do that. I see no reason why people living in Ceduna and points west of that town who wish to be exempted from daylight saving when we next move into daylight saving should not be exempted by regulation. For that reason I believe it is good legislation.

It is hardly necessary to reiterate the advantages of daylight saving, but when one lives in an urbanised State, as we do, one can take on some of the delightful habits of the northern hemisphere which come with a long twilight. Anyone who has been to Mediterranean countries has seen the people, particularly of Spain, on the patio of an evening. The whole family get together and walk along a creek bank or go to a park and take the children to the swings. A whole

range of activities, basically family oriented, is possible. I find it strange that a member opposite should oppose anything that militates against welding a family together. I would have thought that all measures taken in this place to enhance the amount of time that wage earners spend with their families to enjoy their children should be supported by everyone.

A number of those very civilised ideas and traditions we admire so much from the northern hemisphere—and the vast majority of people in the northern hemisphere live at a latitude higher than ours and derive some benefit from the long twilights—should be incorporated into our own Australian urban tradition. I would think that the benefit gained by children going to sports practices and by people going for walks, enjoying parks, going to open air shows—

Mr Ferguson interjecting:

Mr ROBERTSON: —or going down to Henley Beach, as my colleague in front of me suggests, should be supported. It is only fair to consider some of the problems. There are minor problems in relation to people who need to rise in the dark to make deliveries. For example, truck drivers have a genuine grievance. However, the *quid pro quo* in urban areas is that truck drivers, having risen an hour earlier, will have an hour longer with their children at night when they get home.

I take the point made by the sundial manufacturers, who have written to us complaining that they will need to retool the tin plates on which their sundials are made. I think that that is a reasonable complaint but, set against the fact that 90 per cent of the population of this State want daylight saving, it is a fairly minimal issue, and I do not believe that it is worth throwing the whole thing out the door for that reason.

Members opposite loudly defend the rights of farmers in our community. However, although I support some of the objections, I point out, as anyone who has ever been outside Adelaide would know, that farmers are regulated by the seasons and by the rising and setting of the sun. No amount of daylight saving will determine when a farmer ploughs, strips, or anything else. What it does affect is what time the farmer's kids get up to go to school. I accept that as being a reasonable objection. I point out that under the Act the new regulations will allow us to take that into account and, if necessary, to vary, by regulation, daylight saving in the western portion of this State. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

GLENELG COURT

Mr OSWALD (Morphett): I move:

That this House calls on the Government to rescind its decision to close the Magistrates Court at Glenelg and further calls on the Government to make a commitment to its long term retention.

In moving this motion, I believe that I have the support of the majority of the residents at Glenelg in requesting that the Government rescind its decision to close the Magistrate's Court at Glenelg and that a magistrate be retained at the city of Glenelg. Since putting this notice on motion on the Notice Paper, my office has been inundated with calls and letters of concern. This concern was indicated to the House only this week, when I presented a petition containing over 1 000 signatures, gathered over four days. The residents are concerned because they believe that the resident magistrate at Glenelg has acquired an intimate knowledge of the problems specific to the city of Glenelg and that this has contributed greatly to clearing up the problems that have been experienced over the past few years.

The Government has argued that the police station should be expanded and that we cannot have a police station as well as a court complex at Glenelg because of space constraints. When this motion was referred to earlier, the Deputy Premier said 'more cost', and I shall refer to that matter in a moment. I want to place on record a summary of the concerns of local residents, so that members can spend a few minutes considering the implications of moving the courthouse, as against the need to keep it there.

If the magistrate at Glenelg is removed we would have a situation as follows: first, and most important, there would be no locally-based court at Glenelg, and this would mean that offenders would be taken to a court presided over by a magistrate unaware of the problems experienced at the city of Glenelg. Secondly, any person arrested would have to be transported first to a police station and then to a court, thus involving the police in substantially more time and expense. At the moment these people are conveyed to the court/police complex at Glenelg.

Thirdly, officers of the Glenelg office of the Department of Correctional Services will have to travel to Adelaide to attend courts for community work assessment reports and to perform other duties, involving them in substantially more time and expense. Further, a magistrate will have to travel to Glenelg to attend meetings of the local community work assessment scheme committee. Civilian witnesses appearing in trials will have to travel to Adelaide and will then have to find parking facilities (facilities which are adequately available at Glenelg). Police witnesses in trials will similarly have to travel to Adelaide, incurring more time and expense for the Police Department.

Three trials are listed every day of the week at Glenelg, involving nine to 12 police witnesses daily. Local council representatives in the area—including officers from Marion, Brighton, Henley, Glenelg, and so on—will have to travel to Adelaide to lay charges and to prosecute cases, involving more time and expense for these councils. Abused women and others who wish to take out restraint orders for immediate relief will have to find transport to Adelaide, and I can assure members that such applications are rife in the Glenelg area. Local residents acting as character witnesses for persons in connected or non-connected matters will also have to travel to Adelaide, as will residents wishing to act as bail guarantors. Residents and retailers needing documents signed by justices of the peace will no longer be able to go to the Glenelg court at any hour of the day; they will now have to seek that service elsewhere.

Police officers will have to remain in the precincts of the Sturt Street court complex where prisoners are held throughout the day. At the moment, at Glenelg, police simply continue on with their duties until they are required in court. Police will have to provide meals for prisoners at Sturt Street, whereas at present the Glenelg police station provides that facility on demand within minutes. Medical practitioners from the Flinders Medical Centre, who are frequently required to attend at the Glenelg court, will now have to travel to Adelaide, incurring additional time and expense. Local residents who are police witnesses also will have to travel to Adelaide to discuss their evidence with prosecutors, once again involving time and expense.

In recent years a sum approaching $100 000, I think, was spent by the Courts Department to upgrade the Glenelg court. That money was spent in two ways: first, a second magistrates court was set up with magistrates' chambers and facilities for paraplegic witnesses; and, secondly, the main courtroom was wired for tape recording facilities. Overall,

as I have said, about $100 000 was invested in this work. If the Glenelg court is scrapped, that money will have been wasted. The latest statistics show that 519 new matters came before the Glenelg court in July. Bearing in mind that the Glenelg court has only one magistrate, I ask members to compare that figure with 687 cases at Holden Hill, which has three magistrates; 261 cases at Mount Barker; 259 cases at Murray Bridge; 235 cases at Mount Gambier; 379 cases at Port Augusta; and 279 cases at Whyalla. As can be seen from the figures, the Glenelg court is extremely busy and caters for a large number of people.

Also, next door to the court, the Government has recently spent $150 000 on upgrading the existing police station. For years, next door to the old police station at Glenelg the council has owned some property, which the council has given over to the police on a temporary lease. The police have spent $150 000 on upgrading the police station and a further $50 000 on upgrading the old property next door. Collectively, $200 000 has been spent there. I have been assured by police officers to whom I have had the opportunity of speaking that the site comprising the old police station and the enlarged area next to it is perfectly adequate for the police to operate from in the Glenelg area; they do not need further premises or to expand out into the court, which is part of the total complex. There is, therefore, absolutely no reason why the court should be removed.

In summary, first, there is no need to move the court out because the police need the premises, as the police are perfectly happy where they are. Secondly, if the council in its wisdom decides it would like the old courthouse as it is for a library or some other purpose, there is nothing wrong with that. The argument we have in Glenelg is that we want the retention of a magistrate who has that intimate knowledge of the problems of Glenelg and will do something about them, as his track record in this case has proved. For this and all those other reasons of inconvenience and extra expense to witnesses, police and other departmental officers, there is a substantial case for leaving the court where it is.

I ask the Government to reconsider this move. It is not going to save any money. It will not cost any more but will save members of the public, departments and the police station extremely large sums of money. There are benefits to both the community and the Government in leaving a resident magistrate in Glenelg, and I would urge members on both sides of the House to support this motion calling on the Government to retain the *status quo* in Glenelg and retain the presence of a resident magistrate.

Mr KLUNDER secured the adjournment of the debate.

URANIUM SALES TO FRANCE

The Hon. E.R. GOLDSWORTHY (Kavel): I move:

That this House condemns the Premier for his hypocrisy in relation to sales of uranium to France and, while disagreeing with the Minister for Labour's views on this matter, commends him for having the courage to publicly expose the Premier.

It might be useful if we briefly trace the history of events leading up to this latest of a series of debacles which have beset the Labor Party in relation to the problem of uranium and from which, as yet, they have not managed to extricate themselves. Let us go back to the days of the last Liberal Administration—of which I was a part—where a great deal was done to further the interests of this State, including the development of the arrangements for Roxby Downs.

We had the spectacle of the now Minister of Mines and Energy putting in a minority report on the Roxby Downs Indenture, saying that the uranium from Roxby Downs would go into bombs, and that the radiological provisions were not satisfactory. Let us return to the Premier, who is the basic subject of this resolution today, and point out that the Premier at that time said that it was quite unsuitable to mine uranium because it was not safe.

When I stated I had been to Sweden and talked to Dr Svenke, who was in charge of the nuclear program, and to other experts in the field, where they developed the strategy and technique for the handling of uranium from start to finish—the whole nuclear fuel cycle—the Premier said that I was talking nonsense. Nothing has happened since that time except that only a week ago the Premier applauded the fact that a sale to Sweden has been negotiated—so it is now okay to sell the uranium to Sweden. The thing I found puzzling when the Labor Party suddenly had a flash of insight which said that Roxby Downs but no other uranium mine could go ahead, was the fact that somehow or other this uranium was okay because it was associated with other minerals. This uranium was something special.

One could not buy it from Honeymoon or Beverley—and in due course the Government sacrificed those to the Party. The Premier acts on the premise that in all situations one can compromise. The compromise in this situation was that some uranium was okay, particularly in Roxby if associated with other minerals, but other uranium was not. That was the compromise. The basic stupidity of that thinking still bedevils the Labor Party, right up to this very moment. We have had this latest in a series of acute embarrassments which has been repeated, surfacing again recently in relation to sales of uranium to France. We have not gone full circle—we are going in fits and starts. No uranium was okay to sell initially, then some uranium was okay to sell—but not to Sweden, because the nuclear fuel cycle has not been completed and the waste disposal problem has not been solved. That difficulty was conveniently shelved, but it seems to have been overcome in the last week or two when the sales were negotiated with Sweden.

What about France? The fact is, of course, that the saner members of the Federal Labor Party have for a long time been trying to crank up sales of uranium and to convince the Australian public at large that it is a legitimate energy source and that in fact, if the technology is carefully monitored and all safety precautions observed, it is the most satisfactory way for the generation of large quantities of electricity—the best technological breakthrough yet devised by man, if talking about large scale conversions of energy (in this case nuclear energy) into electricity, and by far the safest. I do not know what impact the Chernobyl disaster has had on the statistics, but until that time all experience indicated that nuclear conversion was by far the safest in terms of a peaceful program for generating electricity.

So, Hawke was trying, even before he got into Parliament. I recall the present Prime Minister being on record at one of the universities in Victoria—Monash, I believe—giving a lecture, and saying that it was stupid to ban sales of uranium on the ground that it might be used for weapons. Using the same logic, he said, we have to ban the mining of iron because we turn iron into guns and shoot bullets at people to kill them in warfare. He also said that the only result of banning sales of uranium overseas (this is Hawke, pre-Parliament, pre-Prime Minister, way back in the early days, and it is still the underlying cause of his problems in the Labor Party) would be effectively increasing the price of energy to developing countries. He said that we will make the cost of an adequate supply of energy more expensive to the developing countries. Then, he said, we will be able to sit back and enjoy the warm inner glow from this so-called moral stance. That was Hawke in pre-Roxby days.

His thinking has not changed during those years. His personal power has increased rather significantly, from being the boss of the ACTU to now being, presumably, the boss of the Labor Party and being Prime Minister.

The Hon. D.C. Wotton: He hasn't got too much power as Prime Minister.

The Hon. E.R. GOLDSWORTHY: The ACTU shares powers with the Government. The present Administration, as I have said in this place on many occasions, cannot move without its concurrence, but nonethless I do not believe for a moment that Hawke's view has changed one iota in those intervening years, but he has managed to work himself into a position where he can make decisions and put up with the flak, although in due course his days will be numbered. One thing about the left of the Labor Party is that it does not give up. I take off my hat to them. They are consistent; they are consistently offline, but nonetheless they are consistent and they are tenacious. If they have someone in their gunsights, it may take time, but they will get him.

That leads me to the second part of this motion, which relates to the stance of the left wing of the Labor Party. I give full marks to them for their consistency—consistently wrong, but at least they are consistent. I always give credit to people for consistency, even if they are wrong. At least they have the courage of their convictions (I assume and think that they are convictions) and they stay with them. That is where the left sits, and that is where the Hon. Peter Duncan sat. Unfortunately, he was too impatient to sit it out in this arena. One of his personal traits was impatience. He could not put up with what he saw as the profound weakness of his then Leader, the Premier, so he shakily quit the scene and, unless the Labor Party's stocks improve before the next Federal election, I think that he may rue that decision, which was a result of his impatience. He quit the scene because he could not put up with the traits which are so evident in the Premier and to which I refer in this motion, that is, of saying there is some sort of a compromise that can be worked out, even when dealing with the question of whether or not one should sell uranium. The compromise is: we can sell some and not the rest. That was too much, as was the case with a lot of other waffling and carrying on by the present Premier on a whole range of issues, for the Hon. Peter Duncan to swallow. It was not his style.

The left is consistent. Who is now the leader of the left? It is none other than the Hon. Frank Blevins in this House. He has a different style to that of the Hon. Peter Duncan but, largely, he has the same views, and certainly they have the same views in relation to uranium. As I say, they have the courage of their convictions; they stay with it. I notice that members of the Labor Party all have their heads down. That means that they are listening intently and that they are highly embarrassed. I will have to develop this point further and, under those circumstances, I seek leave to continue my remarks later.

Leave granted; debate adjourned.

SECOND-HAND GOODS ACT REGULATIONS

Mr MEIER (Goyder): I move:

That the general regulations under the Second-hand Goods Act 1985, made on 1 May and laid on the table of this House on 31 July 1986, be disallowed.

I think it is a great tragedy to find that legislation has been changed in such a way that, where under the previous Act one licence was required, now under the new Act more than one licence is required. While that perhaps can be accepted, depending on the argument of Parliament, I do not believe it is acceptable to put forward regulations which seek to increase the existing fees, even though that means that the total revenue collected could well be 100 per cent or even more than the previous year.

I will explain the situation further. The previous Act under which these regulations applied was the Second-hand Dealers Act. That was changed and the legislation will now become the Second-hand Goods Act. Previously, the fee for a licence that applied to a partnership was $50. Now the partnership provisions have been eliminated, and one can therefore understand that in the case of partnerships, where at least two people must pay licence fees, although previously only one fee of $50 was paid, two partners must pay $50 each for two licences, making a total $100. If there are more than two partners, the licence fees payable will be $150 for three partners, $200 for four partners, and so on.

However, the regulations provide for an increase in the licence fee from $50 to $60, which means not only that the fee will increase from $50 for a business operating under the Second-hand Goods Act but also that the fees payable by two partners will be $120 and the total will rise in multiples of that depending on the number of partners in the business. It is high time that this Parliament and this State put a stop to such increases where they are obviously designed simply to bring in extra revenue as a result of increases in the cost of production (that is, CPI increases).

As with so many other regulations, this regulation seeks an increase because of CPI factors. That is another point in itself: this State cannot keep going with CPI increases when the average employee and the average employer are not receiving such increases. Even the Arbitration Commission has acknowledged that it cannot pass on the full flow-on each time the CPI increases, so salaries and wages are not rising in line with the CPI whereas, in the main, charges are. In fact, most charges, when introduced, are increased in accordance with the increase in the CPI over the preceding period. The CPI may be 14 per cent and, as this would result in an increase of, say, something over $15, the increase is rounded to the next highest dollar, namely, $16. So, the charge rises at a rate even higher than the CPI.

I return to the fee increases that would be experienced because of the change in the legislation. Unless we make a stand on this issue, the position will get completely out of control. It is also disappointing that apparently it is Labor Government policy to change all partnership licences when an Act is being redrafted. So, I believe that the Builders Licensing Act will be the next Act under which the regulations will be redrafted so that partnerships will be hit not only by one fee but by a number of fees equating to the number of partners in the business. That burden on small business is not warranted. Indeed, it is not needed at a time when, hopefully, encouragement should be given to small business and not the disincentive that we see in this case. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

HOME OWNERSHIP

Ms LENEHAN (Mawson): I move:

That this House congratulate the Government and the South Australian Housing Trust, in conjunction with all participating lending institutions, for developing mechanisms by which low and middle income earners are able to achieve their aspirations for home ownership.

It is with much pride that I move the motion standing in my name. As members know, I represent a large proportion of Housing Trust tenants. This motion congratulates the South Australian Government, the Housing Trust and those lending institutions which lend for housing and which have

participated in the Home Trust Shared Ownership Scheme. At the last election, the Australian Labor Party continued its commitment to the provision of public housing in this State and went to people with a policy outlining a proposition that the trust tenants be able to purchase their homes. The Government, through the Minister of Housing and Construction, announced that those tenants who could not afford to buy their trust homes outright would have available to them a scheme that would enable them to do this in stages.

This is a most innovative scheme. It is the only scheme of its kind in Australia, and I would like to have on the public record my congratulations to the Government and in particular to the Minister of Housing and Construction for enacting this scheme in such a short time after the last State election. Only two weeks ago the Minister of Housing outlined to the people of South Australia, and more particularly to the trust tenants, what this scheme would seek to do, and I want to put on the public record that that is yet another one of the Bannon Labor Government's promises that has been fulfilled in a short space of time.

The Home Trust Shared Ownership Scheme enables trust tenants to buy 25 per cent of their houses and to purchase the rest of their houses in affordable shares as they can manage to do this financially. I stress that houses will be sold at market prices, and I believe that trust tenants have recognised the necessity for, and propriety of, so doing. I understand that there has been a positive response to the original innovative scheme that the Minister announced. About 11 000 trust tenants would be eligible, and they live outside the inner-metropolitan area. One of the preconditions is that they must be paying the full amount of rent.

The shared ownership scheme is beneficial not only to the tenants but also to the public housing program, which is so important not only to the provision of housing in the State but also to its economic development. It introduces a new source of revenue to assist the trust's building program. I understand that that has been estimated (and I stress 'estimated') at approximately $7 million of revenue, which will be put straight back into the provision of public housing and public housing stock.

There is no doubt that public housing under the Bannon Government has been managed in such a way as to best assist the growing numbers of people who are seeking low rental housing and to aid the State's building industry. Public housing is certainly a feather in the cap of this Government, and no objective person in this Parliament or State would have any reason to dispute that.

In outlining how the scheme works, I seek leave to incorporate in *Hansard* a statistical table which outlines the weekly outgoings of a person who is renting a trust house valued at $60 000, what that will mean in the weekly financial contribution to that person and what he will need to find in the total amount of money to participate in this scheme.

The SPEAKER: Can the honourable member give an assurance that the material is entirely statistical?

Ms LENEHAN: Yes, Sir.

Leave granted.

HOME TRUST SHARED OWNERSHIP—
WEEKLY OUTGOINGS

(Based on 25 per cent share of $60 000 dwelling)

	$	
House price	60 000	
Purchaser buys 25 per cent share	15 000	
Financed by:		
• FHOS (subject to eligibility)*	3 000	
• Deposit (minimum)	500	
• Loan	11 500	
	15 000**	
Weekly outgoings		
Full Rent	66.00	
Less Maintenance	5.00	
	61.00	
Rent Share—75 per cent	46.00	
Loan repayments		
(16 per cent, 20 years)	36.80	
Less FHOS	12.50	
Net repayments	24.30	
Total weekly outgoings (Rent share + net loan repayment)	70.30	
*Couple with two or more dependant children earning $20 000 p.a. or less		
**Initial costs would also include administration fee		$450
Registration of transfer fees		$36
Stamp duty (if applicable)		$180
Inspection fee		$110
		$776

Ms LENEHAN: The table highlights the position of a trust tenant in a $60 000 house who is now paying a full rent of $66. After he has made his loan repayments, and taking into account his first ownership scheme rebate, and the fact that his rent payment has been reduced, that tenant will be paying $70.30 for his dwelling.

However, let us look at the advantages to those tenants. They now have a 25 per cent equity in their home. They also have, if you like, the opportunity for capital gains for their dwelling, and they have the pride in being able to own their first home. I believe that this is an extremely important scheme that has been introduced into South Australia. I am delighted that the Government has introduced it, and I will be taking up at a future time the contrasts with the Liberal Party in terms of its proposals at the last State election and also at the Federal level for the coming Federal election. I therefore seek leave to continue my remarks later.

Leave granted; debate adjourned.

MINISTERS' REPLIES

Adjourned debate on motion of Mr S.G. Evans:

That in the opinion of this House the rulings of successive Speakers in allowing Ministers when answering questions to use debate in that answer, and also to raise subject matter not directly related to the question, is not in accordance with this House's Standing Orders or its accepted authority.

(Continued from 21 August. Page 540.)

Mr S.G. EVANS (Davenport): When I moved this motion on 21 August, I made the point that I thought you, Sir, were having some success in getting Question Time back into the sort of order that was originally suggested when the Parliament was forced to accept one hour in lieu of two hours for Question Time. I do not wish to take a lot of time today. I believe that we have not achieved the sort of goal that we should have. There are Ministers who give Dorothy Dix questions to members on their own side and then make replies that are virtually ministerial statements.

I do not object to the statements, but Standing Orders provide an opportunity for Ministers to give a statement. Those statements are able to be made before Question Time to allow them to receive media coverage, so there is no need for that abuse of Question Time—and it went on with the Liberal Government, to some extent. As Whip, I used to argue the point on many occasions (and I am sure that the present Opposition Whip makes the point at times) that we cannot go on expecting Parliament to operate properly while that occurs. With those remarks, and hoping that we can achieve more in the next few weeks, I seek leave to continue my remarks later.

Leave granted; debate adjourned.

MOUNT BARKER ROAD

Adjourned debate on motion of Mr S.G. Evans:

That this House considers the Government's planned time of commencement, at the earliest in 1988-89, for the construction of a safer transport route than the existing dangerous northern section of Mount Barker Road is totally unacceptable and therefore calls on the Government to commence work on this project immediately the preferred new route is decided later this year or, alternatively, to immediately have work begun on eliminating the dangerous section at the Devil's Elbow and installing concrete median strip traffic deflector barriers in accident prone areas.

(Continued from 14 August. Page 377.)

Mr S.G. EVANS (Davenport): When I was speaking to this motion in relation to the Mount Barker Road and the long time, as stated by the Government, before it would go ahead with the report that we hope to get some time next month, I was about to read a letter that had been sent to me by the acting Minister of Transport at that time (Hon. Dean Brown). I do not want to take up a lot of time, but I need to refer to one or two paragraphs from various letters. The letter from the Hon. Dean Brown—

The Hon. Ted Chapman: And a very good Minister, you will recall.

Mr S.G. EVANS: I might point out that he represented a significant part of this road for a significant part of his parliamentary career. The letter dated 21 April 1981 states:

It is considered that the only method to improve the current situation would be to widen the existing road. However, because of the steep terrain through which the road passes this would prove very costly and would have a significant adverse environmental impact on the area.

Then, on 17 September 1984, in a letter to me from the then Minister of Transport (Hon. Roy Abbott), he stated:

It is recognised that the Mount Barker Road between Glen Osmond and the start of the S.E. Freeway at Crafers is not consistent with desirable standards for a national highway. A preliminary study to determine the level of improvements warranted on economic grounds will commence in the near future. It is pointed out, however, that any major upgrading of this portion of the road would involve severe environmental impacts and engineering difficulties because of the nature of the terrain of this section of the Mount Lofty Ranges and a considerable outlay of funds.

However, any major upgrading would involve serious environment and engineering constraints because of the nature of the terrain. It is, therefore, unlikely that the department will undertake any upgrading for a number of years.

On 13 November 1984, in a letter to Mr Morgan of Towers Road, Bridgewater, the Minister said:

The Highways Department will shortly commence a preliminary study to determine the feasibility of possible improvements to this road. However, any major upgrading would involve serious environmental and engineering constraints because of the nature of the terrain. It is, therefore, unlikely that the department will undertake any major upgrading for a number of years.

On 21 November, the Minister wrote to me making the same point concerning the environment and the costs. On 18 March 1985 I received the following reply from the Hon. Mr Abbott:

It is pointed out that assessments that are carried out require detailed analysis of the safety and cost effectiveness of various treatments available. As such it is not possible for these to be completed within a short period of time.

However, you can be assured that the Highways Department is fully aware of traffic conditions along Mount Barker Road and is taking appropriate action as required.

On 9 September I wrote to the Hon. Mr Keneally about accidents, as follows:

I ask again, please, when will human lives be given greater consideration than the initial cost of preventive measures and any potential environmental impact? When can we expect to see the results of the studies, considerations, and intentions to take action?

Nothing happened. I did not hear anything until 27 May this year when I received a letter from the Hon. Mr Abbott, the Acting Minister at the time, saying:

A firm of consulting engineers, Maunsell and Partners Pty Ltd, has been engaged to undertake a study of the section of the South-Eastern Freeway between Crafers and the Adelaide Plains to determine the most appropriate option for upgrading this section of road.

I could say a lot about the long delays, about the Governments inaction and about the cost in terms of money, life and time. I could speak at length about the damage to vehicles and property, let alone the injury to those who are still suffering. People have been crippled for life or have other problems. That is sometimes the result of their own stupidity, but it is often the result of defective road design or other people's stupidity.

The Government suggests that the report will come out in October and that we must wait until 1989 for anything to happen. That is 10 years after the problem was first recognised by the Highways Department and those who knew the road. That is not satisfactory. It is too long. We must act once the report is available and the preferred option is agreed to. We should then upgrade the road immediately.

By the early 1990s, which is when, under the present planning arrangements, the road will be upgraded, there will be absolute chaos because of the traffic. I am sure that the Government has slowed the program down because it does not know what will happen to Mount Barker. If it grows to a city of 100 million people—

An honourable member: One hundred million?

Mr S.G. EVANS: I am sorry—100 000 people. If that happens, we will be spending not $20 million or $30 million on that road but hundreds of millions of dollars, and that is why the Government is slowing things down. I ask the Government to come clean, to tell us what is happening, and to get on with the project. The Government should admit that it wants the population of Mount Barker to increase but that it does not know how to handle the transport and the road problems. I encourage members to support the motion.

Mr HAMILTON (Albert Park): As has been pointed out, this has been a contentious matter for donkey's years—for at least 20 years, to my recollection.

The Hon. D.C. Wotton: That's why something should be done about it.

Mr HAMILTON: If that fool opposite kept quiet, Sir, instead of being so rude and interrupting all the time, he might find out what I want to say. This issue is of concern to the Government. I referred to 20 years, but I remember that, when I was a young lad and lived in Mount Gambier, travelling through the Hills, there were problems associated

with what was considered to be an old track. There is no question that improvements have been made under successive Governments, and it is very easy for people to jump up and down saying that this Government should do something immediately. But, as the member who so rudely interrupted would be aware, planning is necessary. If the Government put forward a plan that was unacceptable to members opposite, they would be the first to go berserk and stir up the residents in the Hills. I acknowledge that they have the right to do that, but I make the point that it is important that the Government adopt the proper plans and undertakes the proper investigations. The alternatives must be investigated and an appropriate proposal adopted. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

SELECT COMMITTEE ON ADELAIDE HILLS LAND USE

Adjourned debate on motion of Hon. D.C. Wotton:

That a select committee be appointed to investigate and report on current and future policies relating to land use in the Adelaide Hills and in particular within the water catchment area.

(Continued from 28 August. Page 760.)

Mr S.G. EVANS (Davenport): For the reasons I expressed earlier, I will be very brief. I support this concept. If the evidence that I have should be presented to a select committee or if other people want to give evidence, that opportunity should be provided. I have a deep concern about the attitude of this Government and its departments on land use in the Adelaide Hills. I believe that we are being misled about water pollution and its cause. An attempt has been made to con us, and some of the material that is being made available is not accurate. It is critical that a select committee examine this matter and, if a select committee is not set up, one will be able to move a motion later to make the points one wished to make in this debate. I support this motion in the strongest terms.

Mr GREGORY secured the adjournment of the debate.

RIGHTS OF WOMEN

Adjourned debate on motion of Ms Lenehan:.

That this House condemns the Federal Liberal Council's decision to oppose significant provisions of the Federal Sex Discrimination Act and, further, this House believes that this attack against the rights of women in the private and voluntary sectors and in those States which do not have State legislation is grossly discriminatory.

(Continued from 28 August. Page 755.)

Members interjecting:

Mr LEWIS (Murray-Mallee): I accept the interjection from the member for Henley Beach that I am 'all right'; there is nothing left about me at all, and that is why I, in part, have taken the view that I have of the proposition put by the member for Mawson; namely, that she has her policies as well as her perceptions wrong. The first matter involves policies and the second her perceptions. I was speaking about perceptions when I sought leave to continue my remarks on 28 August when I last spoke on this matter, as recorded at pages 754 and 755 of *Hansard.* I need to remind members, I am sure, that amongst those reasons the House has for rejecting this proposition is the fact that it misconstrues the meaning of the substance of the proposition to which it relates and which was debated at the Federal Liberal Council.

Quite apart from the way in which the member for Mawson misrepresented the remarks of people at the Federal council meeting, she also misconstrued the intent of the meaning. I have explained that it was by virtue of the reserve defence powers that the motion first appeared on the notice paper of the Federal council, namely, that Federal Governments should not dictate to State Governments what they should do just because they have signed an international statement of opinion called a 'treaty'. Indeed, at the time that clause was included in the constitution treaties were for the purpose of maintaining peace between countries and not for establishing arrangements that those countries would make within their internal Federal structures about what the law would be.

That is what has happened since the relevant clause of the Federal constitution has been interpreted to mean that, if the Federal Government signs such an international treaty to which other countries are signatories, it binds all jurisdictions in Australia. The Parliaments of the States and Territories have no say whether or not they want to be bound by that convention—the High Court compels them to be so bound.

I believe that because those States and Territories have constitutional integrity (sovereignty) in their own right and are accountable to their electors, they should determine whether or not they want to have a just society. If they are foolish enough to ignore the implications of discriminatory legislation which does not equally provide democratic opportunities for everyone in their societies, they do so at their peril, and those societies of electors will throw out the Government which ignores those reasonable obligations. If those societies of electors do not consider it important, they will not throw out those Governments: they will leave them there.

For the member for Mawson to say that the Federal Liberal Council was being discriminatory against any class of citizen, women included, was quite ridiculous. The motion had nothing to do with that; it had everything to do with whether States had responsibilities and powers to legislate. If the member for Mawson sincerely believes that the Federal Government has all the powers that are necessary in this way and that the States should not have their responsibilities, then she clearly supports the proposition her Party has long held publicly, namely, that the States should be abolished, and she ought not be a member of this Parliament because it is irrelevant. That is the gist of the implications of her position.

Ms Lenehan interjecting:

Mr LEWIS: Nothing that anyone can say will be capable of destroying the logic of the proposition I have just put to the House. One may, in rhetorical terms, find some people who would protest the point, but it would not be a logical argument.

Ms Lenehan interjecting:

The SPEAKER: Order!

Mr LEWIS: If we were to address the mistaken perception that the member for Mawson has of the meaning of that proposition passed by the Federal Liberal Council, we would see that she is wrong even on that point. For the purposes of this debate I would like to incorporate in *Hansard* a table that sets out which women were first elected to the respective legislatures in Australia as it substantially rebuts the proposition that the member for Mawson made quite erroneously in arguing her motion.

The SPEAKER: Order! I understand that the honourable member is seeking leave to incorporate a table in *Hansard*

which has already appeared in *Hansard* in a previous debate, is that correct?

Mr LEWIS: Not on this proposition.

The SPEAKER: Order! Leave is not granted. I suggest that the honourable member draw attention in his remarks to the page of *Hansard* on which that table appears.

Mr LEWIS: It does not appear as a table; I read it in. I am amazed that you, Mr Speaker, have refused me leave to have it incorporated because it does not appear as a table anywhere else in the volume. However, I will not challenge your authority.

Ms Lenehan interjecting:

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

Mr LEWIS: I make the point quite plainly though that in almost all of the legislatures over a period of many decades the first woman to be elected to any of those legislatures was of a political persuasion identical to that of the Party to which I belong. That was the case in all legislatures but the Senate, and in the Western Australian Legislative Council. Coincidentally, in the Victorian Legislative Council in 1979 two women were elected; one representing the Labor Party and another representing the Liberal Party.

In every other instance, the first women elected to Parliament were of the same political persuasion as I am. Another point made by the member for Mawson, while attempting to castigate us and promote her own Party's position in relation to the mistaken belief that she had about the Federal Liberal Council's proposition, was that the Labor Party had done a tremendous amount for women and that indeed it was in the vanguard. However, the Labor Party is not in the vanguard in terms of the opportunities it has provided to women being elected to Parliament and nor is it in the vanguard in this State in terms of the number of women that it has appointed to Public Service positions, and I refer to the record from 1981 to 1985.

A table, which, by leave of the House, I will incorporate in *Hansard*, refers to appointments to the Public Service in the AO1 classification and above. It shows the numbers and percentages of males and females appointed between June 1981 and June 1985 and the percentage increase or decrease that has occurred. It clearly illustrates the validity of the point that I am making. I seek leave of the House to have that table, which is of a purely statistical nature, incorporated in *Hansard* without my reading it.

The SPEAKER: Can I have an assurance from the honourable member on three grounds: that the material is entirely statistical; that it is reasonably brief, so as not to incur unreasonable expense with *Hansard*; and that the material has not recently been incorporated in *Hansard* either in this debate or in any other debate? Do I have the honourable member's assurance on all three grounds?

Mr LEWIS: You do, Mr Speaker.

Leave granted.

Appointments to Public Service—AO1 and above

	Males	%	Females	%	Increase Over Previous Year M	%	F	%
June 1981	696	95	34	5				
June 1982	730	94	45	6	34	76	11	24
June 1983	804	94	56	6	74	87	11	13
June 1984	882	93	69	7	78	86	13	14
June 1985	932	91	90	9	50	70	21	30
June 1986			Not available					

Mr LEWIS: Accordingly, I leave the matter to other members of the House to state their disenchantment with and opposition to the member for Mawson's proposition due to its inaccuracy and, indeed, invalidity.

Mr RANN secured the adjournment of the debate.

EDUCATION FUNDING

Adjourned debate on motion of Hon. H. Allison:

That this House deplores the threats made by the Government to reduce substantially its funding for education despite election guarantees made by the Premier that there would be no funding cuts to schools.

(Continued from 21 August. Page 537.)

The Hon. H. ALLISON (Mount Gambier): Since moving this motion on 21 August, the Minister of Education has released a statement, headed 'Education Budget, 1987', which makes it increasingly obvious that the Minister is very much on the defensive. The Minister has omitted to address several important points that I made when I spoke to my motion on 21 August. It is obvious that the Government's pattern of expenditure on education from 1976 through to 1986 is in decline. As I pointed out when I incorporated in *Hansard* the Education Department's recurrent budget estimates from 1976 to 1985-86, the lowest periods were in 1976 and in 1986 as a percentage of the total State budget. The peak period was reached in 1981 under the Tonkin budget, when 32 per cent (almost one-third) of the budget was spent on education. The pattern of decreasing expenditure has continued since 21 August, when I previously adjourned this debate.

If we look at recurrent expenditure for 1986-87, out of a total budget expenditure of $3 212 million, the Education Department primary and secondary branches score only 21.09 per cent, which is even lower than the previous lowest figure of 21.8 per cent in 1976. If we look at the total Education Department recurrent expenditure, the percentage is 27.04.

Mr Tyler: Playing with figures again.

The Hon. H. ALLISON: They are the Auditor-General's figures, as the honourable member would realise. The figures are beyond question and, if the honourable member questions the mathematics, he will find that the figures are absolutely accurate to within two decimal points. They are indisputable. I seek leave to have inserted in *Hansard* Education Department actual expenditure figures. The table is purely statistical, it is brief and has not been inserted in *Hansard* before.

Leave granted.

EDUCATION DEPARTMENT BUDGET ACTUAL EXPENDITURE 1976-1986

Year	State Budget Total Expenditure† $'000	Ed. Dept. $'000	TAFE $'000	Miscellaneous $'000	Total Ed. $'000	Ed. (APS) as per cent of State Budget	Total Ed. as a per cent of State Budget
1976-77	1 183 179	262 499	33 257	21 477	317 234	22.18	26.81
1977-78	1 192 063	299 185	38 669	23 889	361 743	25.09	30.35
1978-79	1 258 252	318 338	42 242	26 313	386 892	25.30	30.74

EDUCATION DEPARTMENT BUDGET ACTUAL EXPENDITURE 1976-1986—*continued*

Year	State Budget Total Expenditure† $'000	Ed. Dept. $'000	TAFE $'000	Miscellaneous $'000	Total Ed. $'000	Ed. (APS) as per cent of State Budget	Total Ed. as a per cent of State Budget
1979-80	1 384 589	348 393	45 738	30 139	424 269	25.16	30.64
1980-81	1 554 885	401 502	52 322	36 586	490 410	25.82	31.54
1981-82	1 766 772	434 096	60 189	42 053	536 338	24.56	30.36
1982-83	2 032 765	493 677	69 302	48 904	611 883	24.29	30.10
1983-84	2 190 399	538 189	78 818	54 881	671 888	24.57	30.67
1984-85	2 626 241	583 660	85 718	63 271	732 650	22.22	27.89
1985-86	2 955 350	656 141	101 632	43 056 (m) *34 896 (CSO)	835 725	22.20	28.38

†Ed. Dept (APS) includes Administration, Primary and Secondary Funding
* Childhood services now a separate allocation and includes funds formerly in DCW and other portions (now Min. of RDCN responsibility in total).

The Hon. H. ALLISON: The Government's actual expenditure over the same period portrays exactly the same pattern, with the bottom performances in 1976 and 1986 and the top performance in 1980-81 under the Tonkin Liberal Government. They are the Government's own figures—the Auditor-General's audited figures. Both the estimates and the actual expenditure figures show that the Labor Party is very much on the defensive. The Minister of Education may think that he is doing well, but I will cite a few things that have occurred in the past week or two. I refer to a source as diverse as the Moorak Primary School, which has asked me to express its concern about the budget, to the—

Mr Tyler interjecting:

The Hon. H. ALLISON: The Labor Party's track record is not coming up very well when one looks at the 1980-81 figure. The figures are on the record. That is the most pleasing feature of the debate. The South Australian Primary Principals Association wrote to the Premier, as follows:

Dear John,

In your education policy entitled 'Excellence, Equality and Efficiency,' which was released by you as Premier and the then Minister, Lynn Arnold, at Norwood Primary School in November 1985 you made three key promises . . .

I will not repeat those promises, because I mentioned them four weeks ago. The association expresses its concern at the threatened cuts in education—cuts which, of course, have been made, and the figures show that. I refer to an article in the *Advertiser* of 6 August 1986 under the heading 'South Australian teachers plan campaign against education cuts'. The Australian Council for State Schools Organisation states:

This association insists that the promises made to parents of children in South Australian schools by John Bannon, Premier of South Australia, be kept. In an election advertisement in the *Advertiser* on 28 November 1985 John Bannon stated—

Then the same promises are reiterated. The *Advertiser* of Thursday 18 September 1986 states 'Axe the education Minister say school associations'—not just one, but a number. The University of Adelaide has pointed out that it, too, along with all other tertiary institutions, is having problems with the Federal budget which the State Minister will have to have a look at and consider in association with his own, because for the first time students will be compelled to pay student fees. Whatever term we apply to them, they are certainly student fees: the students regard them as such.

The Catholic education system's views are reported in the *Southern Cross* on Thursday 28 August 1986: 'Schools will be hard hit by the budget.' If we look at some of the things which will happen: the Institute of Multicultural Affairs will be abolished, and I have not heard the State Minister make any protest about that. That is a Federal Government decision. There are cuts in adult migrant education of 45 per cent, or $20 million, in English as a second language. In South Australia 119 staff are Commonwealth funded and, therefore, we have an anticipated staff cut of 53 positions. The National Advisory and Coordinating Committee on Multicultural Education is cut by 8 per cent, and the ethnic schools program will have future funding difficulties, as migrant groups across the State are advising the Minister. Obviously, the Minister has problems, and he jolly well should be on the defensive. Among other things, he allocates only $150 000 for a computer program in South Australia, but the workers compensation figure is up by 50 per cent to $9 million from the previous $6 million.

The teacher associations are campaigning against cuts, but the significant thing about the whole of this budget—whatever the Minister's promises; whatever the commitments he purports to make in that patchwork quilt of a document he released a few days ago—is that it still ignores the fact that there is no change in teacher staffing formulas. If teachers are in schools, primary and secondary schools want to know where they are, because the staffing formulas remain the same as those which have been in position for seven or eight years.

Where are all these additional teachers? The Minister belatedly has made an announcement that he is reviewing the senior administrative positions within the South Australian Education Department and some 67 or 70 positions will be reviewed or transferred back into schools. These do not really represent a tremendous saving, because they will still be paid at senior salary levels, even though their status may be reduced. Ultimately, there is absolutely no joy for graduates from our teachers colleges and universities, because I believe the Education Department admits that this in fact will mean 70 fewer students admitted as fresh graduates from those colleges into the Education Department.

Childhood services are being funded, says the Minister, to about $4.5 million extra, and what do we see at the expense of some $5 million already withdrawn by the Federal Government from the Education Department childhood services programs? We can continue *ad nauseam.* The picture is that the Minister is in trouble, and Education Department funding under this Government is at its lowest ebb for a decade, having peaked under the Tonkin Government in 1980-81.

Mr ROBERTSON secured the adjournment of the debate.

COMMONWEALTH-STATE RELATIONS

Adjourned debate on motion of Mr M.J. Evans:

That this House expresses its strong concern and disquiet at the increasing use by the Commonwealth Government of the

privileged position under the Australian Constitution to avoid the application of relevant State laws in Commonwealth places even where those laws do not conflict with or impinge upon the dominant purpose for which the Commonwealth place is used or for which it was established and, in particular, this House condemns the decision to allow the erection of the advertising hoardings at Parafield Airport adjacent to the Main North Road without the consent of the relevant State or local authorities which would otherwise have been required.

(Continued from 28 August. Page 758.)

Mr OSWALD (Morphett): I am very happy to speak for a few moments on the motion put by the member for Elizabeth. The key part of this motion, which brings out the philosophy of the Federal Government, is that we show our concern and disquiet at the increasing use by the Commonwealth Government of its privileged position under the Australian Constitution to avoid the application of relevant State laws.

Many examples can be given where this sort of thing happens, but no greater example has been apparent to the public than that at Parafield, pointed out by the member for Elizabeth. I reinforce his resolution by saying that the same thing is happening at the West Beach Airport, which forms the northern boundary of the electorate of Morphett. Recently the airport authorities have erected on the periphery of the airport massive signs in the vicinity of 40 feet long and 20 feet high. The signs are illuminated at night and were put up without any prior consultation with the West Torrens council—they just appeared. When the West Torrens council objected, it was told that it was none of its business. The Federal Government thumbed its nose at the council authorities.

If these signs had been sought to be erected on State or privately owned land I submit that they would not have been permitted. Certainly, it would have had to go through a process of approvals through local government and State authorities. Yet, the Commonwealth sits in its power base in Canberra and decides that we will have these signs, which are there for no purpose other than an additional revenue raising device for the Federal Government, and we at the State level have to put up with such eyesores.

The member for Elizabeth is on solid ground in asking this House to express strong concern and disquiet at the increasing trend of the Commonwealth to override the State and claim exemptions under the Constitution. I support and commend his motion to the House.

Mr DUIGAN secured the adjournment of the debate.

CONSTITUTION REVIEW

Adjourned debate on motion of Mr M.J. Evans:

That, in the opinion of this House, the Government should establish a commission of distinguished South Australians to review the Constitution of the State and to make recommendations to Parliament for such reform of the Constitution Act as the commission may think just, proper and desirable following extensive consultation with the community.

(Continued from 28 August. Page 758.)

Mr S.G. EVANS (Davenport): I give some qualified support to the motion of the member for Elizabeth, in that I would hope that before this resolution passes through the Parliament there is some form of amendment that makes it a provision that, if a commission is to be set up, Parliament should agree to the terms of reference. From past practice I know that one cannot trust Governments of any philosophy to set up commissions of people who are independent in their thinking or on which there is a balance of opinion. When we come to commissions being established by Governments, if they rely only upon their own resources and not upon Parliament's agreeing to the people appointed, they appoint people who agree with that Government's philosophy in the main. So, it is a sham before it starts.

The terms of reference and the personnel need to be approved by Parliament with some form of joint committee set up to select the people who are likely to carry out a review of our Constitution. I will refer briefly to one aspect of the Constitution—an issue that was introduced in the 1970s. I refer to the redistribution of boundaries for members of Parliament. With the way that that has been used by the last two tribunals, it is nothing but a sham.

Mr DUIGAN: On a point of order, Mr Speaker, the member for Davenport is now referring to a section of the Constitution Act dealing with the Electoral Boundaries Commission when there is already on the Notice Paper a Bill to amend the Constitution Act under the name of the same member. I seek your ruling, Mr Speaker, as to whether or not the member is precluded from addressing his remarks to this matter.

The SPEAKER: The honourable member for Davenport may make brief reference to matter in another Bill, but it has to be very brief reference indeed. The honourable member for Davenport.

Mr S.G. EVANS: I hope that the member for Adelaide will now read any Bill that I have introduced in this Parliament. I have given notice that I intend to introduce a Bill relating to boundaries and that will be introduced on 23 or 30 October. I hope that, before the member for Adelaide again wastes private members' time, he undertakes a little research. I do not have any Bill before the House in relation to boundaries.

The sham of the boundaries is that at the time of the last redistribution the member for Mawson's electorate consisted of 28 000 electors and the member for Spence's electorate consisted of just over 15 000 electors. This 10 per cent tolerance that we claim should exist for redistribution of boundaries is nothing but a sham and, in the last two redistributions, it has been abused. Under the present redistribution the member for Elizabeth's electorate is below the 10 per cent tolerance but the member for Fisher's electorate is above the 10 per cent tolerance. We still have to have another election before a redistribution can take place.

By that time the member for Fisher's electorate will have at least 28 000 to 30 000 electors, while others will contain just under 15 500 electors. That is a sham. At least that part of the Constitution needs to be looked at, because that clause was inserted by political Party numbers in the 1970s. It is an abuse of the system and there is no justification for talking about 10 per cent tolerances, because under the redistributions that have taken place, it has not applied. I support the concept of review, with the qualification that the terms of reference and the membership of the commission come before Parliament and that there be unanimous agreement by all parties before such a commission commences.

Mr DUIGAN secured the adjournment of the debate.

CENSURE OF MEMBER FOR MAWSON

Adjourned debate on motion of Mr Lewis:

That this House censures the member for Mawson for the inaccurate, unseemly, totally misleading and self-seeking remarks she made in moving her motion on the Federal Liberal Council resolution on sex discrimination.

(Continued from 18 September. Page 998.)

Ms LENEHAN (Mawson): I move:

That this debate be further adjourned.

The House divided on the motion.

While the division bells were ringing:

Mr LEWIS: On a point of order, Mr Speaker, I draw your attention to the abuse that is being hurled at me across the Chamber by the Minister. Secondly, I seek your ruling, Sir, on the course of action that you have directed, and thus forced me to take, wherein the member for Mawson had sought leave to continue her remarks on the last occasion that this matter was before the House, yet today and with your acceptance she has sought to adjourn the matter. I should have thought that she would have to seek leave to continue her remarks rather than move to adjourn the matter. When you, Mr Speaker, accepted that it was to be an adjournment, I had no alternative but to call for the division when you, Sir, ruled in favour of the proposition, which I thought was out of order.

The SPEAKER: Is the honourable member seeking to withdraw his call for a division?

Mr LEWIS: I will withdraw that call if you and the member for Mawson will withdraw the proposition that you put to adjourn the matter when in fact the member for Mawson—

The SPEAKER: Order! The honourable member cannot impose any conditions in these circumstances. Is the member withdrawing his call for a division or is he not?

Mr LEWIS: No. I am asking you to rule on the accuracy or otherwise of your earlier decision.

The division bells having ceased ringing, the division proceeded:

Ayes (28)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, S.J. Baker, F.T. Blevins, De Laine, Duigan, Eastick, M.J. Evans, and Ferguson, Ms Gayler, Messrs Gregory, Groom, Hamilton, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan (teller), Messrs McRae, Mayes, Olsen, Payne, Peterson, Rann, Robertson, Slater, and Tyler.

Noes (7)—Messrs Allison, D.S. Baker, Blacker, Chapman, S.G. Evans, Lewis (teller), and Meier.

Majority of 21 for the Ayes.

Motion thus carried; debate adjourned.

[*Sitting suspended from 1.5 to 2 p.m.*]

PAPERS TABLED

The following papers were laid on the table:

By the Deputy Premier, on behalf of the Treasurer (Hon. J.C. Bannon):
Pursuant to Statute—
Parliamentary Superannuation Fund—Report, 1985-86.

By the Minister of Transport (Hon. G.F. Keneally):
Pursuant to Statute—
Medical Board of South Australia—Report, 1985-86.

By the Minister of Mines and Energy (Hon. R.G. Payne):
Pursuant to Statute—
Electricity Trust of South Australia—Report, 1985-86.

By the Minister of Agriculture (Hon. M.K. Mayes):
Pursuant to Statute—
Metropolitan Milk Board—Report, 1985-86.

QUESTION TIME

CRACK

Mr OLSEN: Can the Minister of Emergency Services say whether the Government will delay the introduction of on-

the-spot fines for the possession of marijuana until the police have investigated whether marijuana users are being targeted by pushers of the drug crack? Yesterday, I asked a question in relation to the drug crack following information volunteered to me by a senior police officer who was concerned by the statement in the House on Tuesday that there had been no reports of crack in South Australia. I accepted the Minister's invitation to contact the Police Commissioner. There is widespread public concern about the possibility that yet another addictive drug, crack, may be coming onto the market in South Australia. Today, there has been further disturbing public comment about this drug. Jeremy Cordeaux, on his radio show this morning, said:

> Crack is selling in Adelaide for $15 for two hits. I have been told that the drug pushers in Adelaide are kind of gearing up for big trade with crack.

Mr Cordeaux then asked the head of the Drug Squad (Inspector Moyse) about crack being available at this cheap price, and he replied:

> Certainly, that has been the experience that has happened in America, and there's no doubt at all that if it's happened in America we will get that sort of trend here.

Inspector Moyse also said that crack would become available in South Australia, 'the same as what occurred with cocaine and heroin'. I refer to today's issue of the Southern Times *Messenger*, which carries reports about fake crack being available in the southern suburbs. It also quotes Alderman Anne Villani of the Noarlunga council as saying that crack is readily available in the local area and has been easy to get for months. On radio this morning, the Secretary of the Police Association (Mr Brophy) said that police were concerned that a more lenient attitude to marijuana would encourage trafficking in crack.

The Hon. D.J. Hopgood: Why?

Mr OLSEN: Mr Brophy would be able to explain that. In view of all this information, and the Eastern States experience that crack is being targeted to marijuana users, I ask the Government whether it will allow the police more time to monitor any trafficking of crack in South Australia before proceeding with the implementation of on-the-spot fines for marijuana possession, in view of the link between the two drugs.

The Hon. D.J. HOPGOOD: It would appear that the debate has changed. Yesterday, I was accused in this place of misleading the House on the previous day and of being in breach of the conventions of the Westminster system, even though I could demonstrate that my knowledge of this was in line with that of the Police Commissioner, who clearly is my principal adviser in this matter. I asked the honourable member for substantiation in relation to the matter on which he accused me of misleading the House. I have not yet received that substantiation.

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. HOPGOOD: Is the honourable member saying that he has placed before the Police Commissioner evidence which will lead to prosecution or investigation of a specific complaint?

Mr Olsen: An investigation which is up to the police to follow through in due course, and that was the invitation.

The SPEAKER: Order!

The Hon. D.J. HOPGOOD: As I said earlier, the nature of the debate is changing. I have been accused of either wilfully or inadvertently misleading the House. I have been accused either of lying to the House, for whatever motive I know not, or of knowing less than I should know.

The Hon. E.R. Goldsworthy: What about the question?

The SPEAKER: Order!

The Hon. D.J. HOPGOOD: What I know, seeing that there is no alchemy by means of which I can be around in all the streets and know what is going on, is largely determined by what is available to me through the organs of Government, including the Police Commissioner. As I said yesterday, I in fact had discussed on Monday evening with a senior adviser to the Government the existence of crack in this State. I was able to demonstrate yesterday that my understanding of the availability of this substance is on the same footing as that of the Commissioner.

The honourable member yesterday seemed to be pretty confident that he was correct in his allegations. I invited him to be specific and come forward with them. As I have never regarded the honourable member as either a knave or a fool, I thought I should take the precaution of a further check with my department about this matter in a form that could be made available to this Chamber. I have done so. I have here from the Commissioner of Police a statement which I will table, if that is in order under Standing Orders. Nothing in here should be interpreted as saying that the police or I take any easy attitude to this, or that we do not concede that we have to be fully aware of the possibilities of this pernicious substance entering the State. But I am at pains to make clear that what I said on Tuesday, and what I repeated yesterday, is perfectly in line with what all the advice available to Government tells me. I quote from this statement:

> The following information is provided as requested by your office . . . The South Australian Police have not seized any of the illicit drug commonly known as crack. No person, male or female, has been charged with any offence involving the sale, possession or use of crack. The Australian Federal Police in South Australia advise that they have not seized any crack or charged any person with any crack offence. Inquiries with the Department of Chemistry, Forensic Science Centre indicate that they have not discovered any crack, nor are they holding any substance for examination which is suspected of being crack.

That is signed by David Hunt, Commissioner of Police, and I table that statement. I make a couple of further points. This matter is totally irrelevant to the debate which is occurring at present in another place in relation to cannabis, except in so far as that legislation provides for more severe penalties, as it should, in relation to trafficking. Members on both sides of the House are very concerned about trafficking in any illegal substance: this Government is doing all it possibly can to crack down on trafficking, and that is embodied in that legislation. That should proceed for that very reason.

The second point I make is that I believe that at least half of the front page of the *Southern Times* is irresponsible in the extreme. There is, of course—to give the *Southern Times* its due—a statement from the local police office saying they have no knowledge of this substance being in the area. The statement from the alderman, however well intentioned it may have been, is not backed up by any sort of evidence whatsoever. So far as I am aware, there was no attempt on the part of the journalist who interviewed that alderman to ask or to probe as to the source of that information. If that person has information, it should be put squarely before the Police Department.

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. HOPGOOD: The court should act similarly. The point I make about the way in which the Leader of the Opposition, the *Southern Times* and possibly Mr Cordeaux (I did not hear the program) are going on about this matter is that this Government is concerned primarily with the detection and prosecution of offenders in the interests of the victims that would otherwise ensue from this activity. Therefore, it is very important that anyone who has specific information act responsibly and bring it forward. To simply raise this matter in a political context is possibly advertising the availability of the drug if, indeed, these allegations are well founded. I hope that I have assured honourable members—

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. HOPGOOD: —that, to the best of our knowledge, the material is not around the place in this State at this time. If it is, we are doing no favour to the young people of South Australia or anyone else in publicising the possibility of the drug being available.

HOME ASSISTANCE SCHEME

Mr HAMILTON: Will the Minister of Employment and Further Education dispel people's fears that the home assistance scheme is closing down and that tradesmen are losing their jobs because the State Government is not providing adequate finance for this scheme? On 19 September I received a telephone call from a constituent who resides in Woodville West and who stated that she had previously been a recipient of the assistance provided under the home assistance scheme. She was full of praise for the manner in which the elderly and the disadvantaged had received that assistance.

Recently, she was advised by a local councillor that the home assistance scheme was 'closing down due to cutbacks in State funding'. Tradesmen employed under this scheme by the council concerned have been given one week's notice because of lack of funds. My constituent stated that the council in question had said that additional moneys for this scheme could be found by taking funds from the Highways Fund, but I do not believe that the Minister of Transport would like that.

Information provided to me by the Office of Employment and Training indicated that there was no intention to close down this scheme and that in fact $900 000 had been allocated this financial year in that regard. Therefore, will the Minister clarify the situation? I am concerned that many people in the community, and particularly in my district, may be unnecessarily and unduly alarmed at these allegations and rumours circulating in the western suburbs.

The Hon. LYNN ARNOLD: I thank the honourable member for his question. I certainly know that a number of local government people have made representations about the home assistance scheme to the Government, and I can say categorically that the scheme is not closing down: it is continuing, as the honourable member in his explanation said he had ascertained. The scheme is very worthwhile, and it has two outcomes, a primary outcome being job creation and training opportunities for unemployed young people. A secondary but very important outcome is the offer of home assistance to those who need odd jobs done around the home but cannot afford other means. In some ways, this scheme is a successor to the home handyman scheme. One of the problems is that those two very important outcomes have become confused in the minds of some councils, which have seen the scheme as primarily a service scheme of a home assistance nature offering services to people, rather than as primarily a job creation scheme.

In fact, it is primarily a job creation scheme, and its success in that regard has been proved. Yesterday I heard from the Director of the Office of Employment and Training that there has been a high success rate in terms of those who have worked in the scheme and have gone on either to further jobs or to operate their own business. In fact,

whereas 12 months is normally the time people stay in this scheme, many are leaving before six months because they find they can get opportunities elsewhere. To that extent the scheme is proving a great success.

We understand the viewpoint of councils: why not extend the period of time that people work in the scheme up to two years so that there is continuity of employment and skills? On the evidence we have available, the time frame that has applied has worked very well; those who have sought the assistance of people employed under the Home Assistance Scheme have not suffered by being employed for less than the period of time sought by councils. Therefore, at this stage we are not inclined to accept that recommendation.

However, the committee that advises the department and me has agreed to look further into the matter, and I will be receiving further advice. However, it would need more evidence than has been presented to date to bring about a change in the period of time. Of course, it will be the case that some home assistance schemes will terminate because, as different applications come in from different council areas, some councils that have had the scheme in that area will no longer have it, while other councils get an opportunity for that to be the case. The nature of these schemes is that they rotate around the place. That will continue, and I support that continuing, so it offers training, job and assistance opportunities to a wider range of people over a period of time.

Coming back to the first point about the confusion in the minds of some councils, if the scheme was primarily just an assistance scheme and did not have as an important aim its job creation training aspects, then it should not be in my portfolio area at all. It should be in the portfolio area of the Minister of Community Welfare, and that would have to be considered as a separate item in terms of Government deliberations. The reply is: the scheme is not being discontinued; it is continuing very successfully.

ARMTECH LTD

The Hon. E.R. GOLDSWORTHY: Has the department of the Minister of State Development and Technology been able to satisfy itself about the *bona fides* of a company registered in Adelaide and claiming to have a three-year contract worth $580 million to supply one million rifles to a Hong Kong property developer and, if not, will he ask the Corporate Affairs Commission to review its certification of the company's prospectus? This explanation is slightly longer than usual, but I think it is necessary.

I refer to the company, Armtech Ltd, which is incorporated in South Australia and had a prospectus issued on 13 March this year certified by the Corporate Affairs Commission. In a number of public statements this company (none of its directors reside in South Australia) has claimed to have a huge contract for the supply of military rifles to a Hong Kong property developer, said to be acting as an agent for a European buyer.

The Opposition has been approached by a South Australian company with experience in this field which had hoped to obtain contract work associated with this deal. It has been put to us that a number of claims made by Armtech are exaggerated and may have been made for share boosting purposes.

In Federal Parliament last month it was revealed that the Department of Defence, which under military law must vet arms being manufactured for export, had not received the necessary information or prototypes upon which to base an evaluation of the rifle for which Armtech claims to have an order, even though the company claims in its prospectus that it will make sales worth almost $15 million this financial year. A report in the *Advertiser* on 23 August stated that officers from the Department of State Development had not, despite repeated attempts, been able to secure information about the company's manufacturing proposal.

Raising further questions about this company is comment the Opposition has been provided with from Mr Ezio Bonsignore, Editor of the most prestigious military publication in the world, *Military Technology*, who stated:

> There is no country in the world that could conceivably need 900 000 rifles within three years. This requirement, and this production rate, greatly exceed even the needs and the financial means of the US army. The only theoretical possibilities would be the USSR and China, but the former is now fielding its own new rifle and the latter, when it will eventually decide to adopt a new rifle, will of course build it by itself.

Further, Mr Bonsignore advised that no Western small arms manufacturer could conceivably produce 300 000 assault rifles per year, unless it greatly expands its plants and work force. With the existing capacities, and even working three shifts—24 hours round the clock production—the largest European small arms manufacturer could not turn out more than 100 000 rifles per year.

Further, in relation to public claims by Armtech that it has recently had discussions in Europe about its activities, Mr Bonsignore has reported:

> There were short discussions between Armtech and a European manufacturer I cannot quote by name about the Armtech's caseless rifle, but these discussions were soon broken off by the Europeans. Anyway, they were about possible production of the weapon for the US civil market, with a hoped for target of 10 000 rifles.

In view of these doubts about the company's claims, and his own department's previous difficulties in obtaining information, is the Department of State Development now satisfied about Armtech's proposed manufacturing operations and, if not, will the Minister ask the Minister of Corporate Affairs to have a close look at this matter?

The Hon. LYNN ARNOLD: I thank the Deputy Leader for his question. As to the latter part of the question, I will certainly have the matter immediately referred to the Minister of Corporate Affairs rather than await a further report from the Department of State Development, a report which I will obtain in any event. It seems to me that the substance of the early part of the question is more appropriately a matter for the Minister of Corporate Affairs, because there is an implication in the question and explanation that things have not been properly done in accord with the Companies Act, that the prospectus has attempted to mislead the marketplace and the Stock Exchange, and that investors are potentially being inveigled into a situation other than they believe is the case.

This matter does not come within the purview of the Department of State Development; it is a matter for the Corporate Affairs Department. As to the press report that departmental officers had not received answers from the company, I am not able to give further advice on that matter at this stage, but I will have a report obtained. To the best of my knowledge, I do not know of any guarantees outstanding from the State Government, nor any other form of assistance or incentive from the State Government to Armtech. I will have that matter further investigated. It may be that an inquiry was made by Armtech to the Department of State Development for assistance with promotion or to facilitate a trade deal, in which case the questions asked by the department may have been in response to such an approach, and that may be the reason for contact by the Department of State Development. I will obtain a further

report for the Deputy Leader as soon as possible and advise the House.

EQUAL OPPORTUNITY SPORT PROGRAM

Mr FERGUSON: Is the Minister of Recreation and Sport aware that a program for equal opportunity in sport within South Australian schools, launched by him yesterday morning, has been labelled as 'extremist' by the Opposition? I, too, attended the launching of this program at Croydon Park Primary School. It was extremely well attended by representatives of Government and non-government schools, parents, teachers and community leaders. I was therefore shocked to learn that the shadow Minister of Recreation and Sport had sent a statement to the media criticising this equal opportunity program as being extremist, out of touch with community views, selection being based on tokenism and not merit, and claiming that boys would be disadvantaged. Can the Minister set the record straight on this issue?

Members interjecting:

The Hon. M.K. MAYES: I am happy to set the record even straighter. In relation to yesterday's launch of this excellent booklet entitled *Child's Play, Sport, and Equality*, I, too, was surprised because both the shadow Minister of Recreation and Sport and the shadow Minister of Education were in attendance. However, strangely enough, the shadow Minister of Education was extremely silent on the whole issue and has not made any comment. I am pleased that the member for Bragg has just entered the House to enjoy this. As I see it, the situation is quite stunning in relation to the comments that have been made. In fact, the allegation is that Ms Tiddy has gone over the hill in applying the equal opportunities legislation.

Mr Lewis: No, around the bend.

The Hon. M.K. MAYES: The expert speaks on the issue. The member for Murray-Mallee has the final say. Would he know! In view of the situation with regard to the application of the Equal Opportunities Act, it is not Ms Tiddy, or anyone else for that matter, who has gone over the hill. The situation is that the Liberal Party is showing its rump again; its old colours are coming out in regard to the application of equal opportunities for school children in this State. I was surprised, because the member was present at the launch, and I thought that he was there to support it, along with his fellow spokesperson, the shadow Minister of Education.

At the end of the launch I found that a press release had been put out by the shadow spokesperson in relation to Ms Tiddy. Again, this flavour runs through most of the press releases from the honourable member, whether they relate to transport or recreation and sport. He has singled out a public servant for an attack—someone who is not able to answer back, as perhaps a Minister or member of Parliament might.

The honourable member has not mentioned anything about the Government but has singled out Ms Tiddy on four separate occasions in the release. He launches into Ms Tiddy for launching an extremist proposal which will effectively erode the rights of young boys in the community. It is outrageous to even contemplate what the member has put forward. In essence, if we accept what equal opportunities are endeavouring to do, namely, give everyone an equal opportunity to participate in sport, it is not acceptable for people to be singled out when it is Government policy and the Government is launching it.

I jointly launched the project yesterday with Ms Tiddy. I draw that point to the attention of the House and the community in view of the way in which the honourable member has operated in issuing this press release. In addition, the accusations are that it is out of touch. Yesterday at the launch we had significant community leaders promoting the booklet, along with myself and the Commissioner for Equal Opportunity, Ms Tiddy. In fact, the Executive Officer of the Catholic Schools Commission attended and spoke in favour of the report. We had the Independent Schools Association representatives present and community leaders including—

Mr Ingerson interjecting:

The Hon. M.K. MAYES: The honourable member suggests that he was there. I suggest that he did not listen to the people who spoke, given the press release that he put out. It is quite shameful that such a press release has been made, given the support that has been indicated by the community as a whole, particularly the education community.

I refer also to the consultation that has taken place in establishing this guideline. It is good for us to note the way in which the Education Department, the Equal Opportunities Office and the Department of Recreation and Sport have gone about establishing these guidelines. The process of consultation in the community has been extensive, and the major parent bodies, principals, teachers and students have been involved in the consultative process to establish such guidelines.

It ought to be recorded that the member is well and truly out of time and was unable to listen to what was presented by the community during the launch of such a pamphlet. He is also unaware of the consultative process involved in establishing it. This is an excellent pamphlet, and I commend it to honourable members' attention.

The Hon. Ted Chapman: Send him a copy.

The Hon. M.K. MAYES: I thank the member for Alexandra for that suggestion. I will also send the honourable member an interpretation of it. Some of the questions that are answered in this pamphlet are worthy of note. It is a serious document which must be taken into account by the community. In opening the document and looking at the definitions, one sees that it highlights, under the heading 'What the laws say', the following point:

> Since the equal opportunity legislation makes it unlawful for an educational authority to discriminate on the grounds of sex in certain areas, it follows that those authorities must ensure that girls and boys are given equal opportunities.

It goes on:

> . . . the Commonwealth Sex Discrimination Act contains exemptions making it acceptable to exclude people of one sex from taking part in sporting competitions where the strength, stamina and physique of the competitor is relevant.

This draws attention to the honourable member's inability to understand what is contained in the document. Later in the document are questions and answers. The documents sets out information in an easy to read manner.

Members interjecting:

The Hon. M.K. MAYES: Members are obviously feeling embarrassed about it. The document states:

> Question:
> Is single-sex sport ever to be allowed for children at primary school?
> Yes, and Here's How:

It then sets out the terms and gives school councils, teachers, principals, students and school communities an understanding of how the system can operate. It provides the following answer:

> Single-sex competition is still allowed except that girls and boys must have equal opportunity to play the particular sport, or the exclusion of one sex must only be a special temporary measure, taken to redress past imbalances.

That is worthy of note. Another question asked is:

Question:

How is it that girls can try out for traditionally boys' teams, but the reverse may not apply?

Here's How:

Members interjecting:

The Hon. M.K. MAYES: Listen to this. Obviously, you have not listened carefully, because the document states:

Girls are entitled to complete on ability for places in all of the boys' teams (where the criterion for selection of those teams is merit).

This temporary special measure recognises that girls have been disadvantaged in the past by having fewer chances than boys to develop sporting skills and to put those skills into practice in competitions.

Later, the pamphlet states:

In the meantime, it may be that a boy will want to play in a competitive sport which is being kept as all-girl at the moment. In that case, further opportunities for boys could be set up, to allow as quickly as possible the formation of a boys' team, and leading on from that, boys and mixed competitions.

The exact point raised by the honourable member is addressed. The honourable member raised the matter to gain cheap political points and to try to undermine the document. Let me say this: not only did the honourable member appear with his press release, but also, I am told, prior to that he wrote to the Commissioner for Equal Opportunity indicating his support in principle. Again, this is a bit like the Fullarton Road and Dequetteville Terrace intersection. The honourable member rang up the radio station, made his statement and instantly backed off. Philip Satchel, not a road traffic expert, but a radio personality, suggested that perhaps he had not thought about the implications. I suggest to the honourable member that he think about the implications of his statement about this document. Not only that, but also the honourable member is way off the beam and has damaged all the good efforts that have been undertaken by the whole community, including the Catholic Schools Commission, the Independent Schools Commission, the primary principals, and all the school councils that have been involved in preparing this wonderful document. I draw the attention of the House to the member's comments and refer to the shame that he should feel as a consequence of his comments.

ADELAIDE REMAND CENTRE MANAGER

Mr BECKER: Will the Minister of Correctional Services say whether the Manager of the brand new Adelaide Remand Centre has resigned and, if so, why? I understand that Robin Pennock, a former senior naval officer, visited prisons in the United States, the United Kingdom and Europe during the several months that he has held the position of Manager of the Adelaide Remand Centre, and that his extensive overseas visits were funded at taxpayers' expense. If he has resigned, as I understand, to take up a position allied to his naval career, what value for money does the Minister consider South Australian taxpayers have received for his brief services, and does this instance not highlight problems associated with appointing persons from starkly different vocations to senior management positions within the department over and above qualified and suitably trained departmental staff?

The Hon. FRANK BLEVINS: The facts outlined in the question are correct. Mr Pennock has resigned. He can speak for himself about why he resigned. He simply got a better offer, which, I think, has to do with the Royal Yacht Squadron or something. It sounds an absolutely delightful job. If ever I am unfortunate enough to lose my place here, it would suit me down to the ground.

Members interjecting:

The Hon. FRANK BLEVINS: I saw the advertisement that he answered and thought that it would be a wonderful job. However, as I thought that my State needed me, I made a sacrifice and did not answer the advertisement. Robin Pennock did, however, and I do not blame him: he was successful and I wish him well. Robin Pennock went overseas to inspect remand centres. There is nothing in Australia even remotely like the remand centre that we have here and, if he was to commission the new remand centre, it was necessary for him to see how they operated in America and in other places that he visited. I am sure that, when Mr Pennock accepted the job as Manager of the Adelaide Remand Centre and took the trip to familiarise himself with high-rise remand centres overseas, he did not intend to finish up in the electorate of the member for Semaphore in his new job. These things happen from time to time and I am sure that, if anyone had offered any member opposite such a big chance, that member, too, would have gone.

The bringing of people into the service from outside is always a difficult, as well as an interesting, question. I firmly believe that many more transfers should take place from the private sector to the public sector and *vice versa.* It is to the advantage of both parties that we do not get people solely from within the service with little experience outside and *vice versa.* The comments made by people in private enterprise who come into the Public Service are favourable to the Public Service, and their eyes are opened as to the amount of work that is done. However, it is a broader question and not one that the Speaker would want me to debate here. In summary, Mr Pennock left because he got a better offer and, frankly, I would have done the same.

ACCOMMODATION FOR THE DISABLED

Ms GAYLER: Will the Minister for Environment and Planning modify the new planning proposals for housing for the aged so that such proposals do not discriminate against disabled people who wish to live in the same range of housing types as elderly people? Tomorrow, the World Town Planning and Housing Congress will begin in Adelaide with a day specifically set aside to consider planning and housing for disabled people. In August, the Minister released a report on housing for the aged. That report recommends improvements in a wide range of housing types: home units, cottage flats, retirement villages, and hostel accommodation. It also suggests more flexibility for councils in granting planning approval. The report also proposes layout and design guidelines for the comfort, safety and security of residents. It has been put to me that the restriction of these important measures to housing for people of 55 years and above may unfairly overlook the needs of younger disabled people who often live in the same housing schemes and have similar special needs.

The Hon. D.J. HOPGOOD: As the honourable member indicated, there is a report, I think dated June 1986, and that report is currently available for public comment until, I think, the end of October this year, after which it will be necessary for the Government to pick it up, and possibly it will form the basis of a supplementary development plan. I should be happy to take on board the honourable member's suggestion, given that, as she says, younger disabled people often have much the same sort of housing requirements as senior citizens and that it may not be unreasonable for the supplementary development plan to pick up their

needs as well as those of senior citizens. The Government has naturally been cautious in this matter because we would not want our position to be misrepresented as opening the way for new adventures by way of a considerably higher housing density than most metropolitan dwellers would regard as reasonable.

So, that was one of the reasons why this matter has to date been confined to housing for senior citizens. However, I think that the proposition the honourable member puts is certainly worthy of further consideration. I will give it that and, if members want copies of the existing report, I have one in the building with me and further copies can be obtained.

CHINA VISIT

Mr D.S. BAKER: Will the Minister of Correctional Services say whether the head of the Correctional Services Department, Mr Dawes, is currently visiting China or has recently done so? If so, was this at the taxpayers' expense, and what benefit will be derived by South Australia, given the vast differences between our legal and penal systems, and particularly the Chinese emphasis on summary execution as a form of punishment?

The Hon. FRANK BLEVINS: The answers to the two questions are 'Yes' and 'Yes'. The benefits to South Australia, and indeed to Australia, through an exchange of public servants and people from private enterprise with a country like China with which Australia, and particularly South Australia, is developing closer ties is an excellent idea. I am pleased that the member for Murray-Mallee agrees that it is a good idea, and I would hope that more South Australian public servants and more public servants from China have the opportunity to visit each other's country to examine each other's systems, to get an understanding of those systems and develop very warm and fraternal relationships in that way.

I also hope that this will apply to members of Parliament, particularly Ministers—and I was the first Minister from South Australia to visit Shandong province with which we have a very close relationship indeed. The contacts I made visiting that province of China as Minister of Agriculture and as Minister of Correctional Services will be of value to this State. It certainly gave me a greater appreciation of the systems operating in China. The Minister of Agriculture from China visited South Australia on a reciprocal visit and we, and particularly our officers, had some very good contacts. I am sure that the Executive Director of the Department of Correctional Services will find the visit very useful indeed. The experiences that he brings back to South Australia will in my opinion be very worthwhile, and I hope that many more public servants and members of Parliament make the visit. I understand that the member for Murray-Mallee was also in China—

Mr Lewis: That was two years ago.

The Hon. FRANK BLEVINS: Mine was only 18 months ago. I am sure that the Chinese people would have found the member for Murray-Mallee a very interesting person, and that the honourable member gained a better understanding of the systems that they have in China, particularly in agriculture and fisheries, even though they may not have a great deal of apparent relevance to South Australia. Indeed, the more of that kind of contact that takes place, the better. In fact, I would go so far as to urge the member for Victoria to go to China—

Members interjecting:

Mr D.S. Baker: I have already.

The Hon. FRANK BLEVINS: You already have? I am delighted to hear it, because I remember not too many years ago that it was members like the member for Victoria who believed that the red hordes were coming down, but now they are our greatest customers. In all seriousness, I am sure that the more contact there is between the people of China and us, the better for everyone.

STRATHMONT CENTRE

Ms LENEHAN: I direct a question to the Minister of Transport, representing the Minister of Health in another place. Will the Minister of Health urgently review the situation regarding a request by my constituents, Mr and Mrs Kershaw, for the transfer of their intellectually handicapped son Neil from the Kenmore Hospital (Strathalien unit), Goulburn, New South Wales, to Strathmont Centre in South Australia?

On 15 January this year I was approached by my constituents requesting assistance in facilitating the transfer of their intellectually handicapped son. Their son Neil, who is now over 20 years of age, was a resident at Strathmont Centre prior to the Kershaw family being transferred to New South Wales more than three years ago. The family subsequently had Neil moved to Kenmore Hospital so that he was near them. However, they had to return to Adelaide for employment related reasons. They have tried unsuccessfully for more than 3½ years to have Neil transferred back to Strathmont Centre. The Kershaws were told that they would have to wait five years before their son can be accommodated at Strathmont Centre.

On 16 January I wrote to the Minister of Health, and I have had contact with the Minister's office in the intervening period. At the beginning of this month I was again contacted by Mrs Kershaw, who, I am sure members would appreciate, was in an extremely distressed state. She put to me that for more than three years she has had to live with the fact that her son is separated from the family by this huge distance but family circumstances are such that my constituents cannot travel to Sydney to visit their son. At least weekly Neil rings and says to my constituent, 'Mummy, when can you come and get me and take me home?' I have asked this question, because I believe that the matter requires the urgent attention of the Minister of Health.

The Hon. G.F. KENEALLY: I thank the honourable member for raising this question. I certainly appreciate the efforts in which she has been involved to assist her constituents. I understand from the honourable member that her constituents' son Neil could not be moved to South Australia and to Strathmont Centre for some years because there were no vacancies at Strathmont due to demand for accommodation there. I am certain that the Minister of Health, being a compassionate person, will appreciate the honourable member's efforts and I will be only too happy to refer this matter to him for his urgent attention.

Members interjecting:

The SPEAKER: Order! If the member for Alexandra restrains himself, his colleague the member for Mount Gambier will receive the call. I call the member for Mount Gambier.

DRIVING INSTRUCTION

The Hon. H. ALLISON: Will the Minister of Correctional Services say whether it is departmental policy to provide driving instruction to prisoners and to provide

departmental vehicles for their driving test? I have been reliably informed that an inmate of the Cadell Training Centre recently undertook his driving test at the Waikerie police station in a departmental vehicle. This suggests that driving instruction at the expense of the taxpayer may be yet another facility being extended to prisoners. Can the Minister explain the situation?

The Hon. FRANK BLEVINS: I cannot explain the situation. However, we spend vast amounts of taxpayers' money on giving prisoners instruction and training in various areas. There is a $6 million industries complex at Yatala staffed with very experienced correctional industry officers, and we spend millions of dollars each year training prisoners in various areas. That is a very large part of our program.

Cadell is a prison farm and uses trucks and farm machinery. However, I do not know the particular circumstances, but the short answer is that we spend millions and millions of dollars a year in training prisoners. We are proud of it and I wish that I could get more money to do more. If the honourable member gives me the relevant details and dates (and he said he was reliably informed, so that detail should be available) I will have the matter examined and get back to him.

INDUSTRIAL DISPUTES

Mr GREGORY: Will the Minister of Labour advise the House what percentage of the Australian work force is in South Australia and what percentage of strikes in Australia occur in South Australia? I ask this question in view of the alarmist statements made in this House yesterday.

The Hon. FRANK BLEVINS: I thank the honourable member for his question. Of course, the member for Florey has had a long and glorious history of promoting industrial peace in this State. I will be pleased to give him the facts he has asked for.

I, too, was alarmed yesterday when I heard of a press statement, issued by the member for Mitcham complaining, in rather strong terms, about the number of industrial disputes in this State. The *Advertiser*, I think very responsibly, this morning published a graph showing the number of industrial disputes since this Government has been in office and the number of industrial disputes during the time of the previous Government.

The member for Mitcham should do his homework a little better before he shoots off his mouth. It is more serious than just political point scoring. What the member was doing when he issued the press statement today castigating and complaining about industrial disputes in South Australia was undermining the economic base of the State. The member for Mitcham should realise what occurs when he issues a press statement and the networking that goes on in the media these days throughout Australia. Radio stations that pick up AAP and radio stations that are part of the Macquarie network are running this garbage about the high level of industrial disputes in South Australia. That is an appalling thing to do. The record of industrial disputes in South Australia is second to none in Australia.

If the member for Mitcham feels it necessary to issue press statements on industrial disputes, then he should issue them in the way that his Leader does, in a positive way, supporting industry in this State. That is what his Leader did on Monday. I appeal to the member for Mitcham, on behalf of industry in this State, to take note of how his Leader handles this question. On radio station 5DN on Monday, in reference to the submarine contract, the Leader of the Opposition said:

> While the fact is that South Australia has what one terms as a greenfield site, that is, we've got a new development site, the industrial relations record in South Australia is a good record that ought to stand us in extremely good stead.

I commend the Leader of the Opposition for making that factual statement. The member for Mitcham did exactly the opposite. He issued a press statement indicating that we have a problem in this State with industrial disputes. He is telling the people of New South Wales, Victoria and Queensland that we have a problem. However, the figures show quite clearly the magnitude of our so-called problem, because South Australia has 8.7 per cent of the workforce and only 2.9 per cent of industrial disputes.

Mr S.J. Baker: What are the latest figures?

The Hon. FRANK BLEVINS: They are the latest figures. That is a remarkable record that I urge every South Australian to promote and not to distort and knock. It is very concerning particularly for industry in South Australia, although not so much for the trade union movement, that a fool like the member for Mitcham continually makes these statements. Last week in the House the member for Light—not the member for Mitcham—made a statement about the ASER contract. It forced Sabemo, one of the operators of the ASER project, to make a statement in response to that made by, I think, the member for Light that Sabemo was taking legal advice to try to get out of the contract. The General Manager of Sabemo, Mr Dario Amara, said that the Opposition was trying to destabilise the project and the entire South Australian building industry. Coupled with this quite irresponsible statement by the member for Mitcham, he is doing a great deal of damage to industry in this State. It is no wonder that the industrialists in this State consider the Liberal Opposition to be a joke and as having absolutely no relevance to them whatsoever.

Mr S.J. Baker: Do you talk to them?

The Hon. FRANK BLEVINS: I talk to them all the time, and that is what they tell me. I ask myself what could be the motive of the member for Mitcham. If the member's motive is to sabotage the submarine project, he is going the right way about it. I urge the honourable member's Leader to talk to him and teach him to think a little before he shoots off his mouth because, at the moment, the member for Mitcham is committing nothing less than economic treason to the State of South Australia.

FIRE DAMAGE CLAIMS

The Hon. B.C. EASTICK: In view of the comments in the annual report of the Electricity Trust tabled today that the trust is facing damages pay-outs totalling $500 million as a result of the Ash Wednesday bushfires, and the possibility that this could force a rise in tariffs of 15 per cent just to cover the ongoing costs of interest repayments, is the Minister of Mines and Energy concerned about the protracted nature of these claims and can he indicate when they will be finalised so that the potential burden hanging over the heads of all electricity consumers can be clarified?

The Hon. R.G. PAYNE: The short answer is, 'Yes'; I am concerned about the possible magnitude of any claims that may have to be met by ETSA, because ultimately it is likely that they would be reflected in tariff levels that would then have to prevail. I cannot offer any useful advice to the House as to how long it will take to settle these claims. On reflection, I think the member for Light might realise that, if I could do that, I would not need to be a member of Parliament because I think I could occupy a somewhat more exalted office. Liability in these matters has been allocated in respect of only one event in relation to the McLaren Flat

area. Of course, there are other areas where the events of Ash Wednesday may have involved ETSA, but that has not yet been adjudicated.

Mr Lewis interjecting:

The Hon. R.G. PAYNE: Most honourable members are becoming quite used to that sort of behaviour from the honourable member, who just brayed so loudly. I wish that the member for Murray-Mallee would not do it in relation to a matter such as this. I have been asked to speak publicly about a matter of compensation for people who have suffered pain, suffering and loss.

It ought not to be a matter that is bandied about in this House by way of interjection in an attempt to score some point or other. The people concerned have every right to utilise the process of the law to obtain representation and to be sure that their claim is fully enumerated, and the other parties in the matter have every right to act responsibly and in the same way. They must be sure that they have assessed claims correctly so that any offers made are fair in the circumstances, and that means fair to ETSA and the people of this State, as well as to the persons who may have suffered the alleged loss.

The Hon. Ted Chapman: Two and a half years after the fire—where is the delay?

The Hon. R.G. PAYNE: If the honourable member would like me to take up the remainder of the afternoon enumerating matters relating to the delay in relation to the fire, I am perfectly willing to do so. I am endeavouring to give a short summary of the position. It was not until last year that there was any adjudication by the courts, anyway. Is the honourable member suggesting that we should usurp the role of the courts in relation to ETSA? The matter was not first adjudicated until August last year. As I have indicated, that was in respect of one event on that day in one locality. Since that time there have been allegations in the press and elsewhere that the delay is solely due to ETSA. I utterly refute that and point out that I have been involved personally, by way of representation on two or three occasions, with persons who said that they were being held up with their claims. In every case when the matter was investigated it was their lawyers who had not acted to put before ETSA and its solicitors the necessary detail in the matter. How on earth can ETSA be blamed in that situation?

In response to another person who approached me, I suggested to ETSA that perhaps in some cases interim awards or offers could be made without prejudice so that hardship would not occur. That has been done. So, before members opposite jump up and down in their seats and try to make political capital where they should not be so doing, there needs to be fairness in this matter. The sums involved potentially are very large, as has already been indicated by the questioner, the member for Light. That which is fair in the circumstances must be done.

MINISTERIAL STATEMENT: ARMTECH LIMITED

The Hon. LYNN ARNOLD (Minister of State Development and Technology): I seek leave to make a statement.

Leave granted.

The Hon. LYNN ARNOLD: My statement refers to a question that I was asked earlier today by the Deputy Leader on which I have further information, although more is to come from the Minister of Corporate Affairs. The information is that Armtech Limited, which we know has been reported in the press in recent times, has on its board of directors the following people: Robert R. Roget, as the Managing Director, Brigadier William M. Silverstone as Chairman, Charles W. Georgio and Robert G. Halliday, and, as joint secretaries, John C. Travis and John K. Waters.

When Armtech started issuing press releases and hitting the headlines in July and August, the Department of State Development attempted to make contact and left numerous messages for Mr Roget. Contact was finally made on Friday 27 August—nearly two months after the first contact was made. An officer of the Department of State Development asked Mr Roget for the following: an outline of their manufacturing plans; bona fides of their orders for arms, as reported in the press; and proof of its corporate bona fides. The purpose in that contact being made by the officer of the Department of State Development was that it was felt by that officer that, if the company was going to manufacture in South Australia, it was appropriate for the department to know about it so that it could assess its suitability in the South Australian industrial arena.

The department told Mr Roget of the diversified industrial base that South Australia has and said that on that basis the information was being sought so that an assessment could be made. The department neither endorsed nor disputed Armtech's claims as reported in the media. To date there has been no reply from Armtech.

The department took a low level approach to the contract because it was aware of the extreme volatility of Armtech's share price. In recent weeks numerous messages have been left with Brigadier Silverstone (Chairman of Armtech) and Armtech's public relations company (International PR) in Melbourne asking Mr Roget to reply. To date, he has not done so. As further information becomes available I will keep the House informed.

PERSONAL EXPLANATION: EQUAL OPPORTUNITY DOCUMENT

Mr INGERSON (Bragg): I seek leave to make a personal explanation.

Leave granted.

Mr INGERSON: In view of the statement made here today by the Minister about my reaction to a document issued yesterday, I would like to make further details available to the House. Early in April this year I was approached by a constituent to look at the equal opportunity document mentioned today. I saw Ms Tiddy in her role as Commissioner in early April. On 25 June this year I received a letter from Ms Tiddy, which states:

> The document [Child's Play: Sport and Equality] is now at the printers and will be formally launched later this year. However, in the meantime, I felt sure you would be interested to see the final results of the work to which you made such a valuable contribution. I am satisfied that the guidelines will be of great practical value to people working in the area of children's sport, and that the thoroughness of the consultation process will ensure their wide acceptance.
>
> Thank you again for the role you played in the drawing up of the guidelines.

Within a couple of days of receiving that letter I contacted Ms Tiddy and thanked her for allowing me to have input but that, as she would be aware, there were several areas about which I was concerned. On 27 August last, which happens to be my birthday, I received another letter from Ms Tiddy.

Mrs APPLEBY: I rise on a point of order, Mr Speaker. Can you please explain whether the member for Bragg is making a personal explanation or remarks more appropriate in a grievance debate?

Members interjecting:

The SPEAKER: Order! At the moment, the Chair is not getting—

Members interjecting:

The SPEAKER: Order! I call the member for Mitcham to order. At the moment the Chair is not yet certain of the basis of the member's personal explanation. However, the Chair is prepared to extend latitude for the honourable member to continue and establish the personal explanation.

Mr INGERSON: Thank you, Mr Speaker. I am referring to letters to me in an attempt to explain the position. I will read to the House the last letter which will explain it clearly. One of the paragraphs in the letter I received on 27 August states:

> The drawing up of these guidelines came after a lengthy consultation process. The part you played in this discussion has been much appreciated and has helped make the guidelines a document of great practical value.

The next day I rang and again expressed my concern and on 5 September (to clarify the reason for making this personal explanation), I wrote to Ms Josephine Tiddy, Commissioner for Equal Opportunity, and said:

> Thank you for the acknowledgement of my contribution towards the preparation of the document. As stated to yourself and Helen Menzies during discussions, there are many instances where I am unable to agree with your interpretation of the State and Federal Act.

In other words, I was very clearly stating my position as it relates to any comments that I might have made yesterday on the document in question.

PERSONAL EXPLANATION: SABEMO

The Hon. B.C. EASTICK (Light): I seek leave to make a personal explanation.

Leave granted.

The Hon. B.C. EASTICK: Earlier this afternoon, the Minister of Labour introduced material concerning Sabemo and a question that was asked in this House. Information supplied to the Opposition on a confidential basis last week indicated that senior management of the Sabemo company had sought advice from at least two prominent Adelaide legal firms in the past month. The nature of the advice sought was to ascertain whether or not Sabemo could be released from its obligation to construct the Hyatt Regency Hotel, part of the ASER project. Continuing problems with the trade unions resulting in the company allegedly losing money on the deal were understood to be the reason for such negotiations taking place.

I understand that the management of Sabemo was informed of the complexity of undertaking such legal work which could take some months to complete and cost several thousand dollars. Nevertheless, a legal firm was finally engaged to undertake the work, and the Opposition understands that this occurred in the last fortnight. The information was, as I have indicated, supplied to the Opposition on a confidential basis and on the undertaking that the source of such information would at no stage be revealed publicly. I stand by that commitment, but would at the same time state that the source is completely reliable and one in which I have complete trust.

ESTIMATES COMMITTEES

The Legislative Council intimated that it had given leave to the Attorney-General (Hon. C.J. Sumner), the Minister of Health (Hon. J.R. Cornwall) and the Minister of Tourism (Hon. B.J. Wiese) to attend and give evidence before the Estimates Committees of the House of Assembly on the Appropriation Bill, if they think fit.

SALE OF GOODS (VIENNA CONVENTION) BILL

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill gives effect within South Australia to the United Nations Convention on Contracts for the International Sale of Goods. The United Nations Convention on Contracts for the International Sale of Goods was adopted by a Diplomatic Conference in April 1980. Before Australia can accede to the convention Australian domestic law must be brought into conformity with the provisions of the Convention. Agreement has been reached by the Commonwealth and the States that this should be done by the Commonwealth, in relation to its Territories, and the States each bringing their law into conformity with the Convention rather than the Commonwealth legislating for the whole of Australia using the external affairs power. The aim of the Convention is to assist international trade by providing a uniform law applicable to the formation and operation of international sales contracts. The Convention applies to a contract if—

- *(a)* the parties have their places of business in different contracting States, or
- *(b)* the rules of private international law lead to the application of the law of a contracting State.

The second of these tests has the effect that the Convention may apply in Australia to some contracts even if Australia does not become a party to the Convention.

The Convention does not apply to certain specified classes of sale. Of particular, significance are the classes of 'goods bought for personal, family or household use' and 'sale by auction'.

The Convention is drawn from and incorporates elements of the relevant laws of a number of legal systems. In particular, it adopts principles commonly recognized in both the common law and civil law systems. The influence of the civil law is particularly evident but the departure from common law principles is confined to relatively few matters.

The Convention has been tailored to the special needs of international trade, for example:

- it recognizes established international trade usages (Art. 9.);
- it encourages the parties to rely on less drastic means than litigation to resolve disputes (Arts. 46, 47, 50, 63 and 65);
- it limits the right to avoid a contract (Arts. 49, 64 and 82);
- it confers a right on the seller to 'cure' defects in the sellers performance (Arts. 34, 37 and 49);
- it requires parties to preserve goods in their possession (Arts. 85-88);
- it requires prompt notice to be given of a non- conformity in goods or a third party claim on goods (Arts. 39 and 43);
- it expressly recognizes forms of communication such as telex (Art. 13);
- it makes allowance for the redirection of goods in transit in relation to the duty to inspect (Art. 38);

it enables a party to suspend the performance of a contract if the other party at any time appears to be unable to perform and cannot on request provide adequate assurance of the ability to perform (Art. 71);

it enables a party to avoid a contract for anticipatory breach (Arts. 72 and 73);

it suspends action for damages for a breach caused by an impediment beyond a party's control (Art. 79).

Article 7 provides that in the interpretation of the Convention regard is to be had to its international character, the need to provide uniformity in its application and the observance of good faith in international law. Throughout the Convention there is a recognition of the desirability of enabling the parties to a contract to have the maximum freedom to determine by agreement the terms of their contract and the manner in which the contract is to operate.

Present indications are that traditional trading partners of Australia may well become parties to the Convention. As noted above, the Convention will have some application in Australia even if Australia does not become a party to it, so Australians involved in international trade will need to familiarise themselves with the new law even if Australia does not accede.

Clause 1 is formal.

Clause 2 provides that the measure shall not commence until after the Convention enters into force in respect of Australia.

Clause 3 defines the Convention.

Clause 4 provides that the Convention shall have the force of law in South Australia.

Clause 5 provides that the provisions of the Convention prevail over any other South Australian law to the extent of any inconsistency.

Clause 6 is an evidentiary provision.

The schedule to the measure contains the Convention.

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

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill is identical to a Bill that was introduced in the last session to provide considerable and sensible rationalisation in the criminal law dealing with offences of damage to property and unlawful threats to persons or property. It also makes consequential amendments to the Justices Act 1921 and the Summary Offences Act 1953.

In its Fourth Report entitled *The Substantive Law*, the Criminal Law and Penal Methods Reform Committee of South Australia (the Mitchell committee) considered that reforms were necessary and desirable with respect to the criminal law of damage to property.

At present, the main statutory offences are to be found in sections 84-129 of the Criminal Law Consolidation Act 1935 and sections 43 and 46-48 of the Summary Offences Act 1953. The main common law offence is the felony of arson—the malicious and voluntary burning of the house, or certain other types of buildings, of another.

The Mitchell committee had highlighted at least five defects in the present law:

(1) most offences are defined in an unduly complex and repetitious manner, a legacy of the drafting practices of past times;

(2) there is no rationalisation for the variations among the maximum penalties for certain offences;

(3) the mental element in many offences is formulated obscurely or without precision;

(4) this part of the law is inadequate in its coverage of at least three areas of relevant conduct: that is, conduct which renders property inoperative, or otherwise effects a material alteration, without necessarily damaging or destroying the property; conduct preparatory to the act of damage or destruction of the property and conduct only amounting to threats to damage or destroy property;

(5) there are some offences which would be more appropriately classified elsewhere in the law.

The Mitchell committee examined the Criminal Damage Act 1971 of the United Kingdom as a model for reform and concluded it was—

> a major step towards the simplification and clarification of this part of the law. It could well be adopted in its entirety in South Australia.

The Mitchell committee's discussion then proceeded to canvass a number of suggestions for the improvement and clarification of the United Kingdom Act. As a consequence, the recommendations made by the Mitchell committee with respect to Offences of Damage to Property included the following:

(1) that any reform proposed for this part of the law follow the scheme of the Criminal Damage Act 1971 (U.K.) in enacting one basic general offence in replacement of numerous more detailed offences;

(2) that an owner of property not be criminally responsible for destroying or damaging it;

(3) that, as a matter of general principle, mere interference with property which does not amount to damage or destruction, should not be a criminal offence;

(4) that the mental element of offences in this part of the law be drafted in subjective terms of intention and recklessness as elsewhere in the criminal law;

(5) that the offences proposed in this part of the law be indictable, but triable summarily with the consent of the accused.

One recommendation by the Mitchell committee was that the separate offence of arson not be retained. However, section 1 (3) of the 1971 (U.K.) Act provides that an offence committed by destroying or damaging property by fire shall be charged as arson and a person guilty of arson shall, on conviction on indictment, be liable to imprisonment for life.

The Government has considered that the view of the 1971 (U.K.) Act with respect to the offence of arson is preferable to that of the Mitchell committee. This preference is based on the familiarity and popular acceptance of the offence as well as the assistance it would give in keeping records on pyromaniacs. The knowledge that someone has proved to be an arsonist in the past can be of assistance to the courts if the same person comes before them again.

The Mitchell committee in its Fourth Report stressed that in its opinion the law relating to damage to property should not include an offence of damage to property 'aggravated' by the circumstance that danger to persons is involved also. The committee argued that an offence of this kind is an unsatisfactory combination of damage to property with danger to persons. Be that as it may, in reforming the law relating to damage to property some consideration must be given to the issue of damaging property in such a way as to endanger persons. If for no other reason, it is obvious that where the 'aggravating factor' is present, a greater penalty should be available. (The Mitchell committee considered this issue and proposed two offences: damage to property and danger to persons.)

An examination of the Criminal Law Consolidation Act 1935 indicates that sections 20 to 38a are concerned with acts causing, or intended to cause, danger to life or bodily harm. Some sections deal with offences such as wounding with intent to cause grievous bodily harm and malicious wounding. Other offences are concerned with specific acts intended to endanger life or inflict injury, but these do not provide a conclusive group of offences. Accordingly, as part of the exercise at hand, it became necessary to make some amendment to provide an offence of damaging property with intent to cause personal harm. However, the present offences are an unsatisfactory pastiche of sundry offences and were understandably criticised by the Mitchell committee. That committee recommended the repeal of them all.

It has appeared appropriate to enact a general offence that would deal with this whole topic, including the endangering of a person by damaging property. The reforms that are the object of this Bill are long overdue and remove anachronisms from the law of this State. This measure has received the long and detailed consideration of the Judiciary, the Law Society and prosecutors and defence lawyers. Its gestation has been painstaking, careful and measured.

Finally, the Bill also includes a minor amendment to section 285c of the Criminal Law Consolidation Act 1935, that is consequential upon the passing of the Evidence Act Amendment Act 1985.

Clause 1 is formal.

Clause 2 provides for the commencement of the measure.

Clause 3 inserts a new definition of 'property'. The clause also makes special provision for the situation where the Act refers to an indictable offence but does not then classify the offence as a felony or misdemeanour. Some sections of the Act rely on the classification of offences within this dichotomy. It is therefore proposed that an indictable offence for which a maximum penalty of imprisonment for three years or more is prescribed will, for the purposes of the Act, be classified as a felony.

Clause 4 proposes a new section 19. As part of the review of the law of criminal damage to property it was necessary to address the topic of threats. This led to an examination of section 19 of the principal Act (a section relating to threats to kill or murder) and it was decided that the most efficacious procedure was to repeal section 19 and enact a new section dealing generally with unlawful threats. This new section provides that it will be an offence, punishable by 10 years imprisonment (or, in the case of a threat that relates to a child, by 12 years imprisonment), to threaten unlawfully to kill or endanger the life of another and also an offence, punishable by five years imprisonment, to threaten unlawfully to cause harm to the person or property of another. Further, the section is expanded to cover not only written threats but also threats comnunicated by the spoken word or by conduct.

Clause 5 effects various reforms advocated by the Mitchell committee. Various sections, dealing with neglect, the abandonment of children where life is endangered, actions intended to cause harm to others and interfering with railways and railway equipment, are repealed and replaced by three new sections. Proposed new section 29 provides that it will be an offence, punishable by 15 years imprisonment, to perform an act knowing that the life of another will be endangered and intending or being reckless in relation to that consequence. Similar offences are created for acts intended to cause grievous bodily harm and bodily harm. Proposed new section 29a relates to failing to provide necessary footwear, clothing and accommodation to minors, the ill and the disabled. Proposed new section 30 will make it an offence to be in possession of objects intended to be used to kill or harm another.

Clause 6 repeals section 47 (3) of the principal Act, a provision that 'reinforces the old rule that a court of summary jurisdiction may not try cases of certain kinds of common law where a dispute as to title to real property is involved' (See Mitchell committee, Fourth Report, page 208). The Mitchell committee submitted that the rule is anomalous at the present day and accordingly it proposed that it be removed as a restriction on justices.

Clause 7 contains the most significant reforms to be effected by this measure. The clause proposes the repeal of the whole of Part IV of the principal Act and the insertion of a new Part that will implement several recommendations of the Mitchell committee. For the purposes of the new Part, 'damage' to property is to include action that depreciates the value of property or renders property useless or inoperative. It is also proposed that the offences will relate to damaging property of 'another' and that a person who damages property will not be regarded as the owner of the property unless he is wholly entitled to the property both at law and in equity. Central to the new Part is proposed section 85 which enacts two basic offences—damaging property by fire or explosives and damaging property generally. The crime of arson is to be retained. It will be a defence to a charge of an offence against the section for the accused to prove an honest belief that the act constituting the charge was reasonable and necessary for the protection of life or property. New section 86 will make it an offence to be in possession of objects intended to be used to damage property of another without lawful authority. Offences against the new Part will be indictable offences except where the damage does not exceed $800.

Clause 8 makes a minor amendment to section 285c to pick up an amendment consequential on the passing of the Evidence Act Amendment Act 1985 (abolishing the unsworn statement).

Clause 9 amends a cross-reference.

Clause 10 provides for amendments to the Justices Act 1921 and the Summary Offences Act 1953 as contained in the schedule to the Bill. The amendment to the Justices Act provides for the abolition of the rule of law preventing a court of summary jurisdiction from trying an offence where a dispute to title exists. The amendments to the Summary Offences Act provide for the enactment of a new section dealing with interfering with or destroying railways, tramways or similar tracks and a consequential amendment relating to interfering with boats.

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

PAY-ROLL TAX ACT AMENDMENT BILL

The Hon. J.C. BANNON (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Pay-roll Tax Act 1971. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

During its first term of office the Government doubled the payroll tax exemption level from $125 000 per annum to $250 000 per annum. We also relaxed very significantly the rate at which the exemption level is phased out from $2 for every $3 by which payrolls exceed the maximum exemption to $1 for every $4. These measures greatly increased the number of small firms that benefit from the exemption.

The Government will continue to extend the range of payroll tax concessions at every reasonable opportunity. From 1 September, 1986, the threshold will be lifted from $250 000 to $270 000. The rate at which the exemption tapers out will remain unchanged, so that all firms with payrolls up to $1 350 000 per annum will receive some benefit.

The Government wishes also to make several minor amendments to the present Act. Organizations that fall within the provisions of section 12 are entitled to exemption from tax. Inevitably, there have been instances where organizations that should not be required to pay tax have failed to satisfy the criteria set out in section 12 and it has been necessary to amend the Act. The Government now proposes to insert a provision exempting university colleges from payroll tax.

It is also proposed to introduce a provision to allow the Pay-roll Tax Appeal Tribunal to publish its decisions and the reasons for its decisions, provided that names and facts which might lead to identification of taxpayers are deleted. We believe that such an innovation would be welcomed by taxpayers and would prevent appeals going forward on matters which the tribunal has already decided.

The provisions of the Bill are as follows:

Clause 1 is formal.

Clause 2 provides for the amendments affected by the measure to operate retrospectively from 1 September, 1986.

Clause 3 amends section 3 of the principal Act which deals with interpretation. New subsection (5) is inserted to clarify the point that liability to pay tax under the principal Act must be assessed in accordance with the provisions of the Act as in force at the time the liability arises, and is not affected by subsequent amendment.

Clause 4 amends section 11a of the principal Act which deals with deductions which employers are entitled to make from the taxable wages included in returns provided by the employers.

The effect of the amendments are as follows: there shall be deducted from the amount of taxable wages included in a return made by, or an assessment relating to, certain employers: (a) the prescribed amount, reduced by $1 for every $4 by which the taxable wages exceeds the prescribed amount; (b) in the case where liability to pay wages is incurred for part only of a return period, the prescribed amount is reduced proportionately, and then reduced by $1 for every $4 by which the taxable wages exceeds the so reduced 'prescribed amount', where prescribed amount means (a) $22 500 for a return period of one month; *(b)* for a period of more than one month—$22 500 multiplied by the number of months.

Clause 5 provides for the amendment of section 12 of the principal Act, which provides exemptions from payroll tax. Provision is made to exempt from payroll tax wages paid by University Colleges.

Clause 6 amends section 13a of the principal Act, which establishes certain definitions for the purposes of sections 13b and 13c. The significant amendment affects the 'prescribed amount' definition. The opportunity has also been taken to remove from this definition material relating to previous financial years which is no longer a functioning part of the definition. A new set of formulae are substituted for the existing formulae, and under the new formulae material that relates to a particular financial year will not clutter the principal Act after the expiration of that financial year. This clause, and clause 9 effectively raise the general exemption level for payroll tax to $270 000.

Clause 7 amends section 14 of the principal Act, which provides for registration of employers who pay wages in excess of a prescribed amount in any week. The prescribed amount is altered under this amendment from $4 800 to $5 150.

Clause 8 makes amendments to section 18k (a provision which mirrors section 13a; section 13a dealing with single employers, section 18k dealing with groups of employers) which correspond with those made to section 13a by clause 7.

Clause 9 makes a consequential amendment.

Clause 10 repeals section 20a of the principal Act. This repeal is consequential upon clause 3 of the Bill.

Clause 11 amends section 36 of the principal Act which relates to objections and appeals relating to assessments of pay roll tax. Under the amendments, the tribunal must furnish the objector and the Commissioner with its reasons for decision on an objection and may publish those reasons as it thinks fit (subject to the suppression of the identity of the objector).

Mr OLSEN secured the adjournment of the debate.

RATES AND LAND TAX REMISSION BILL

The Hon. D.J. HOPGOOD (Minister of Water Resources) obtained leave and introduced a Bill for an Act to provide for the partial remission of rates and land tax payable by certain persons; to repeal the Rates and Taxes Remission Act 1974; to amend the Irrigation Act 1930; the Land Tax Act 1936; the Local Government Act 1934; the Sewerage Act 1929 and the Waterworks Act 1932; and for other purposes. Read a first time.

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

That this Bill be now read second time.

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

Leave granted.

Explanation of Bill

This Bill provides for the repeal of the Rates and Taxes Remission Act 1974, and extends the benefits of the existing South Australian Pensioner Remission Scheme to eligible pensioners who are supplied by, and pay domestic water rates to, private water boards and trusts. The present Rates and Taxes Remission Act 1974 grants rates and tax remissions to eligible pensioners on their land tax, local council rates, and water and sewerage rates, levied under the Land Tax Act 1936, the Local Government Act 1934, the Water-

works Act 1932, and the Sewerage Act 1929, respectively. Eligible pensioners who reside within Government irrigation areas, such as Berri and Waikerie, are also currently granted rate remissions on their domestic water rates levied under the Irrigation Act 1930.

Similar concessions have been extended, on an *ad hoc* basis, to pensioners who reside in the private irrigation areas administered by the Renmark Irrigation Trust and Lyrup Village Association. However, there are 17 other smaller private water boards and trusts, similar to the Renmark Irrigation Trust, whose clients include pensioner home owners. Residents in these areas are not included within the ambit of the present Rates and Taxes Remission Act 1974, in relation to remissions on their domestic water rates.

Recently, representations were received from pensioners in these areas, requesting remissions on their domestic water rates. The benefits of the remission scheme should logically be extended to eligible pensioners who are charged domestic water rates by these private water boards and trusts. This Bill extends the benefits of the South Australian pensioner remission scheme to eligible pensioners who are supplied by and pay domestic water rates to these private water boards and trusts. I commend this Bill to members.

The provisions of the Bill are as follows:

Clause 1 is formal. Clause 2 provides that this Bill is to come into operation on a day to be fixed by proclamation.

Clause 3 is an interpretation section. 'Council' is defined as a council constituted under the Local Government Act. The prescribed sum is defined, for the purposes of determining the amount of each remission that an eligible pensioner is entitled. In relation to rates and taxes levied under the Land Tax Act 1936, and Part XII of the Local Government Act 1934, the amount of the remission is fixed at $150. In relation to water and sewerage rates levied under the various Acts listed in schedule 2, the amount of the remission is fixed at $75.

'Rates' is defined, for the purposes of declaring the criteria by which ratepayers are entitled to remission of rates and land tax, to include fees payable under the Local Government Act 1934, for the removal of sewerage; contributions payable to the Lyrup Village Association under the Crown Lands Act 1929, and land tax payable under the Land Tax Act 1936, in addition to rates payable under the various Acts listed in schedule 1. 'Rating authority' is defined to mean the authority to whom rates are payable under the various Acts listed in schedule 4.

Clause 4 empowers the Minister under proposed new subsection (1) to declare the criteria on which ratepayers are entitled to remission of rates, by Ministerial notice in the *Gazette*. Proposed new subsection (2) fixes the amount of the remission at three-fifths of the rates payable by the ratepayer in respect of his or her principal place of residence (or some lesser proportion where the ratepayer is jointly liable with another person who is not a spouse and who is not entitled to a remission in respect of those rates) or the prescribed sum, whichever is the least. Proposed new subsection (3) provides that a ratepayer who complies with the eligibility criteria is entitled to the prescribed remission in respect of rates payable under the Acts listed in Schedules 2 and 3 and in respect of rates, fees or charges payable under the Local Government Act 1934 for the removal of sewerage.

Clause 5 provides for the delegation of any of the Minister's functions or powers under this Act.

Clause 6 provides for the amount of the rates remitted to be paid to the appropriate rating authority from Consolidated Account.

Clause 7 excludes the payment of any interest, fine or other penalty in respect of rates that are remitted.

Clause 8 provides that it is an offence to make a false or misleading statement or give false or misleading information in making an application for the remission of rates, punishable by a fine of up to $2 500 or imprisonment for up to three months.

The Hon. P.B. ARNOLD secured the adjournment of the debate.

METROPOLITAN TAXI-CAB ACT AMENDMENT BILL

The Hon. G.F. KENEALLY (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the Metropolitan Taxi-Cab Act 1959. Read a first time.

The Hon. G.F. KENEALLY: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill seeks to streamline the existing Metropolitan Taxi-Cab Board following the successful introduction of the one-licence plate system for the industry in September 1985. The Bill also seeks to clarify the objectives of the board as proposed by the Legislative Council Select Committee.

The 1956 Metropolitan Act established a board of 12 members, which number was subsequently reduced to eight in 1973.

The existing Board consists of eight members:

- Two from the Adelaide City Council;
- One from the Local Government Association;
- One appointed by the Minister of Transport as a person with experience of local government;
- Two from the Taxi-Cab Operators Association (TCOA);
- One from the Transport Workers Union; and
- One being the Commissioner of Police or an officer of the Police Force.

The Select Committee suggested a board of 11 members. The Government considered that in practice this board would be large and unwieldy. Following the implementation of the single-plate system, the Taxi-Cab Operators Association agreed to the request by the Minister that they should broaden their membership. Negotiations have resulted in a new constitution which better balances the interests of the radio service companies and the owner/drivers and provides for representation of the drivers who are not linked to a radio company. The role of owner/drivers in the executive of the organisation is also strengthened.

The four radio service companies operating in the metropolitan area have agreed to join the revamped organisation. This represents over 80 per cent of the licences in the industry. The Bill spells out that the industry should be represented by two members from a body or bodies representing the interests of the industry and the Taxi-Cab Operators Association will be invited to nominate those members.

One of the objectives of the Taxi-Cab Board is to ensure that licences are issued to fit and proper persons. However, it is no longer considered necessary for that purpose for a member of the Police Force to be on the board. Any question concerning the propriety of an applicant for a licence or permit can be referred to the police, if required.

It is more advantageous to allow the Minister to have additional representation on the board to represent those

interests which are considered most appropriate at the time (e.g. tourism, entrepreneurial skills, innovation, disabled persons, etc.) and, at the same time, limit the size of the board to a workable level. It also avoids tying up the time of senior police officers.

Although the importance of the Adelaide City area and of local government is recognised, it is suggested that one member from the Adelaide City Council is adequate. The need for Transport Workers Union representation on the board has also been reviewed. Nevertheless, in choosing people to be nominated by the Minister, the need for persons with a background of achievement in industrial relations will be taken into account.

The recommended composition of the board is therefore:

A person nominated by the Adelaide City Council;

One person nominated by the Local Government Association of South Australia Incorporated;

Three people nominated by the Minister of Transport at least one of whom in the opinion of the Minister is knowledgeable about transportation, one about tourism and one about industrial relations;

Two members nominated by a body representative of the taxi-cab industry, at least one of whom is a taxi-cab driver.

The Bill provides that the Governor should appoint one member of this seven-member board to be Chairman. Under the existing Act this would be a member from the Adelaide City Council. This restriction on the chairmanship is abolished. Members of the board are to be appointed for a term of four years and with half the membership up for re-appointment or change every two years.

The Legislative Council Select Committee identified that there was a need to spell out the powers of the board. The board's powers and objectives as defined in the Act are ambiguous and are largely limited to regulation and control of the industry. This same observation also has been made by a previous investigation into the Adelaide taxi industry by Travers Morgan Pty Ltd for the Director-General of Transport in 1980. This report noted that although the MTCB had performed its regulatory functions well—

> ... It has, however, done so without any formal statement of its objectives; that is, no formal expression of the reasons why it regulates.

The present Bill spells out the responsibilities and functions of the board. These will be to ensure the provisions of an effective and efficient taxi-cab service to the public in safe, adequately maintained vehicles. There is also a role for the board to monitor and report to the Minister on the financial and operating performance of the industry and provide advice to the Minister about its operations.

Finally, much of the day-to-day controls which most affect the industry are contained in regulations rather than the Act. Most of the recommendations of the Select Committee relate to regulations. The Government has asked for a complete review of these regulations to be conducted, in consultation with the taxi industry. The results of this review should be available to the reconstituted board and form the basis for further initiatives in this area. I commend the Bill to members.

The provisions of the Bill are as follows:

Clauses 1 and 2 are formal.

Clause 3 amends section 4 of the Act which provides for the constitution of the board. The number of members is reduced from eight to seven.

The amendment provides that the board shall consist of—

(a) one councillor of the Adelaide City Council nominated at the request of the Minister by that council;

(b) one councillor of a constituent council nominated at the request of the Minister by the Local Government Association of South Australia Incorporated;

(c) two persons (one of whom must be the holder of a taxi-cab driver's licence) nominated at the request of the Minister by a body or bodies representing the interests of persons engaged in the metropolitan taxi-cab industry;

(d) three persons nominated by the Minister, one with appropriate knowledge and experience of the transport industry, one of the tourism industry and one of industrial relations.

Machinery is provided for the Minister to make a nomination if a body fails to nominate a person within the time allowed by the Minister.

The amendment also provides that the Governor may appoint a person to be deputy of a member. Deputies are required to meet the same qualifications and nominations as members.

The offices of all current members of the board are vacated on the commencement of the measure to enable new appointments to be made.

Clause 4 repeals section 5 of the Act which provides for the term of office of members of the board. New sections 4a and 5 are inserted. Section 4a details the responsibilities and functions and the board. These are to promote and control the metropolitan taxi-cab industry with a view to ensuring the provision of an effective and efficient service to the public and the safety of the public and taxi-cab drivers; to encourage and assist any changes in the industry conducive to those goals; to keep under review and to report to the Minister on the operation (including economic aspects) of the industry; to generally advise the Minister on the industry; and to perform the functions assigned to it under the Act. Section 5 provides for the term of office of members to be such term not exceeding four years as the Governor determines. Members are eligible for reappointment on the expiration of a term of appointment.

Clause 5 amends section 6 of the Act which provides for casual vacancies. It provides that the seat of a member becomes vacant if the member ceases to satisfy a qualification for nomination by virtue of which the member was appointed.

Clause 6 makes consequential amendments to section 7 of the Act.

Clause 7 amends section 8 of the Act to provide that the Governor may appoint any member to preside over the board. Currently such appointment is restricted to one of the two Adelaide City Council nominees.

Clause 8 makes consequential amendments to section 9 of the Act.

Clause 9 repeals section 10 of the Act which provides the machinery for default in election of members. This matter is covered in the amended section 4.

Mr INGERSON secured the adjournment of the debate.

COOBER PEDY (LOCAL GOVERNMENT EXTENSION) ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 23 September. Page 1073.)

The Hon. B.C. EASTICK (Light): My remarks on this measure apply equally to the next Bill on the Notice Paper, which is the Local Government Act Amendment Bill (No. 3). This matter was canvassed when we received a message earlier this session from the Upper House. In fact, it was debated here on 27 August. Opposition members clearly indicated that they concurred in the decision made by the select committee of another place. We also affirmed that the action that was necessary in relation to the two Acts of Parliament was completely in accord with the decision taken following the hearings of that select committee and that we were completely aware of the interest being shown by members of the Coober Pedy community in the fact that they would have that form of local government and local identity.

Having more recently visited Cooper Pedy, I would have to add that there is some local concern about various aspects of their course of action. However, there is still a spirit of interest in seeing the measures come to fruition. I believe that the amendments which are contained in this measure and the one which is a companion will fulfil that requirement. We always have the opportunity at a later stage, if it were possible to demonstrate to the Parliament or to the Minister of the day that there was some need of addition or deletion as the case may be, of addressing that matter when it becomes known. The debate to which I referred appears in *Hansard* from page 716 onwards, and I would refer any person who is interested further in this matter to that debate and the statement made by the Minister on the occasion that he introduced the measure from another place. We agree with the Bill.

The Hon. G.F. KENEALLY (Minister of Transport): I thank the Opposition for its support of the measure. It does come with some small change from what was introduced in another place, and the honourable member is aware of those changes. I thought that both on this occasion and the previous occasion the contribution of the member for Light has been a very thoughtful and useful one and, from the Government's point of view, I thank the Opposition for its support.

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

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 3)

Adjourned debate on second reading.
(Continued from 23 September. Page 1073.)

The Hon. B.C. EASTICK (Light): I support the Bill.

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

ADJOURNMENT

The Hon. G.F. KENEALLY (Minister of Transport): I move:

That the House do now adjourn.

Mr BECKER (Hanson): The fact that the grievance debate has come on at 3.25 p.m. just proves how poorly organised is this current Government. We have had something like a five month lay-off when very little was done, very little was achieved, then we have had a few weeks back (including the budget session), and here we are on Thursday afternoon with no business. This is very poor management on the part of a Government that has made a lot of promises and said it would do so much. In actual fact, we find that it is bereft of ideas and almost bankrupt as far as new schemes are concerned. Financially it does not have any money—

Mr S.G. Evans: So are the people!

Mr BECKER: And as the member for Davenport says, as he is about to go home, most of the people are going bankrupt as well. What concerns me is the huge amount of money borrowed by State and Federal Governments over the past few years and the impact of those borrowings on the people and our future generations. In the *Australian Business* magazine dated 27 August 1986, Brent Davis said:

Interest on the public sector debt is now the third largest single item of Federal Government spending. At just over $7 052 million in 1985-86 Federal public debt interest (PDI) now exceeds Federal outlays on health ($6 838 million), defence ($6 676 million) and education ($4 914 million).

Whereas 10 years ago $1 in every $25 of Federal Government spending went to meet debt interest payments, it is now $1 in every $10. Unless dramatic action is taken by the Hawke Government in the coming Federal Budget to reduce outlays future Governments will find themselves locked into increasingly rigid budgets and more intractable deficit problems. Flexibility in fiscal policy will be severely limited.

The trend towards financing public sector deficits through borrowing (as distinct from the 'print money' option) is likely to see total public sector debt exceed $100 000 million for 1985-86 (ACC estimates; $102 billion in 1985-86; $110 billion in 1986-87). This would amount to around 42 per cent and 39 per cent of GDP respectively.

That is what it is all about. In South Australia, we have to go to the South Australian Financing Authority to find out how much interest is paid by that organisation for and on behalf of the State Government and the respective statutory authorities. The amount paid is exceeded in the State budget only by the votes for education and health. The budget proposed $722.6 million for education and the Minister of Health was given some $573 million, and then, I believe, the interest commitment by SAFA will exceed any other sector of the budget spending. So, the third largest item will be the interest and debt repayments of the State. That just proves how irresponsible Governments have been, in this State and federally under socialism, in bankrupting the taxpayers.

The other area of concern relates to the difficulties being experienced by the housing and construction industry—but more so in housing—and the cost of housing with the continual industrial disputations and pressure placed on respected and reliable developers in South Australia. The Housing Industry Association has advised its members that it has received a log of claims from the Association of Draughting Supervisory and Technical Employees. That log of claims is absolutely ludicrous. It is an ambit claim. The article states:

A weekly wage of up to $10 350! That's the basis of an ambit log of claims served on all divisions of the HIA and its members, as well as a number of employer groups, by the Association of Draughting Supervisory and Technical Employees.

The HIA's National Industrial Consultant, Mr Graham Pryke, will attend an initial hearing of the Federal Industrial Commission which will determine whether a dispute exists or if it applies to HIA members. The log of claims demands:

- A weekly wage of $7 000.
- A minimum for each week of $700 for 'extra payments', a $700 site/and or establishment allowance, a $700 district and divisional allowance, $700 for 'special rates', and a $700 industry allowance.
- A maximum of 20 hours a week from which is to be deducted a two-hour meal break, a one-hour rest period in the first and second half of the worker's daily work, and half an hour for 'washing time' before a meal break and before finishing.

Mr S.G. Evans: Are they going to work?

Mr BECKER: We do not know about that. The claim continues:

- Eight weeks annual leave (at double time).
- Treble time for shift work from Monday to Friday and quadruple time for weekends and public holidays.
- 20 public holidays.
- An overtime meal allowance of $70 for each meal.
- Paid leave of absence for 12 months for maternity or paternity leave and adoption leave.

The log demands that an employer should advise the union if redundancy is likely to be considered. However, this must be done at least two years before any decision with redundancy implications is taken. If redundancy does occur, then affected employees must receive at least two years notice of termination or payment in lieu of, as well as redundancy pay of 20 weeks pay for each year of service.

I know that ambit claims start from a base and are built on year after year as unions make these claims, but it is ridiculous that unions have to adopt this type of system to win a dollar or two. Why is the Industrial Court saddled with this type of claim when unions are seeking benefits for their members? The frightening aspect (which I experienced when I was President of the Bank Officials Association) is that the unions put up these claims knowing that they will not get anything like what they ask, but the principle stands, and the principle is that people want extra payments: extra site allowances; extra establishment allowances; extra district allowances; extra industry allowances; fewer hours per week; a meal break of at least one hour (and it could be argued on medical grounds that people should digest their food); time to wash before a meal or before going home; extra annual leave; extra payments for shift work, and so on; more public holidays; and a meal allowance that enables employees to purchase a reasonable meal without being disadvantaged.

That is all very well for those who make available their services to someone in industry, but we in this country can no longer afford all the lurks and perks. The same impression applies to members of Parliament: the public believes they get all the lurks and perks in the world. The workers find it difficult to accept that they are left out of the situation. This is a classic example of the ambit claims that are made every so often, and they are absolutely outrageous. Not even a fraction could be offered: we could not go to 10 per cent or even 1 per cent. What would the provision of extra benefits do to the housing industry and the private sector in the State in relation to their providing urgently needed accommodation in a difficult period when the Government is unable to meet people's demands for a roof over their head? The basic need within the community is reasonable and affordable accommodation. Everyone should be given the opportunity to own their own home.

When unions make this sort of ambit claim and then insist on it, something has to give. What will happen, of course, is that industries will just disappear: our standard of living, our standard of housing, and the standard of workmanship will gradually deteriorate, because there is no way in the world that anyone could countenance this sort of claim in any industry, particularly in the housing industry, which is so dependent on the cost factor.

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

Ms LENEHAN (Mawson): I refer to a letter to the local media that appeared in the newspaper earlier this year. That article was written by a well known and prolific letter writer in my district, Brian Wreford. Under the heading 'Governments should raise fines for vandalism' the letter states, in part:

While I support 100 per cent Susan Lenehan's 'Call for security boost on trains and our stations'... I cannot see much effectiveness against vandals, thugs and harassers, until the South Australian court system takes a hard line against law-breakers. And the South Australian Government really gets on with the job of vastly increasing fines and punishment on criminals generally.

I researched a couple of the aspects raised by my constituent in that letter. He suggested that the Government should get on with the job of vastly increasing fines and punishment for criminals generally. I note that on 14 February 1985—and I will pass on this information to my constituent—the Attorney-General in the other place introduced amendments to the then Police Offences Act, one of which was to change the name of the Act to the Summary Offences Act. Another of the extensive number of amendments was to increase the penalty for offences with respect to property, including wilful damage, from $100 or three months imprisonment to $2 000 or imprisonment for six months. So, I point out for the benefit of the House and my constituent that his request has already been agreed to and enacted in legislation as long ago as February 1985. However, when I researched the court system and the penalties that are handed down for offences such as wilful damage and vandalism, I found, after contacting the Office of Crime Statistics in the Attorney-General's Department, that in the six months ending December 1984 (and these are the latest statistics), of a total of 349 people charged with property damage, 257 were fined. Those fines averaged a total of $64, and the minimum fine was between $15 and $10.

It would appear that in that period before the legislation was amended the courts were handing down very small fines for this type of offence. In the following six months (that is, the first six months of 1985, the period in which the amendments were being enacted—but the courts were not sentencing according to the new legislation) the situation had not changed very much. In fact, the average fine for a total of 335 convictions for property damage, including one charge of arson, had increased by $2 to $66. I am horrified to tell the House that the minimum fine was $1. Of these offenders, 71 per cent were fined and 3.6 per cent were imprisoned, on average from three to six weeks.

This leads me to raise in this House a matter that I have raised several times in recent months, that is, the question of the courts using community service orders as one option in the range of sentences that they can hand down. It seems to me that in the case of vandalism, wilful damage, crimes against property, and in crimes of harassment the courts—and I do not wish in any way to be seen as being critical of them—should be using this option of community service orders in their sentencing.

I also believe that, as well as extending the range of options, the community service order scheme has an important rehabilitation side to it. To me it is a very desirable thing that offenders have an obligation to make a contribution to the society against which they have offended. It also seems perfectly reasonable that if someone has destroyed property, natural vegetation such as trees or gardens, fences or whatever, they should be asked to make some kind of restitution to the community where they have performed those anti-social acts, thereby enabling the community to receive some benefit from the fact that such a person has been found guilty of that offence.

Mr Duigan interjecting:

Ms LENEHAN: Exactly. That is reasonable, and should be the method used, rather than our going down the path of incarceration for those sorts of offences; it is more preferable to look at the question of rehabilitation. It is important to make offenders aware of the distress and misery that they can cause, particularly to the aged. Members should put themselves in the place of old people who are often the subject of vandalism and harassment in order to realise what a threatening and frightening experience it is.

Community service orders were introduced by the previous Liberal Government, and I congratulate it on doing that. In July 1982 this scheme was commenced in my area of Noarlunga, and the southern region of Adelaide.

Mr Duigan: Is it working well?

Ms LENEHAN: It is working extremely well. Since 1982, 254 selected adult offenders have worked off the hours that have been ordered by the courts. Approximately 20 000 hours of valuable community service have been completed in the southern areas since the scheme began. As I said earlier, this scheme is intended as a substantial punitive measure requiring offenders to incur a significant reduction of their personal liberty for up to 10 hours each week without the community bearing the financial cost of their imprisonment with its consequential disruption to family, social, financial and employment obligations.

The current average cost per annum of $34 000 for keeping a person in prison and $67 000 for an inmate at Yatala indicates the obvious savings to the taxpayer in relation to this community service scheme. A community service offender is expected to perform unpaid work or service that is of benefit to the community. Noarlunga and the south coast regions have completed four years under this scheme, and the value of work completed for the 56 heritage, progress associations, welfare groups, kindergartens and elderly citizens who were the recipients of the scheme would be in the vicinity of $160 000.

As well as the scheme being justified in terms of making commonsense with regard to rehabilitation rather than incarceration, it also makes sound financial sense for the courts to be looking at the provision of community service orders as an alternative—and I stress as an alternative—and as another means of having sentencing as well as imprisonment and fines. I commend the scheme in my own electorate because it has been extremely successful. The success rate has been between 80 per cent to 85 per cent, and this is considered, on world figures, to be extremely successful.

The Hon. TED CHAPMAN (Alexandra): This afternoon during Question Time the Minister of Agriculture yet again displayed his disregard for the time that has traditionally been available to members. Over an inordinate period of time he demonstrated his concern on behalf of Josephine Tiddy, the Commissioner for Equal Opportunity. I tried to listen, as did other members, to what he was saying, but unfortunately it was very difficult and frustrating because what he was saying had little connection with the question that had been asked of him. That is the sort of display by Ministers in recent months which has denied members on both sides the opportunity to ask important State or electoral questions.

I therefore address in this 10 minute adjournment debate, which is available to members to enable them to air matters of grievance or concern, a matter that I failed to raise previously because of time constraints. My question is directed to the Minister of Transport. Does he now acknowledge that, by the Government's retention of extraordinary crew numbers attached to the motor vessel *Troubridge* and by the Government's adoption of half yearly CPI indexing of its shipping rates, it is progressively losing business and costing the State a fortune? Further, does the Minister acknowledge that, apart from that described economic disaster course, in the meantime the Government is discriminating between those Kangaroo Islanders who are totally reliant on the transport link for primary produce movement and tourists and light vehicle caravan and pleasure boat owners who have optional transport available, that is, the Cape Jervis/Penneshaw based *Philanderer* service.

The Highways Department report for 1985-86, which was tabled in the House this week, highlights the situation in a way that warnings have been signalled to the Government (particularly to the Minister's predecessor, Hon. R.K. Abbott) by the Opposition and those who are deeply concerned on Kangaroo Island. This applies especially to those in the primary producing sector who, as I said earlier, have no option but to use the MV *Troubridge* for the purposes of transporting livestock and heavy farm produce.

The Highways Department report puts the increased crew rates and the operational loss for the last year at some $4 million. It reveals the principal reason for that loss, which means that the service has been priced out of the financial reach of its users. The report also reveals that the *Troubridge* ran fewer trips to the island last year than it did during its previous years of operation, yet last year there were more passengers and other vehicle transport to the island than ever before. The report admits a significant drift of traditional *Troubridge* passengers and light vehicular business to the *Philanderer* service.

From the report comes the alleged discrimination of those producers who are dependent on heavy transport and who have no alternative but to meet the charges now applied in the Government's space rate schedule. If the Minister does acknowledge these issues, will he take action to modify the situation in a businesslike way to recover a fair share of the transport market on that ceiling and, by so doing, provide the basis for commonsense trading to flow on to the operation of the *Troubridge* replacement that is currently under construction?

It has been put to me that, if the current charging structure continues, by the time the new ship is launched in 1987 she will be a ship without a payload and therefore an albatross for both the islanders and the State. Some members opposite have never lived or been required to eke out a living in an isolated community. I know that people who live in places like Kangaroo Island and elsewhere in the State have a choice as to where they may settle and try to raise a family and make a living. The situation within the Kangaroo Island community is that families have worked, established their homes and set about their businesses in a fair and reasonable way and, in ordinary conditions and under ordinary circumstances, they have been able to make a fair living. It is when something extraordinary happens such as a drought, extreme taxation, or as in this case the burden of a Government which is insensitive to the real issues and is not prepared apparently to take on board the details and the plight of people in places such as this that trouble occurs.

I make no excuse for raising this matter again in this place on behalf of the the Kangaroo Island community at large and Kangaroo Island primary producers in particular. I suppose it could be said that I have a vested interest, because I raise this subject as an islander and as a primary producer. Be that as it may, there are 465 primary producers in the Kangaroo Island community, and every one of them relies on the sea service link between Kingscote and Port Adelaide to sell their produce that cannot be consumed at the local level. Every one of those people depend on the *Troubridge* to bring back fertilisers and other requirements for their farms on Kangaroo Island. Accordingly, their lives and incomes depend largely, if not totally, on an efficient sea service link that is within reach of their pockets.

In short, the situation has deteriorated to a point where only those who have no alternative continue to patronise the service. We even have people travelling on the *Philanderer* from Kangaroo Island to the mainland with light vehicles such as utilities loaded to the hilt because they can use that service with that type of vehicle. They return to

the island in utilities and towing caravans packed to the ceiling in order to avoid the freight factor that has become such a burden in this district. For those with detachable trailers or semitrailers, as I have said, they have no alternative but to use the MV *Troubridge.* The Government knows that and we know it and I think it is about time that the Government ceased to exploit the situation to the point that it has. If not, for sure, by the time the new vessel hits the water it will not be able to be used and will be a ship without a payload.

Motion carried.

At 3.55 p.m. the House adjourned until Tuesday 21 October at 2 p.m.