HOUSE OF ASSEMBLY

Tuesday 7 April 1987

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

PETITION: BRIDGEWATER TRAIN SERVICE

A petition signed by 169 residents of South Australia praying that the House urge the Government to upgrade the Bridgewater train service was presented by the Hon. D.C. Wotton.

Petition received.

QUESTIONS

The SPEAKER: I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 297, 306, 317, 318, 321, 324, 329, 330, 335, 336, 339, 352, 353, 356, and 362.

PAPERS TABLED

The following papers were laid on the table:

By the Minister of Marine (Hon. R.K. Abbott):
Boating Act 1974—Regulations.

By the Minister of Labour (Hon. Frank Blevins):
Motor Fuel Licensing Board—Report for year ended 31 December 1986.

By the Minister of Agriculture (Hon. M.K. Mayes):
Seeds Act 1979—Regulations.

By the Minister of Fisheries (Hon. M.K. Mayes):
Fisheries Act 1982—Regulations.

QUESTION TIME

MORRIS WARDS

Mr OLSEN: Will the Premier say whether the Government intends to sell the Morris wards of the Royal Adelaide Hospital at Northfield? Last Friday it was revealed that the Government was considering a proposal to amalgamate the Hillcrest and Glenside Hospitals in a move which could lead to the sale of the Glenside property. This comes on top of plans to sell the Queen Victoria Hospital. The Opposition has now been informed that, as part of a comprehensive Government plan to dispose of public hospital assets, it proposes to sell the Morris wards of the Royal Adelaide Hospital at Northfield. The Morris wards comprise the rehabilitation section of the Royal Adelaide's Spinal Injuries Unit. This unit is unique in that it is the only service of its kind in South Australia capable of giving all spinal cord sufferers comprehensive treatment and care throughout all stages of their illness. The Morris wards have facilities for intensive physiotherapy, occupational therapy, recreational training and after-care outpatient services and are used in particular by paraplegics and quadriplegics who have incurred their injuries in serious road accidents.

The Hon. J.C. BANNON: I cannot provide a detailed response to the Leader's question. It is certainly true that we have been intensively reviewing all the facilities that the Government provides to ensure that we are getting maximum value from them. I think the honourable member is referring to a proposition involving recent State Government negotiations to acquire the Commonwealth Rehabilitation Centre at Payneham which was put on the market by the Commonwealth Government when it withdrew certain facilities and services that it was running.

An honourable member: St Margaret's.

The Hon. J.C. BANNON: Yes, that is its name. Members may recall that there was considerable controversy about that. The State Government regrets that some quite sophisticated facilities developed there might be lost from the rehabilitation use to which they have previously been put. I will take this question on notice, because it may be that the proposition relating to the Morris wards is to have some sort of re-establishment based around our acquisition of that property. Those services and facilities that the Government provides for disabled persons through the Morris wards will still be provided and any changes will be aimed at making sure that they are delivered better and more efficiently.

RESOURCE BRANCH LIBRARY

Mr HAMILTON: Can the Minister of Education advise when the reopening of the Resource Branch Library will take place? Today I received correspondence signed by the Chairperson of the West Lakes Shore Primary School, as follows:

Dear Sir,

As the school council of West Lakes Shore Primary School we wish to express our concern at the delay in the reopening of the Resource Branch Library. We feel that without access to this collection teachers and teacher librarians are severely hampered in their work to provide an adequate range of resource material to support our students in their daily education. We sincerely hope you can assist by using your influence to make this collection available to teaching staff without further delay.

The Hon. G.J. CRAFTER: I thank the honourable member for raising this matter. I point out that the Resource Branch Library is an essential collection of resources used to give assistance in a number of ways to individual schools. This service was operating in quite expensive rented premises in a central city area and it was decided late last year to seek alternative accommodation in school properties. One school was very receptive about being the location for this service. However, a fire intervened and it was not possible for it to do so. Every effort is now being made to reallocate this service as quickly as possible.

DOMINGUEZ LTD BRIEF

The Hon. E.R. GOLDSWORTHY: Following questions in this House last week, has the Minister of State Development and Technology received further advice from his department on the brief it has given to the Sydney banker and broker Dominguez Barry Samuel Montagu Limited; were there further discussions late last week about this brief; and will the Minister now explain precisely what this brief is? In answer to questions last week, the Minister suggested that this brief was a general one to advise the Government on a range of matters.

However, the Opposition has been able to confirm from reliable sources that there have been specific discussions between Dominguez and the South Australian Government on the future of SAOG and the commercial activities of the Woods and Forests Department. I also understand that last Friday there were urgent discussions between a director of that company and senior officers of the Department of

State Development following the questions asked in Parliament.

An honourable member: Mr Higgs is his name.

The Hon. E.R. GOLDSWORTHY: Mr Higgs, I think, was the man involved, but urgent discussions were held. This has increased speculation that the Government has something to hide over the brief it has given Dominguez and I therefore invite the Minister to explain precisely what the brief is and to define what particular Government activities are being looked at.

The Hon. LYNN ARNOLD: As indicated by the Premier and by me in this place last week, the brief that Dominguez has with the department is precisely as indicated: it is a general brief canvassing matters of wide interest, and the exchange of letters that took place between the department and Dominguez specifically deals with it being for general information and advice on matters in the corporate sector. That is precisely what we have been receiving his advice about. In the canvass of that, from time to time, for a general brief to be fulfilled specific ideas are raised with the department by Dominguez, and a number of specific ideas have been raised.

An honourable member interjecting:

The Hon. LYNN ARNOLD: It would be quite inappropriate to suddenly 'tell us', as the member for Mitcham says, when all those ideas that are being raised may be commercially confidential and cause serious problems in the marketplace, and whereas some of the ideas that may from time to time be raised may be simply examples of lateral thinking which are being canvassed by Dominguez and by the department just in terms of examining all possible options, to suddenly raise that in the public arena when it has no substance may, in fact, do nothing other than cause a flurry on the stock market, which would be a most unwise outcome of something which is not going to eventuate. So, the brief is a general brief, as I indicated. It did not canvass any particular options. The letters that were exchanged last year did not canvass any particular options.

The further matter raised by the honourable member is whether or not there have been discussions since last week on a number of options which could be canvassed. Meetings took place on Friday, when a number of ideas were canvassed and discussions have been held and, since there is no formal proposition before the Cabinet, I do not believe that that matter should be further discussed at this stage.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

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

STAFF TO STUDENT RATIOS

Mr ROBERTSON: Is the Minister of Education aware of a report in last Saturday's *Advertiser* which points out that, although the enrolment in Government schools is down by 1.9 per cent, the staff to student ratio in South Australian Government schools is 1:13.5, while the corresponding ratio in private schools is 1:15.8? I ask what implications the extra 2.3 students per teacher in private schools may have for the education of South Australian children.

The Hon. G.J. CRAFTER: I thank the honourable member for his question and the opportunity that it gives me to put to rest some discussion in the community about the drift from State to non-government schools. While there is what one could call a minor drift of that nature, the decline in overall enrolments in our schools because of demographic trends is the real cause of this decline in numbers. There is also a movement from some non-government schools to Government schools, particularly in the senior secondary years, and that has to be calculated as well.

Indeed, one school has written to me asking whether steps can be taken to limit the very substantial flow of students from non-government schools into this particular high school where facilities are limited and are very much in demand. But the enrolment decline to which I have referred on a number of occasions now is very significant in South Australia, and in the past 10 years there has been a decline of some 43 000 students in State schools.

That number will continue to decline. We estimate that that will continue for the next decade, especially at the secondary level. Whilst it is true that some numbers have been lost to private schools, most of the decline is as the result of demographic trends. The decline has very real implications for the most effective use of available resources to maintain excellent education standards and, as I explained in my reply to the question from the member for Albert Park, there is vacant accommodation now in many schools in this State, and the Government has a policy of transferring many of our resources in centralised and often expensive accommodation into school communities for a number of reasons, not only economic reasons but also to allow for the delivery of educational services where possible in the community.

We are certainly looking at a number of reconfigurations of schools to take account of this decline in enrolments to maintain effective curriculum offerings in viable school communities. Despite the very substantial fall in enrolments, the Bannon Government over four successive budgets has returned about 900 teaching positions to schools (that is, freed up positions) to improve the ratio between teachers and pupils.

Ten years ago the gross ratio between teachers and pupils in South Australia was 1:15; it is now less than 1:13. In 1982-83, when this Government was first elected, the ratio of teachers to pupils was 1:14. So there has been a substantial improvement in this area. The Government now spends 40 per cent more per student than it did 10 years ago. Not only has there been a decline in the ratio between teachers and pupils, but there has been a significant decline in the number of large classes in our schools in this State. So I suggest to members that we are doing very well in education in South Australia by comparison with other States and any objective standards. We have an excellent system in this State which has been built up over many years. The Government continues to give education a very high priority. It is time that those who seek to find reasons to knock or whinge about our system cease to do so and recognise the real facts.

AIRLINE TERMINALS

The Hon. JENNIFER CASHMORE: Does the Premier support the Federal Government's intention to sell off airline terminals? When the Prime Minister revealed the Commonwealth's intention last Friday, he said:

> I cannot for the life of me see how the interests of the people of Australia demand that they should, through their Government, own and run airport terminals.

While Mr Hawke's unequivocal endorsement of privatisation in this area has received general public support, I understand that all the State Premiers have received submissions opposing this move if it is to result in the terminals

being sold to airline interests. These submissions seek the active support of the States in lobbying Canberra.

Members interjecting:

The Hon. JENNIFER CASHMORE: It appears as though the Minister of Transport might be happier answering this question. I therefore seek information from the Premier on whether he supports the Prime Minister on this matter—

An honourable member interjecting:

The SPEAKER: Order!

The Hon. JENNIFER CASHMORE: —or whether he supports the submission he has received against the sale of these public assets to airline interests, or whether the statements he made last week about privatisation mean that he cannot support the sale of these assets under any circumstances.

The SPEAKER: Order! The honourable member's explanation is very close to postulating a case.

The Hon. J.C. BANNON: I have not yet seen the details of the Federal proposition, nor the document opposing it as mentioned by the honourable member. No doubt we will look at it to the extent that my views and the views of my Government are relevant. I do not know whether the honourable member is aware of this, but in fact already it has been decided to establish the Airports Authority as a separate entity from the old Department of Civil Aviation or the Commonwealth Department of Transport. I fully support that move, which will develop the commercial potential of airline terminals. In fact, I can give the House one good example where this can work to our benefit. Members will know that South Australian exporters have had considerable success, particularly in the horticultural area, in exporting products by air. There has been a need for expansion and improvement of air terminal facilities such as cold storage and holding facilities for those wishing to develop this export trade. The absence of these facilities has been a block to further development.

One of the first actions of the new Airports Authority is to work on the development of these facilities; and it is also looking at a number of other things. For example, there has been talk of a convention centre and on-airport hotel accommodation, all of which would greatly benefit the State.

That is an example of the sort of commercialisation of resources that I believe we should be fully supporting, for instance, it means that passengers to the airport terminals—users, in other words—will not have to pay as much. Indeed, they will not be a burden on taxpayers to as great an extent because they are using the potential that airports have to earn money by the export trade and by other commercial uses to defray some of that cost. It is that sort of thing which I actually support and, to the extent that that is involved in the proposal, I would see it as a very productive one.

MARALINGA

Mr RANN: Can the Premier say what is the State Government's response to a reported statement by Senator Gareth Evans that Maralinga is still an option for the siting of a national radiation disposal facility? In a recent interview on the Macquarie network, Senator Evans said that the Federal Government was looking for a suitable site for a national repository for low and medium level radioactive material. He said that Maralinga had not been ruled out as a possible location. It has been put to me that there would be community outrage at the prospect of vehicles carrying radioactive waste travelling into and through our State in order to deposit material in an area which is currently the subject of negotiations between the British and Australian Governments as to the liability for clean-up operations. Further, 22 kilograms of highly radioactive plutonium was and is distributed over a large area of Maralinga and in more than 20 burial pits, along with large quantities of uranium and beryllium.

The McClelland Royal Commission found that the British Government was negligent and should bear the cost of clean-up operations. Britain has so far refused to concede that it has any moral or legal obligation to pay for the decontamination of the area. It has been put to me that, in the light of South Australia's heavy burden in being the site for atomic testing and with the establishment of tribal Aboriginal land rights in the Maralinga area, any consideration of a national radiation dump at Maralinga, despite the views of the Deputy Leader of the Opposition, would be adding insult to injury.

Members interjecting:

The SPEAKER: Order! The Chair was of the view that the member for Coles transgressed the practices of the House when asking her question. The Chair is definitely of the view that the member for Briggs has transgressed.

The Hon. J.C. BANNON: Yes, I was surprised by Senator Evans's statement and, in fact, I had to check at the time as to whether my memory was correct. In fact, I might confirm to the honourable member that South Australia has indicated clearly to the Federal Government that it will not be involved in seeing South Australia used as a dump for radioactive wastes. I know that that may come as a great shock to members of the Opposition, who, of course, would be keen to see anything dug up and taken out and, presumably, returned in whatever state. However, the position is a totally sustainable one. There was a time in the 1950s—

Members interjecting:

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

The Hon. J.C. BANNON: —when we were the object of such storage. Indeed the clean-up problems that were required at Port Pirie, for instance, and back on the old—

Members interjecting:

The Hon. J.C. BANNON: That is right. The Deputy Leader of the Opposition when in government had to spend $1 million on that. He is proud of having done so. I congratulate him on being involved in the clean-up. But, if a little more care had been taken in the development phase in the 1950s, such expenditure would not have been necessary. It should have been the responsibility of those involved in the defence program—the Federal Government, the British Government and others—and not the responsibility of the South Australian taxpayers, as it has ended up being.

We have taken the view that, while the Federal Government obviously has the need to find some form of dump, it is not appropriate that it be at Maralinga in South Australia. On the contrary, I would have thought that we had done enough to that area of territory and done enough violence to the rights of the traditional owners which have now been secured by Act of Parliament, without inflicting on them the total alienation of a segment of that area as a radioactive dump. Both morally and in practical terms I think that it would be totally wrong.

It is therefore open to the Federal Government to negotiate with other States. In fact, I understand that there is a proposition that the Northern Territory be the location of such a dump, and that it is to be federally established. If that is so and the Northern Territory Administration is involved in it, we would support it; and we have indicated

that to the Federal Government. As far as South Australia is concerned, in relation to our being a residual dump and these wastes being placed on the Maralinga lands, it is totally unacceptable.

PERSONAL EXPLANATION

The Hon. E.R. GOLDSWORTHY: I seek leave to make a personal explanation.

The SPEAKER: No.

The Hon. E.R. GOLDSWORTHY: He said that I wanted to make Maralinga a dump.

The SPEAKER: Order! The Chair will not give leave for a personal explanation or recommend that the House give leave for one at this stage. That can be done at the conclusion of Question Time.

SAMCOR

Mr GUNN: My question is directed to the Minister of Agriculture. Is it the Government's intention to sell Samcor's Gepps Cross abattoir? After the publication of the latest triennial review of Samcor which revealed a loss of $3.6 million for the past three financial years, the Minister told the House on 21 August last year that one option that the Government would consider to return the Gepps Cross abattoir to financial viability was its privatisation.

In recent weeks, in saleyards throughout the State, there has been increasing speculation that private interests have a very strong interest in buying the abattoir and that this is an option which the Government is seriously considering. This speculation has been heightened following the Government's failure to name a replacement for the Chairman of the Samcor board, Mr Inns, who announced his intention to resign more than two months ago.

The Hon. M.K. MAYES: It is not the Government's intention, nor its preferred position, to sell Samcor. Clearly, as I said last year, the Government would prefer to see Samcor operating profitably. Over the past nine months Samcor has been operating in the black, and very successfully so. That, to a large extent—

Mr Lewis interjecting:

The SPEAKER: Order! That sort of interjection is not helpful.

The Hon. M.K. MAYES: In regard to the overall operation of Samcor, I have had discussions with the Acting Chairman and the Chief Executive Officer, and I place on record my thanks to the board, the executive officers and the workers for their cooperation in relation to the introduction of the triennial report, which, I believe, they have taken large steps towards implementing. I believe that that has helped turn around the situation at the Samcor works. Unfortunately, with this current speculation regarding the Adsteam purchase through Metro Meat of Holco, that may (but I hope not) affect the overall operation of Samcor. If things get worse, and if it is bad for Samcor's operation, then we will see the Government having to look very carefully at Samcor's operation. I stress that it would be a last step in terms of our options and that we would much prefer to see Samcor continue to operate in a successful fashion.

ASER

Ms GAYLER: My question is to—

Members interjecting:

The SPEAKER: Order!

Ms GAYLER: My question is addressed to the Minister of Labour. Does the Minister have any evidence to support the claim made by the member for Mitcham in last Saturday's *Advertiser* alleging 'severe intimidation and physical threats to workers and their families for refusing to join work bans on the ASER site'—threats allegedly made by the Building Workers Industrial Union? If so, what action does the Minister propose to take?

Members interjecting:

The SPEAKER: Order!

The Hon. FRANK BLEVINS: I thank the member for Newland for her question. The short answer is 'No'. I have no evidence to support these claims that were made by the member for Mitcham, who has a habit of rushing into print or to the electronic media every five minutes, making all kinds of accusations. Almost without exception those accusations are found to be without any foundation whatsoever. He adopts the tactics of the former member for Davenport (Dean Brown): he hits and runs. He makes an outrageous statement, knowing that the media will pick it up and give it some air time or print space, and he never follows it up.

Normally, that would not bother me too much. The tactic is recognisable and usually does not cause any alarm, but I was especially upset about this claim because, besides abusing the workers, which the honourable member does all the time, he went on to say that there was also intimidation of the families of the workers. That takes the matter out of the arena of petty Party politics and puts it into the arena of making serious charges indeed. I suggested to the member for Mitcham, through the media, that he go to the police.

Members interjecting:

The SPEAKER: Order! The Minister, not the member for Mawson, is replying to the question. The honourable Minister of Labour.

The Hon. FRANK BLEVINS: Thank you, Mr Speaker. I also asked the Minister of Emergency Services to ascertain whether any information had been given to the police about these serious charges of intimidation of workers and their families and, if it had not, whether the police would interview the honourable member in the interests of public safety. If the honourable member has any information about the intimidation of workers and their families, he has an obligation and a duty to take it to the police. Members of the BWIU can take care of themselves. They have said clearly that they regard the claims as nonsense and they have sought legal advice to see whether they can take legal action against the member for Mitcham for what they say is an outrageous slander on the union. I do not know whether they can, but it is indicative of the tactics of the Opposition. The member for Bragg once a week comes into this Parliament with a fanciful allegation and never follows it up. The member for Heysen, when on the front bench, used to allege all sorts of illegality. I used to send him a telegram 'Urgently give me the information so that I can investigate,' but I never got a response.

It is a despicable tactic and reflects badly on the Opposition indeed. The South Australian building industry needs all the assistance that it can get. The builders, contractors, and all those other people who invest in the building industry in this State are entitled to a far better go than they get from the Opposition. The damage that the member for Mitcham does on a weekly basis to industry in this State is becoming serious indeed. I repeat an appeal that I made some time ago to the Leader of the Opposition, who in all fairness (and I give credit where it is due) does not act in this irresponsible way. I appeal to the Leader to talk to the member for Mitcham and make him aware of the damage

that he does with unsubstantiated serious allegations. If there be any truth in the allegations, the Leader should suggest strongly to the honourable member that he take those allegations to the police rather than drag the good name of the building industry in this State through the national media.

BWIU

Mr S.J. BAKER: I address my question to the Minister of Labour.

Members interjecting:

The SPEAKER: Order! I call the member for Briggs to order.

Mr S.J. BAKER: Can the Minister attest to the integrity of the BWIU in the light of his statement to this House? Further, has the Minister received information on any contract for construction work on prisons in relation to which the BWIU may have transgressed?

The Hon. FRANK BLEVINS: The answer to the first part of the question as to whether I can attest to the integrity of the BWIU is that it can take care of itself, as I have said before, and as I am absolutely certain it will. There has been no evidence put to me by any builder that the BWIU is involved in intimidation of workers or, I suppose more importantly, of workers' families. There has been no contact whatsoever with the builders.

With regard to the second part of the question, which I could not hear very well, as to whether there have been any complaints to me about the activities of the BWIU relating to building work on prisons, as far as I am aware the answer is 'No'. However, any such complaints would go to the Minister of Housing and Construction, who is responsible for building prisons, and when the Minister returns the honourable member can ask him about that. As far as I am concerned, the BWIU has acted with the utmost integrity in all my dealings with it.

FOOD DATE LABELLING

Mr De LAINE: Will the Minister of Transport, representing the Minister of Health in another place, investigate allegations of false labelling relating to the sale of bread, rolls and cakes? It has been reported to me that bakery food items such as bread, rolls and cakes are being sold in the Port Adelaide area with the date of baking label on each item carrying the following day's date. As an example, items on sale on 5 March were labelled as having been baked on 6 March.

The Hon. G.F. KENEALLY: As well as being of concern to my colleague the Minister of Health, this matter will also be of concern to the Minister of Consumer Affairs, so I will refer my colleague's question to both those Ministers for their attention and any necessary action. If bakers are printing the date of these items a day after their actual day of baking, that would quite clearly be a breach of legislation and a matter of considerable concern. I will get a report for the honourable member as soon as possible.

INFORMATION BARRIERS

The SPEAKER: Before the honourable member for Alexandra asks his question, I advise that the honourable member has explained it to me, and although it goes on at greater length than is normally acceptable the Chair understands the reasons for that. The honourable member for Alexandra.

The Hon. TED CHAPMAN: Thank you, Mr Speaker. Does the Minister of Emergency Services have a progress report on the matter of alleged information barriers existing between the Department for Community Welfare and officers of the Police Department thereby hindering the process of the law, a matter that I raised with the Minister in his parliamentary office about three weeks ago? As is the case with all country MPs, we are required to rent, lease or purchase city based accommodation as well as retain our respective country homes in order to attend this House for parliamentary and committee sittings.

I am in that situation and, as well, require my city base from which servicing of the mainland part of Alexandra can occur. That city base house was broken into and ransacked on Friday 13 February 1987. The break-in occurred in broad daylight while the premises were unoccupied and was witnessed by a near neighbour, who noted careful descriptions of the offenders. Police officers were notified and details, including ample finger-prints, were taken—unfortunately after the ransackers had fled.

Approximately three weeks after the break-in two police officers reported that they had exhausted their investigations and, to use their words, 'had come up against a brick wall'. The officers explained that, as the offenders were considered (from detailed descriptions given) to be juveniles (that is, under 18 years of age), access to certain DCW files was essential to complete their investigations, but that particular information was not available from DCW as a matter of policy. I understand that the barrier to disclosure of information particularly relates to offenders who have been referred (after an offence or offences) to the juvenile aid panel. I interviewed the Minister privately at the time in an effort to have this alleged barrier broken down in the interests of victims of the growing crime of housebreaking in Adelaide and to minimise the alleged encumbrance frustrating the Police Force in their duty of apprehension of offenders.

The Minister gave me an undertaking to follow the matter up and come back to me. He had not reported back to me by 3 April (last Friday) and on that day they did it again. They returned and stole goods again, including a particular valuable purchased since the first break-in. The first time they took appliances and jewellery to the approximate value of $5 000, this time, six weeks later, to the approximate value of $2 000.

I am reliably informed that this sort of crime is being committed in Adelaide nowadays virtually by the minute. It is considered (and I agree) that our Police Force are doing their level best within their resources. It is claimed that, while this protection of juveniles is maintained, innocent victims' premises are training grounds for these young invaders to become professional criminals.

It is further claimed that the apparent lack of action by the Minister and his Government to enable full police access to interdepartmental information is, in fact, condoning the increasing acts of criminals, and also it is claimed that it is high time we ignored the ever-growing demands of the civil liberty lobby and the eccentric sympathisers of thieving criminals.

I appreciate the time given to me to raise this subject. I do not enjoy the situation I am in, having to disclose a matter of personal and family concern, but we understand the trauma associated with this sort of activity and I hope, without seeking any publicity or any action other than that which I have requested of the Minister and the Govern-

ment, that something can be done about what I believe is a very serious situation developing around all of us.

The Hon. D.J. HOPGOOD: First of all, I sympathise with the honourable member and his family in the very distressing situation in which they have been placed. Further, if, as seems to be the case, the verbal report I received from the Commissioner's office on this matter was not conveyed to him, I apologise for the fact that that information did not get back. I can assure the honourable member that the report was available to me through my staff within days of the conversation which he had in my Parliament House office and about which he has just told the House.

The nub of the honourable member's concern, which has again been relayed to members of the House, was that when the police go to the Department for Community Welfare for information in relation to juvenile offenders, not all of that information is always forthcoming. I understand that position completely. I was not in possession of the facts to be able to satisfy the honourable member at the time, and I undertook to take it up with the Commissioner.

When I took it up with the Commissioner the plain answer I got was that the police were not concerned; that, in fact, there was full disclosure of information from the Department for Community Welfare. They went on to say that there was some information that would have been germane to the investigation but that they were not able to get it because it was simply not collected in the first place. There are circumstances in which a youngster going before a juvenile aid panel, for example, may not be photographed, or there may be other information which is not taken down. In those circumstances, the information cannot be forthcoming. In relation to the information that was collected, there was no problem about police officers obtaining it from the Department for Community Welfare.

In the light of the honourable member's question today, I will go back to the Commissioner and ask him to check with his officers in the field as far as he possibly can just what is the situation. If in fact it is other than what was originally put to me (I have no doubt in good faith), we will address that situation. I assure the honourable member that that was the information given to me at the time. I apologise for the fact that the report was not conveyed to him at that time. I will take up the matter again and obtain a further report for the honourable member.

WHEAT SALES

Mr DUIGAN: Has the Minister of Agriculture seen a recent newsletter of the Australian Wheat Board entitled *Wheat Australia* in which the Assistant General Manager of Marketing Operations (Mr Ron Storey) is quoted as saying that the Australian Wheat Board was looking to export at least 15 million tonnes of wheat over the next 12 months and that, although this target was well below the 16 million tonnes exported last year, the limiting factor will be not the Wheat Board's ability to market the crop but more likely the availability of appropriate qualities of wheat for export? If the Minister has seen this article, can he indicate to the House the nature of the research programs that are being undertaken by his department in order to assist the wheat producers of South Australia to grow the type of grain that is necessary for overseas markets, and can he indicate the amount of Government support that is being given to primary producer organisations to assist them in their own research and development programs?

The Hon. M.K. MAYES: I thank the honourable member for his question. I am aware of the article which appeared in the Australian Wheat Board newsletter *Wheat Australia,* which said that the problem faced by the Australian Wheat Board in marketing our crop more likely results from the availability of wheat of appropriate quality for export rather than overall quantity. I am sure that most wheatgrowers in this State and others involved in the industry would realise that that accusation cannot be directed at the South Australian wheat industry. In fact, it is important to note that for many years (I think it is almost 25 years) we have had in this State an advisory committee on wheat quality which is made up of a very broad base of people involved in the industry from production right through to marketing and, of course, importantly, breeding.

As most members would know, the Department of Agriculture is heavily involved in wheat breeding and quality breeding programs. The evaluation of wheat varieties is conducted in a very active process within the department, but also in close cooperation with Roseworthy Agricultural College and the Waite Agricultural Research Institute. The Department of Chemistry within the Department of Services and Supply carries out the important role of quality assessment programs for all wheat varieties grown in South Australia and all new lines coming into the breeding programs. So I am able to report that I believe the wheat variety program and the quality control in this State would exclude South Australia from any general accusation which has been made in *Wheat Australia.*

I believe that the effective role of our South Australian advisory committee on wheat quality, combined with the role played by the United Farmers and Stockowners, with its strong involvement in research and development through the Wheat Research Committee of South Australia, results in very good cooperation with the industry, thereby presenting to the market a very high quality wheat which is very marketable throughout the world.

PARACOMBE SUBDIVISION

Mr LEWIS: Will the Minister for Environment and Planning arrange to have a full explanation given to the House at the earliest opportunity of the reasons why his department last year approved a subdivision application by Stephen Wright, a Private Secretary to former Premier Mr Don Dunstan, because of concerns of neighbouring landowners that Mr Wright has received favoured treatment?

The land in question is at Paracombe. It is in the metropolitan water catchment area. I have been informed that it is covered by regulations which restrict subdivisions to a minimum of nine hectares. However, last year Mr Wright received the approval of the Department of Environment and Planning to subdivide land he owned into three blocks with areas respectively of only .39 hectares, .81 hectares and 3.964 hectares. I understand that Mr Wright initiated these subdivisions with the intention of selling the land in the near future. I have a map in my possession defining the three subdivisions.

The approval given to Mr Wright has raised serious concerns amongst neighbouring landowners, who have had similar applications rejected in recent years and in recent time. Their concerns are typified by a statutory declaration that I have in my possession by John Robert Clifton. Mr Clifton once owned some of the land which Mr Wright has been allowed to further subdivide. While he was the owner, Mr Clifton was advised that very strict conditions applied to subdivisions—conditions which apparently Mr Wright has not been required to observe. The statutory declaration also reveals that three sisters of Mr Clifton who own a property

of 30 acres adjacent to Mr Wright's have been advised that they cannot subdivide it in the way that Mr Wright has done.

I have spoken, in all, to 10 landowners in this area following approaches made to me by them. All have questioned how Mr Wright has been able to proceed with his subdivisions when other similar applications have been refused. There is a strong suspicion of favoured treatment because of his close association with a former Labor Government.

The Hon. D.J. HOPGOOD: Let me just explain the legislation for which the member for Murray-Mallee voted as a member of this Chamber. My department does not approve anything. The authority which approves subdivision is either the local council or the South Australian Planning Commission, all members of which, in relation to the Planning Commission, of course, are appointees of the former Liberal Government. Of course, this Government has reappointed those gentlemen because we believe that they have carried out their responsibilities properly. Any application of this nature is a public process. There would have been some public notification, and it would have been possible for the honourable member, I assume, to register his interest as a possible third party objector to such a process, as could any of the people to whom the honourable member has referred.

So far as I am aware, I have no responsibility in the matter at all, except in relation to the laying down of the general policy, which is to guide the commission. I am not in the business of giving directions to the Planning Commission, because this Parliament has made it perfectly clear that the commission should be established under statute and that it should not be subject to any political interference. I would suggest that the honourable member writes a letter to the Chairman of the commission.

WORK PRACTICES

Mr GREGORY: Will the Minister of Labour outline to the House this Government's views on prior consultation in relation to changed work practices in industry? Today's *Advertiser* quotes the member for Mitcham as claiming that the termination, change and redundancy test case being conducted by the United Trades and Labor Council in the State Industrial Commission poses a real threat to any business seeking change of any kind. He also urged the Government to rethink its position.

The Hon. FRANK BLEVINS: I am certainly very happy to outline the Government's view on this important matter, particularly after reading in this morning's *Advertiser* the garbage that the member for Mitcham was quoted as saying. I can only describe the member for Mitcham's views on this as being similar, if not identical, to the views of the New Right. It prefers confrontation to consultation, and that is what this case is all about. If the member for Mitcham and his Party had their way, the first that workers would know about any technological change or any redundancies would be when they were being pushed out the gate. That is the member for Mitcham's policy, but it is certainly not the policy of this Government. As far as I am concerned, it is not good enough to say to workers, 'Here is an hour's notice. No redundancy pay. It is the employer's prerogative, and away you go.' That may have been all right 100 years ago. It was certainly acceptable to the ruling class then but it is not acceptable today.

Mr Gregory: It was not acceptable to workers then, either.

The Hon. FRANK BLEVINS: Certainly, it was not acceptable to the workers, as the member for Florey says. The Government's view is very clear. We believe that full and adequate prior consultation with workers of proposed changes in the workplace is absolutely essential if the effects of those changes on workers are to be minimised, and that there be minimal disruption when such practices are implemented.

The alternative to doing that is very serious for industry in this State. The need for consultation has been recognised by the Federal Conciliation and Arbitration Commission. In its 1984 test case decision on this subject it recognised the importance of prior consultation. The federal commission in its decision pointed out that the need for consultation was widely recognised by Government, employers and unions. The federal commission noted that the need for prior consultation was supported by the Committee for Inquiry into Technological Change in Australia, the National Labour Advisory Council and the International Labor Organisation. The member for Mitcham, in the paper this morning, was quoted as saying:

> Proposals to require employers to consult with their workers pose a threat to those employers' rights to implement change.

What nonsense!

Mr S.J. Baker interjecting:

The Hon. FRANK BLEVINS: I have got it direct; that was the quote. What is being sought by the UT&LC through the commission is a standard that ensures the rights of the workers to be consulted. The final decision on whether or not any change takes place is a decision that rests with the employer. It is not a decision of the employee. All that the UT&LC is trying to establish—quite properly, in the opinion of the Government—is that it has a right to be consulted prior to the decisions being implemented. That seems to me to be not an unreasonable request.

I also believe, and the Government believes very strongly, that this prior consultation should take place at the earliest possible opportunity. Of course, our views are in complete contrast to those of the Opposition. I believe that the Opposition has a policy on employee participation which can only be described as a complete sham. It talks in terms of 'some opportunities to influence decisions that affect their lives'. How generous and patronising that they ought to be given 'some opportunities' to know about decisions that may affect their lives. Clearly, from the reported comments of the member for Mitcham, the policy is not worth the paper on which it is written. The Opposition's real policy—and I would give it some grudging respect that it stood up and said it quite honestly—is to tell the workers as little as possible.

That, to me, shows total contempt for the needs and aspirations of workers in this State. It is a policy and an attitude that this Government totally rejects. Proper consultation with workers will assist in the process of technological change and in the introduction of technological and other changes. It will not hinder them.

The comments of the member for Mitcham reveal to all of us his low opinion of the workers. He believes that they are latter-day Luddites. He says that the workers will stop this technological change. What utter nonsense! Workers know that such a change must occur if their industries are to be viable. The best demonstration that I can give of that concerns the steel industry, which I have quoted before, where technological change has been introduced. Extensive consultation between the steel industry owners and the employees in that industry has taken place and the changes in that industry with the total cooperation of the work force, the employers and the Government have been superb, so that we now produce the cheapest steel in the world.

That is the kind of people that workers are, not the kind of people to be treated with the contempt that the member for Mitcham has for them. The Government certainly makes no apology whatsoever for supporting a policy of consultation. We believe strongly indeed that, if industry in South Australia and indeed the whole of Australia is to get back to the state that we had 10 or 15 years ago, it can only be through a process of consultation and cooperation and not through a process of confrontation and cheap union bashing, which is the only thing that the honourable member seems to understand.

MURRAY RIVER CHANNEL

The Hon. P.B. ARNOLD: Will the Minister of Water Resources say whether the Government will provide a navigable channel in the South Australian section of the Murray River, in the best interests of this State, for the future wellbeing of the tourism industry, and for recreational purposes? On 5 August last year, I directed a question to the Premier on this matter, suggesting that the Government should consider entering into a joint venture with a private contractor for the purpose of sand mining and at the same time creating a navigable channel to enable the tourism industry, especially large tourist vessels, to effectively operate within the South Australian section of the Murray River.

The Minister of Water Resources responded, saying that he was prepared to consider the proposal and suggesting that he would get back to me on that matter. On 21 October last year, the Minister further responded by saying that the maintenance of the navigable channel along the South Australian section of the Murray River, including the possibility of productively using dredged sand, was being considered by an interdepartmental dredging and desnagging committee. It was understood that the committee had completed its deliberations and, when the committee's report had been considered by the Government, a detailed answer by letter would be forwarded to me.

If what the Minister said was correct (that the interdepartmental committee had finished its deliberations in October last year), it is now six months since the Government received the committee's report and, as the *Murray Explorer* is already being prepared to leave South Australia for Queensland, and as there is also clear evidence that the operators of the *Murray Princess* (Murray River Developments Limited) are looking closely at the viability of continuing to operate the *Murray Princess* because of problems that are being experienced, especially in getting below Lock 4, I ask the Minister what action the Government intends to take in this matter.

The Hon. D.J. HOPGOOD: As I recall the original question, the appropriate answer is 'Yes'.

PERSONAL EXPLANATION: RADIOACTIVE WASTE

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

Leave granted.

The Hon. E.R. GOLDSWORTHY: When asking the Premier a question, the member for Briggs alleged that I was in favour of burying radioactive waste at Maralinga. However, I am not even aware of a proposal of the Federal Government to bury radioactive waste there, far from commenting or having a view on it. This further highlights the absolute dishonesty of the member for Briggs.

The SPEAKER: Order! That is not part of a personal explanation.

The Hon. E.R. GOLDSWORTHY: I repeat that the member for Briggs, we all recall, tore the pages off a report—

The SPEAKER: Order! The honourable Deputy Leader will resume his seat for a moment. The Deputy Leader has been granted leave by the House to make a personal explanation explaining that he has been misrepresented, and he has the opportunity to a certain extent to state the true facts of the matter about which he has been misrepresented. He is not, however, to use that opportunity to canvass the merits or demerits of any other member.

The Hon. E.R. GOLDSWORTHY: The member for Briggs is the one who misrepresented me and it is the second time he has done it, grossly, both of which instances have highlighted his absolute—

The SPEAKER: Order! I ask the Deputy Leader to resume his seat. If the Deputy Leader continues with one more word along that line of argument, I will withdraw leave for his personal explanation to continue.

The Hon. E.R. GOLDSWORTHY: The member for Briggs has grossly misrepresented me. In fact, what he said is grossly dishonest, because it is not true. The fact is that I have not been aware of any proposal by the Federal Government or anyone else to bury radioactive waste at Maralinga, let alone comment or express a view on it. I was misrepresented previously by the honourable member when he tore the pages off a report and—

The SPEAKER: Order! That is not relevant to this personal explanation. I withdraw leave. The honourable Deputy Leader has well satisfied the requirements to this stage, and I am sure that his honour is restored.

The Hon. E.R. GOLDSWORTHY: I just wanted to show how crook he is.

The SPEAKER: Order! I will warn the Deputy Leader if he continues along that line.

PERSONAL EXPLANATION: TROTTING

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

Members interjecting:

The SPEAKER: Order! I will put the question again: 'That the honourable member for Bragg have leave to make a personal explanation'.

Leave granted.

Mr INGERSON: In a statement to this House on 18 March, the Minister of Recreation and Sport dealt with matters relating to the Trotting Control Board's decision to drop a positive swab returned by pacer, Batik Print. During the course of his statement, the Minister said in relation to information I had provided to the police:

> The member had spoken to the police about his suspicions of malpractice within the trotting industry on a number of occasions. The police repeatedly urged him to provide them with a written statement detailing his allegations. The member for Bragg has not yet done so, contrary to what he said on Radio 5AA last Saturday.

Mr Speaker, I am now in receipt of a letter from the Deputy Commissioner of Police, Mr Killmier, which reveals that the Minister's statement about me was quite incorrect. I would like to quote from the Police Department's letter to me, as follows:

> It is a fact that during a meeting on Wednesday, 18 March 1987 which you had with Commissioner Hunt and Assistant Commissioner Harvey, you asked whether any information which you became aware of, relating to the current police inquiry about

the possibility of etorphine in the trotting industry and associated matters, should be reduced to writing. You were advised that this was not necessary and the decision was a personal choice which needed to be gauged against the type of information to be conveyed.

A further section of the letter from the Police Department states:

It is a fact that over a period of some considerable time you have given a large quantity of information on this matter of inquiry to members of the Police Department. Some of the information has been given over the telephone and on other occasions in face-to-face interviews. On one occasion you handed a document to police members. All information directed to police in this investigation is recorded in confidential files for future reference in that specific investigation process.

Further areas of concern that affect me in the Minister's statements to the House of 18 March and 2 April were identified by Dr Graeme Blackman, Managing Director of the Institute of Drug Technology in Melbourne, when I contacted him on Friday. In response to my questioning he said that he was concerned about the Minister's attack on me, as it was he who had provided the information. In a further letter to the Minister dated 3 April, Dr Blackman challenged a number of those assertions. A copy of that letter was sent to me.

Dr Blackman, when referring to those assertions (because in his statement the Minister said that I had it wrong), specifically asked the Minister to make certain corrections in Parliament to his earlier statements. In discussion with me and in the letter regarding assertions against me and the Institute of Drug Technology, the Minister said Dr Blackman was confused about IDT's commercial relationship with the South Australian Trotting Control Board. Dr Blackman says no invoices were ever disputed and all were paid promptly.

It has been suggested that I was wrong about information put before the board. Dr Blackman refutes the Minister's claim that an error may have been made by the laboratory in testing the Batik Print swab. Dr Blackman said, when speaking to me, that not only did initial analysis of the sample clearly indicate the presence of the drug (most likely to be dexamethasone or betamethasone) but that subsequent analysis unequivocally confirmed that the substance was dexamethasone. Dr Blackman made this further point—and again it relates to a statement that affects me:

In this case [Batik Print] the board or the stewards determined, for whatever reason, not to accept appropriate advice from the IDT.

In discussions with me, Dr Blackman also took issue with the statement that the racing chemist, Dr David Batty, indicated that the possibility of the second sample from Batik Print being positive would be remote, again a fact which was put down as if I had things wrong.

The fact is that Dr Batty has informed Dr Blackman that at no time did he say that. As part of his statement attacking me the Minister also attributed to Dr Blackman the following quotation:

The performance of IDT has been greatly superior to that of the Australian Jockey Club.

The Minister has again made an incorrect statement. This again reflects on me, because it was referred to by me in my question to the House. Dr Blackman has informed me, and in his letter informed the Minister, that this statement to this House has drawn into question the scientific competence and integrity of IDT and he seeks that the Minister make an appropriate statement in Parliament to clarify the situation.

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

Mr INGERSON: I seek leave to continue my personal explanation.

Leave granted.

Mr INGERSON: In view of the significant discrepancies between the Minister's statement and those now recorded of both IDT and the South Australian Police Department, I trust that the Minister's explanation will be forthcoming very soon.

PERSONAL EXPLANATION: RADIOACTIVE WASTE

Mr RANN (Briggs): I seek leave to make a personal explanation.

Leave granted.

Mr RANN: I feel that I was misrepresented in the Deputy Leader's personal explanation. I perhaps was misled because, while I was explaining about Senator Evans's plans for a nuclear waste repository for low level waste including an option of South Australia, on three occasions the Deputy Leader said, 'What a good idea,' so my assumptions were made on that basis. As for the question of torn documents. I can assure the House that I will never tear the back pages off the latest opinion polls for the Leader of the Opposition; they speak for themselves.

PERSONAL EXPLANATION: TROTTING

The Hon. M.K. MAYES (Minister of Agriculture): I seek leave—

Members interjecting:

The SPEAKER: Order! The honourable Minister will have to resume his seat for a moment while the Leader of the Opposition comes to order. The honourable Minister.

The Hon. M.K. MAYES: I seek leave to make a personal explanation.

Leave granted.

The Hon. M.K. MAYES: My explanation relates to statements made by the member for Bragg, particularly when he referred to a letter from the Assistant Commissioner, Commissioner Harvey, regarding a meeting held on 18 March this year between the Commissioner and the Assistant Commissioner. The honourable member in his statement referred specifically to the meeting on 18 March. In response, I note that the briefing that I received from the Police Department related to 17 March, whereupon a statement was prepared to be put before this House on 18 March.

During that discussion with the police officers concerned it was brought to my attention that it is normal practice for a written statement to be asked for from anyone making allegations such as those made by the member for Bragg. As a consequence of that briefing it was clear in my mind, and clear to my staff, that in effect the request had been made to reaffirm that discussions that my staff had with officers of the Police Force prior to that meeting confirmed our view and the statement to this House. In particular—

Mr LEWIS: I rise on a point of order.

The SPEAKER: Order! The honourable member for Murray-Mallee has a point of order.

Mr LEWIS: I have listened with interest to the Minister, and I want to understand from you, Mr Speaker, how you regard the remarks being made by him to explain where he has been misrepresented. He has not stated that he has been misrepresented, and he has been speaking for some two minutes. I believe that he is debating the matter, and I seek your ruling on this.

The SPEAKER: The honourable Minister has been speaking for one minute. I must accept that there is a certain amount of merit in the point made by the honourable member for Murray-Mallee that the Minister has not specifically pointed out those positions on which he has been misrepresented and which he wishes to correct. I ask the Minister to continue and to try to do so in the course of his personal explanation.

The Hon. M.K. MAYES: It was a long preamble to my explanation of the misrepresentation that quite clearly the member for Bragg is implying that I misled the House in that statement. I deny that. That is the purpose of this explanation.

In relation to the meeting of 17 March, my attention was drawn to the radio interview conducted on 5AA on the previous Saturday morning by the member for Bragg. I was handed a document that summarised the transcript from which I will now quote and which confirms the statement to the House. The member for Bragg said:

I have given the proof as it relates to Batik Print. I have never made any—

He was interrupted at that stage. The police brief to us summarised page 8, answer 36: 'has not handed police any documents re Batik Print'. This reaffirms my statement to the House and the confirmation of my staff's earlier discussion with police officers regarding the member for Bragg's comments. It is quite clear, and was clear in my mind at the time, that statements made and attributed to me with regard to any requests for written allegations by the Police Department were confirmed from the briefing held on 17 March—

The Hon. E.R. GOLDSWORTHY: I rise on a point of order, Mr Speaker. This is an interesting bit of historical material—

Members interjecting:

The SPEAKER: Order!

The Hon. E.R. GOLDSWORTHY: With respect, Mr Speaker, I did not get half a sentence out with a bit of historical stuff of great interest about the member for Briggs—

Members interjecting:

The SPEAKER: Order! I caution the Deputy Leader. I wish to hear his point of order.

The Hon. E.R. GOLDSWORTHY: My point of order is that this may be riveting information (in fact, it is not even that) but it is not a personal explanation. What I had was a lot tastier, and I did not get to first base.

The SPEAKER: Order! The Chair is concerned for a different reason from that expressed by the Deputy Leader, that is, the tendency for personal explanations to degenerate into debate, counter-debate and counter-counter-debate. The Chair is of the view that we were heading in that direction in the case of the dispute between the Deputy Leader and the member for Briggs, and we are definitely heading in that direction in relation to the dispute between the member for Bragg and the Minister. I ask the Minister to try to stick as closely as possible to the normal requirements of a personal explanation.

The Hon. M.K. MAYES: I think that I have dealt with the first part of the honourable member's misrepresentation of me. The second area to which he referred and which I think went very wide of a personal explanation related to a letter which I received from a commercial company that was mentioned previously in this House in relation to this issue. The honourable member referred to IDT as the company concerned, and suggested again that I have misled the House.

Members interjecting:

The SPEAKER: Order! The honourable Minister's time for a personal explanation has expired.

The Hon. M.K. MAYES: I seek leave to continue my explanation.

Leave granted.

The Hon. M.K. MAYES: Thank you, Mr Speaker. I understand the general thrust of what the honourable member has been saying, Unfortunately, I believe it has been couched in a commercial defence by IDT in their recent letter to me. I will respond accordingly to them and to the House in relation to the detail. In relation to the particular statement made which I believe misrepresents the situation—the honourable member referred to page 2 of a letter, that Dr Batty at no time informed the Trotting Control Board of the situation—I am informed by the Executive Officer that he has a record of a telephone conversation with Dr Batty relating to that incident, so I reaffirm that there has, in fact, on my part been no misrepresentation to this House.

EDUCATION ACT AMENDMENT BILL (1987)

The Hon. G.J. CRAFTER (Minister of Education) obtained leave and introduced a Bill for an Act to amend the Education Act 1972. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

In essence the Bill is intended to achieve two things.

First, the main amendment extends to teachers certain long service leave entitlements available to public servants under the Government Management and Employment Act. This move reflects long standing practice to align, wherever possible, public servants' and teachers' leave conditions.

Secondly, other amendments are intended to assist understanding and calculation of long service leave entitlements by repealing certain provisions that are either too detailed or no longer necessary and replacing them, where appropriate, with terms and expressions similar to those in the Government Management and Employment Act.

Specifically, the main thrust of the Bill is to allow teachers to take *pro rata* long service leave after seven years effective service at the discretion of the Director-General. Should leave be approved, normal conditions will apply, viz., the timing and extent of the leave will be subject to departmental convenience.

A further amendment, which also flows from the Government Management and Employment Act, provides for long service leave payments to be calculated at non-substantive salary rates if the Director-General so decides. Such a provision would cater for, say, a teacher who has acted at a higher classification level for an extended period prior to taking long service leave and who expects to return to that position following the leave.

The remaining amendments are either consequential on the principal amendments or reflect a general tidying up of the existing Act.

A transitional clause will ensure that teachers are neither advantaged nor disadvantaged by the repeal of or rewording of existing provisions.

Clauses 1 and 2 are formal.

Clause 3 amends section 5 (2) of the Act which defines 'effective service' of an officer for the purposes of the Act

to mean the continuous full-time service of the officer (subject to ministerial discretion). The amendment removes the reference to full time so that continuous part-time service automatically counts as effective service.

Clause 4 substitutes sections 19, 20 and 21 of the Act which are the main long service leave provisions. The new section 19 provides that an officer accrues an entitlement to long service leave as follows:

(a) 63 days for the first seven years of effective service;

(b) 0.75 of a day for each complete month of effective service from the 8th to the 15th year:

and

(c) 1.25 days for each subsequent complete month of effective service.

It also ensures that any long service leave entitlement that accrued before the commencement of the Bill will not be affected and that any entitlement to five year *pro rata* long service leave that would have arisen apart from the Bill will be preserved.

The new section 20 provides for the taking of long service leave. It introduces the possibility of taking long service leave after the seventh year of effective service but before the tenth such year. After ten years there is an entitlement to take long service leave. In all cases, long service leave may only be taken in respect of completed years of effective service and only at times and for periods that are, in the opinion of the Director-General, convenient to the department. The salary payable to an officer on leave is that applicable to the officer's substantive classification level. The Director-General may authorise payment to the officer of additional salary or allowances. An officer may elect to take twice the length of long service leave on half salary. A part-time officer may elect to take a reduced amount of leave on the pay applicable to full-time service.

The new section 21 entitles an officer who has completed at least seven years effective service to payment in lieu of long service leave on ceasing to be an officer. If such an officer dies the equivalent payment is to be made to the officer's personal representative or such of the officer's dependants as the Minister considers appropriate. If there are any outstanding claims under the Act against the officer, the section empowers the Minister to deduct an appropriate amount from the payment in lieu of long service leave.

The Hon. JENNIFER CASHMORE secured the adjournment of the debate.

TECHNICAL AND FURTHER EDUCATION ACT AMENDMENT BILL

The Hon. LYNN ARNOLD (Minister of Employment and Further Education) obtained leave and introduced a Bill for an Act to amend the Technical and Further Education Act 1976. Read a first time.

The Hon. LYNN ARNOLD: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

In essence the Bill is intended to achieve two things.

First, the main amendment extends to officers of the teaching service certain long service leave entitlements available to public servants under the Government Management and Employment Act. This move reflects long standing practice to align, wherever possible, leave conditions for public servants and officers of the teaching service.

Secondly, other amendments are intended to assist understanding and calculation of long service leave entitlements by repealing certain provisions that are either too detailed or no longer necessary and replacing them, where appropriate, with terms and expressions similar to those in the Government Management and Employment Act.

Specifically, the main thrust of the Bill is to allow officers of the teaching service to take *pro rata* long service leave after seven years effective service at the discretion of the Director-General. Should leave be approved, normal conditions will apply, viz., the timing and extent of the leave will be subject to departmental convenience.

A further amendment, which also flows from the Government Management and Employment Act, provides for long service leave payments to be calculated at non-substantive salary rates if the Director-General so decides. Such a provision would cater for, say, an officer who has acted at a higher classification level for an extended period prior to taking long service leave and who expects to return to that classification level following the leave.

The remaining amendments are either consequential on the principal amendments or reflect a general tidying up of the existing Act.

A transitional clause will ensure that officers of the teaching service are neither advantaged nor disadvantaged by the repeal or rewording of existing provisions.

Clauses 1 and 2 are formal.

Clause 3 amends section 4 (2) of the Act which defines 'effective service' of an officer for the purposes of the Act to mean the continuous full-time service of the officer (subject to ministerial discretion). The amendment removes the reference to full time so that continuous part-time service automatically counts as effective service.

Clause 4 substitutes sections 19, 20 and 21 of the Act which are the main long service leave provisions. The new section 19 provides that an officer accrues an entitlement to long service leave as follows:

(a) 63 days for the first seven years of effective service;

(b) 0.75 of a day for each complete month of effective service from the 8th to the 15th year;

and

(c) 1.25 days for each subsequent complete month of effective service.

It also ensures that any long service leave entitlement that accrued before the commencement of the Bill will not be affected and that any entitlement to five year *pro rata* long service leave that would have arisen apart from the Bill will be preserved.

The new section 20 provides for the taking of long service leave. It introduces the possibility of taking long service after the seventh year of effective service but before the tenth such year. After ten years there is an entitlement to take long service leave. In all cases, long service leave may only be taken in respect of completed years of effective service and only at times and for periods that are, in the opinion of the Director-General, convenient to the department. The salary payable to an officer on leave is that applicable to the officer's substantive classification level. The Director-General may authorise payment to the officer of additional salary or allowances. An officer may elect to take twice the length of long service leave on half salary. A part-time officer may elect to take a reduced amount of leave on the pay applicable to full-time service.

The new section 21 entitles an officer who has completed at least seven years effective service to payment in lieu of long service leave on ceasing to be an officer. If such an

officer dies the equivalent payment is to be made to the officer's personal representative or such of the officer's dependants as the Minister considers appropriate. If there are any outstanding claims under the Act against the officer, the section empowers the Minister to deduct an appropriate amount from the payment in lieu of long service leave.

The Hon. JENNIFER CASHMORE secured the adjournment of the debate.

PITJANTJATJARA LAND RIGHTS ACT AMENDMENT BILL

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

That the time for bringing up the report of the select committee on the Bill be extended until 8 April 1987.

Motion carried.

DEER KEEPERS BILL

Adjourned debate on second reading.
(Continued from 31 March. Page 3620.)

Mr GUNN (Eyre): The Opposition supports this measure, as it will allow people in the deer industry to be placed on a footing similar to those people involved in the raising of cattle and pigs. The legislation establishes a fund, to which all deer producers will contribute, which will allow for compensation to be paid to deer producers who unfortunately may have stock which are proved to be carriers of TB. The Cattle Compensation Act has worked particularly well. The Swine Compensation Act also has been a successful operation, and I sincerely hope that this legislation operates in an efficient and effective manner.

This Bill differs slightly from the other two measures in that there was to be a form of compulsory registration. This is the only matter which causes any concern to the Opposition, as we believe that the Government should not have the right to restrict entry into an industry. One does not have to seek permission from the Minister, the Government or the bureaucracy to enter the wheat industry the barley industry, or to breed merino sheep. I know that the legislation is drawn in fairly narrow terms to make it difficult for a Minister to restrict people. However, I want an assurance from the Minister of Agriculture that there will not be any restrictions placed on people who wish to enter the industry.

The Opposition is fully aware of the need for this legislation, as it is essential that we have TB-free herds of deer and cattle in South Australia. It would be unfair to use the funds already accrued in the Cattle Compensation Fund for this purpose. That, in the view of the Opposition, would not be correct. We are aware that there are only about 130 deer farmers in South Australia, and therefore it is essential that the Department of Agriculture is in a position to identify each deer producer. It is also important that each producer should make a contribution towards any compensation fund, particularly if it has to be called upon to compensate growers.

We also support the provision in the legislation to allow for research and other appropriate activities to be carried on, with the permission of the industry, to the mutual benefit of the industry. I have had discussions earlier with representatives of the South Australian Deer Breeders Association and I have made this information available to the United Farmers and Stockowners. I understand that neither organisation has any problem whatsoever with the legislation.

Having had the opportunity some nine or 10 months ago to visit a deer farm in New Zealand, I am aware that this could be an important developing industry in South Australia and, therefore, if the industry is to be placed on a sound footing and develop so that producers will be able to sell their stock with confidence, it is necessary that a measure of this nature be put into effect. The Opposition, therefore, has pleasure in supporting this Bill and hopes that it passes through its remaining stages without delay.

Mr BLACKER (Flinders): I, too, support the Bill. I think that all members would realise that it has come in as a result of brucellosis being found in one or two deer herds within this State. The whole point of compensation for diseased stock then came to a head, and it was found that we had no actual mechanism by which compensation could be paid to farmers who lost their deer as a result of quarantine or slaughtering because of positive brucellosis testing. I have a number of deer herds in my electorate at the moment. The deer breeders were very concerned about the brucellosis aspect, because it could have wiped out the industry—an infant industry at that—and the potential that that industry has for South Australia is great. Certainly, the deer breeders who have invested a lot of capital in establishing the industry thus far are anxious to see that it is protected as much as possible.

I support the measure and the comments of the member for Eyre. I think the Bill encompasses the spectrum of views within the community. To that end, I hope that the Bill proceeds through the House without delay.

The Hon. M.K. MAYES (Minister of Agriculture): I thank the Opposition for its support. I endorse the comments of the member for Eyre and the member for Flinders. I believe they are quite accurate in their comment about the need for this measure within the industry. Last year we saw a tragic situation involving Mr Sparnum's property. Although *Countrywide* may not agree, I believe that we have responded very rapidly. I thank officers of my department and the industry for their cooperation and support. I believe that there has been very effective and constructive discussion within the industry. I know that the cattle industry was most concerned about this. I suppose it could be said that most lay people were quite surprised to find that deer could be conveyors of TB. However, as a consequence of last year's tragedy I think that we now see some positive legislation before the House.

I look forward to the support of the other place in relation to instituting this measure and seeing it proclaimed in the near future so that the multi-million dollar industry in this State can be protected. I hope the deer industry itself will grow handsomely and successfully with this guilded protection and offer of support to industry members.

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

STOCK DISEASES ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 1 April. Page 3714.)

Mr GUNN (Eyre): The Opposition supports this machinery measure which will ensure that in an emergency when there could be an outbreak of an exotic disease which needs

prompt action the administration of the appropriate measure is not held up by technicalities in that the Deputy Chief Inspector of Stock can assume the duties of the Chief Inspector of Stock when the Chief Inspector is absent. The Opposition wholeheartedly supports the measure and hopes that it has a speedy passage through its remaining stages.

The Hon. M.K. MAYES (Minister of Agriculture): I thank the Opposition for its support of this machinery piece of legislation.

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

CRIMINAL LAW (ENFORCEMENT OF FINES) BILL

Adjourned debate on second reading.

(Continued from 1 April. Page 3714.)

Mr S.J. BAKER (Mitcham): This Bill has the support of the Opposition, but we will be testing some minor details in Committee. In principle, members on this side believe that too many people in the prison system now and in the past are or have been there because they have defaulted on the payment of fines. I can remember, going back some 20 years, when we could guarantee that 30 per cent of people within the prison system were there because they could not pay the fines imposed on them by the courts. Over a period of time that process has been rationalised to a certain extent and the courts have taken into account various matters associated with a person's ability to pay.

Nonetheless, there are many occasions even today where people who have had fines imposed upon them do not have the capacity to pay those fines. Members on this side believe that, if a fine is imposed, it should be paid. Unfortunately, in the past there has been no alternative but to send a person to gaol if they did not pay the fine. We do not believe that people who are fined should escape a penalty of any kind; we believe that they should suffer a penalty. However, it is the form of penalty which inevitably causes the problem. If it is a monetary penalty and the person has no financial resources or assets, the person is faced with the possibility of spending time (or, as they say, working off time) in gaol. This has two major impacts: first, it does not necessarily meet the needs of justice; and, secondly, it fills up our gaols.

Various pieces of information have been provided by the Auditor-General over the years as to the cost of keeping someone in gaol. I understand that the cost now exceeds $60 000 per prisoner per annum. In those circumstances the Opposition does not believe that the system has worked properly. We on this side have favoured an alternative for some time. We are pleased that the Government has finally brought this measure before the House. The measure provides, first, that a person who is fined but defaults on payment of the fine will be imprisoned at the rate of one day for every $50 (or part thereof) of the fine in default. Secondly, it provides for community service orders for fine defaulters if the Sheriff or the clerk of a court of summary jurisdiction is satisfied that imprisonment would cause the fine defaulter severe hardship.

The present rate of imprisonment for fine defaulters is one day for every $25 (or part thereof) of a fine. That was fixed some five years ago. The increase to $50 does not appear to be unreasonable. However, the provision in the Bill which relates to the amount changing by regulation is opposed, on principle, by the Opposition. Where a fine defaulter satisfies the Sheriff or the clerk of a court of summary jurisdiction that he or she or his or her dependants will suffer severe hardship if the defaulter is imprisoned for the non-payment of a fine, the Sheriff or the clerk of a court of summary jurisdiction may forward a certificate to the Director of the Department of Correctional Services. If the Director has community service opportunities available, the defaulter can be required to undertake them at the rate of eight hours for every $100 (or part thereof) of a fine up to a total of 160 hours over a period no longer than 18 months. There is a right of appeal to the court that imposed the original fine. The Opposition supports the general proposition. However, we do have some concerns about the community service orders which were treated by the Government some four years ago.

The DEPUTY SPEAKER: Order! The member for Briggs is out of order.

Mr S.J. BAKER: The community service orders which were touted by the Government some four years ago have not worked as they were designed to. If the Government is saying that it will use this new mechanism to provide an alternative to imprisonment, the mechanism must be in place, and some of the matters associated with that proposition will be tested in Committee. I have in the past asked how the community service orders were working. I was totally dissatisfied with those answers over a period of two years. We have not had any indication, of which I am aware, that they are now a viable alternative to imprisonment, although it may well be that the system has been improved since I last questioned the Minister. Having said those few words, I will raise my questions on the Bill in Committee.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Imprisonment in default of payment of fines.'

Mr S.J. BAKER: We have seen recent examples of very large fines being imposed on people. Although it is in the industrial arena, it is worth reporting that the Plumbers and Gasfitters Union has a fine of about $280 000 outstanding against it. Also, other fines associated with evasion of taxation and medical fraud run into many hundreds of thousands of dollars. This clause provides that there shall be no more than six months imprisonment for default in relation to the payment of fines. If a person has a fine of $9 150, based on a repayment of $50 a day, that person will be in prison for six months. However, if a person has a fine of $280 000, they will also be in prison for six months. Clearly, some inequities would arise in those circumstances. How will these situations be handled?

The Hon. M.K. MAYES: At this stage I am not able to respond accurately to the question, but I hope to do so in a moment. Perhaps the honourable member will provide a supplementary explanation. I understand that there is an attempt to put a cap on the prison sentence in relation to the fine that is imposed.

Mr S.J. BAKER: Clause 4 provides:

> Where a term of imprisonment is to be fixed for the enforcement, or in default of payment, of a fine, the term must be fixed subject to the following limits:
>
> *(a)* ...
>
> *(b)* ...
>
> *(c)* the term of imprisonment must not in any case exceed six months.

I have outlined to the Committee that if a person has a fine of $9 150 the person will serve six months under the $50 a day rule under the present system. If a person has fines of $300 000 imposed by courts for various things, including medical fraud, does the same person suffer imprisonment for only six months?

The Hon. M.K. MAYES: That is correct.

Mr S.J. BAKER: I am glad that we cleared this up. Obviously, there is an anomaly. It means that in terms of seriousness we would need to have a restructuring or scaling down by judges on this matter. It is of concern that a person who has received an enormous fine serves only six months, whereas a person who has a relatively moderate fine (compared with the large fine) also gets six months. There seems to be something basically wrong with the justice system if we allow this to proceed. Has the Minister any other information on whether this will be modified in the future, or will we have people with large fines being able to pay them off in a short time—six months—whereas people who have a relatively small fine will spend the same time in gaol for their offences?

The Hon. M.K. MAYES: The honourable member is inviting me to look into a crystal ball. At this stage nothing else can be added, other than to say that this is the policy. The honourable member's earlier analysis was correct.

Clause passed.

Clause 5—'Application to work off fine by community service.'

Mr S.J. BAKER: This clause provides that the fine shall be paid off by community service. I would have deemed it appropriate that there be some definition of 'community service' in the Bill. Community service can take a variety of forms. There is no definition within this Bill as to what is community service. Some housebreakers think they are doing a community service by taking people's unwanted goods. However, that is not my idea of community service, but it is one end of the spectrum of interpretation. We are introducing this Bill, a new concept that is not clearly defined. What is community service? Why has it not been defined in the Bill? Is it a community service order as applies under the Correctional Services Act, or is it meant to be open ended so that the Minister can determine what is community service? If the second interpretation is correct, I would have some reservations.

The Hon. G.J. CRAFTER: Clearly, this Bill relates to provisions in other pieces of legislation. There is no definition of 'community service' in the precise term because it in fact means community service in a myriad of situations. Subclause (5) provides:

> If a position for the applicant at a community service centre is currently available or will become available within a reasonable period, the Director may permit the applicant to enter into an undertaking in a form and in terms approved by the Director to perform community service.

Therefore, the person involved must report to a community service centre. I am sure that the honourable member is aware of the provision of these centres in Adelaide and other places, and indeed of the nature of community service that is thereby organised under the provisions of the Correctional Services Act and the Offenders Probation Act.

Mr S.J. BAKER: I do not necessarily think that that is appropriate. I believe that the Bill should be structurally sound. Therefore, when one has provisions such as this which contain a broad term like 'community service', it should be linked to what I believe is acceptable terminology to identify what community service really is.

During my opening remarks I said that over a period of time, despite an enormous amount of rhetoric from the Government, community service orders were inoperable. There were a number of cases last year where a vehicle or a person was not available and people did not receive the benefit of community service orders, despite the fact that in principle those people had been granted such orders. Will the Minister outline to the Committee the current status of community service orders? How many people are employed on community service orders at this moment, and how many community service orders, in total, have been issued?

The Hon. G.J. CRAFTER: Unfortunately, I do not have the figures off the top of my head. However, on the matter of effectiveness of these community service orders, I can inform the honourable member and the Committee that I have visited the Correctional Services offices in my electorate and, indeed, the Community Service Centre in Torrens Lane at Norwood. In fact, I have visited a number of sites where persons are carrying out their community service orders. While I understand that some problems have been experienced in establishing this service (and that is understandable by its very nature), it has been a very successful alternative to the more traditional methods and opportunities for bringing down sentences against offenders in this State.

I do not think anyone would say that there have not been any teething problems with the organisation of the community service order scheme. Nevertheless, it is a vast improvement on the alternatives that were previously available. Obviously, it has a very strong rehabilitative effect on those persons who are engaged in it where the alternative would have been a period of imprisonment. I will undertake to obtain from my colleague, the Minister of Correctional Services, the information sought by the honourable member. Indeed, I will also obtain comments on the difficulties to which the honourable member referred.

Mr S.J. BAKER: Again, I am disappointed. It is now late in this session, and it is fair to say that people have put an enormous effort into trying to understand and come to grips with these Bills (and I will refer to that later). These Bills were brought on at very short notice. We did not have time to consult with the industries concerned. In this case the only industry relates to a small group of people, so our consultation process is not overly difficult. However, it is difficult for those people to be rung up and asked for a comment so that we can write up the proposition.

Given that we are near the end of the session, I would have thought that, to assist in the process, as much information as possible would have been made available. We have had to work until the early hours of the morning and over the weekend to try to come to grips with the Bill so that it could be brought before the Parliament and debated in an intelligent manner, and I resent that no information was provided to this House. I am not knocking community service orders: I am knocking the system that is providing the community service orders because, in the past, there have been grave doubts about the way in which they were operating because of the resources. The Government was simply not providing enough resources to meet the needs.

I do not want to get too angry about the situation and I realise that everyone has things to be done. However, the Minister introduced the Bill at the last minute, and members have had only a weekend in which to get these things done. It should have been incumbent on the Minister to supply information from the Minister in another place on certain aspects of this Bill. However, I presume that this matter will be taken up in another place.

Clause passed.

Clause 6—'Reduction of fine by imprisonment or community service.'

Mr S.J. BAKER: I refer to my comments when dealing with clause 4, which relates to imprisonment in default. This clause reiterates the principle involved in clause 4. I bring the Committee's attention to that matter and hope that the Attorney-General will look at the anomalies that will arise with very large and very small fines.

The Hon. G.J. CRAFTER: I will use this clause to provide further information that the honourable member was seeking in relation to a previous clause. The community service order program has had a steady growth since its commencement in 1982. The expansion experienced in 1985-86 was, in the words of the Minister, 'pleasing' (and I refer here to comments that were made during the Estimates Committee last year). The Minister then said that, as at 30 June 1986, 456 offenders were on the program and that since its inception 1 470 offenders had been through the scheme. It can be seen that there has been very substantial growth in the program in the past financial year.

Clause passed.

Clause 7—'Regulations.'

Mr S.J. BAKER: I move:

Page 4, lines 17 to 21—Leave out subclauses (2) and (3).

In principle, the Opposition is opposed to the proposition that the amounts that are shown in this Bill should be changed by regulation. Obviously, if the amount that will be in default changes from $50 a day to $100 a day, it has a dramatic impact on the processes of the law. This Bill is setting the principle that, if a person cannot pay, they will have to spend some time in prison or, alternatively, work on a community service order. It is important that if the amounts relating to that matter and to the total fine imposed are changed, Parliament should have the right to scrutinise those changes.

The Opposition will address this matter on principle, and it will be addressed in relation to the next few Bills as well. We believe that we would be derogating from our responsibility if this matter was not left within the ambit of Parliament directly, rather than its being done in regulatory form. We oppose the provisions contained in subclauses (2) and (3) which deal with changes in the monetary amount by regulation.

The Hon. G.J. CRAFTER: The Government opposes the Opposition's amendment because it would fetter what are sensible arrangements for the proper administration of the legislation. Especially in an intensely practical matter such as this concerning monetary sums, to have to wait for the parliamentary process to take place would not be satisfactory. If the honourable member is concerned about the checks and balances in the system, there are the safeguards in the subordinate legislative process and the opportunity for representations to be made and for regulations to be disallowed. To eliminate that and to insist that only the Parliament itself should produce such changes from time to time would unnecessarily limit administrative flexibility and proper administration of this important legislation.

Mr S.J. BAKER: I totally reject the logic of that argument. It is within the bounds of Parliament to determine such matters as these. The Opposition strongly supports the amendment.

Amendment negatived.

Mr S.J. BAKER: I move:

Page 4, line 22—Leave out '$2 000' and insert '$1 000'.

The CHAIRMAN: Order! I call the Deputy Leader of the Opposition to order. He is out of order.

The Hon. E.R. GOLDSWORTHY: How do I get into order?

The CHAIRMAN: If the Deputy Leader takes a seat, he can confer with whomsoever he wishes, but he cannot lean over the rail of the House. The honourable member for Mitcham.

Mr S.J. BAKER: We can only assume that regulations will be implemented to make the scheme work, and I do not envisage anything in them suggesting that a $2 000 fine is appropriate. The regulations will relate only to community service orders and provide how such orders will operate. The reduction of the fine to $1 000 is satisfactory, because a person will be imprisoned for a serious breach. As the person concerned cannot pay a fine in the first place, the maximum penalty of $2 000 does not seem appropriate.

The Hon. G.J. CRAFTER: The Government opposes this amendment as well. The honourable member has said nothing to convince me that we should depart from what I understand is customary in such offences and, in fact, halve the penalty. Further, I do not understand the philosophy that the honourable member is pursuing in this matter: with the often quoted law and order comments that come from Opposition members, why in these circumstances should they want to halve the penalty for offences that are committed, whereas in most other cases they are asking that penalties be doubled?

Mr S. J. BAKER: The regulations will be specific. If a person breaches the provisions of those regulations and if such offences are serious enough, that person will be imprisoned. Why, then, should a $2 000 fine be imposed for breaching the regulations? The amendment merely seeks to provide a balance and is moved for no other reason.

Amendment negatived; clause passed.

Schedule and title passed.

Bill read a third time and passed.

GOODS SECURITIES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 1 April. Page 3713.)

Mr S.J. BAKER (Mitcham): The Opposition supports the Bill, although it has certain concerns about it. In 1986, the Government in its wisdom decided that there should be a means by which people having securities over goods and chattels, principally motor vehicles, could secure their interests in such items. Often, there were encumbrances on motor vehicles and, when such a motor vehicle was sold, the person having a financial interest in that vehicle was left lamenting.

In that regard, the Opposition supported the 1986 proposition. The real question that occupied the debate in this House on that occasion related to the problem that occurred where more than one security was involved in, for example, the same motor vehicle. We got into a debate on how the priorities of debts outstanding on a motor vehicle should be determined, and the Government proposed that the securities on such a motor vehicle should be recorded by the Registrar of Motor Vehicles.

Generally, we reached agreement on that proposition because, although there were not many such cases, the law was modified so that in principle one could secure one's interest in that motor vehicle. So, anyone who bought a second-hand motor vehicle in South Australia could ask the Registrar whether there was an encumbrance on the vehicle and, if there was, what was its nature. Today, we are told that it is now not feasible to do all that was put before the House in the first place.

In his second reading explanation the Minister referred to $16 000 as the cost of updating software on the computer within the Motor Vehicles Division to enable this to happen, and I imagine that other costs would be associated with the stationery. We now have a situation where the Government has promised that securities on motor vehicles, in cases where somebody has taken out a loan or has finance outstanding against a motor vehicle, will be secure. Now we have been told that they will not be quite as secure

because if there is more than one encumbrance on a vehicle there will be difficulties involved.

The Minister has made the point that some other States go only as far as this Bill will go when it is finally amended. We urge the Minister to contemplate what change in principle will occur in a minority of cases where some people will have security and others will not. If it is not feasible to do it in the way first envisaged we accept that, but again I think that an undertaking was given by the Government and it is sad that that undertaking cannot be kept.

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for their support of this measure, and give notice that I will be moving an amendment during the Committee stages of the Bill. However, I will comment now upon the need for that amendment, which has been circulated. It is a technical amendment to the existing schedule 2 of the principal Act. It is necessary in order to give effect to a commitment entered into during the consultations with the finance industry which have continued since the Act was passed late last year. The principal Act provides for a transitional period after the Act comes into force. The purpose of the transitional period is to enable the registration of existing mortgages, bills of sales, lease agreements, and other prescribed interests in motor vehicles before the register is opened for public inquiry.

It is tentatively estimated, based upon information from the finance industry, that there will be of the order of 80 000 such existing interests to be registered to establish the register. Under the Act, existing interests which have previously been registered under the Bills of Sale Act, or under the Companies (South Australia) Code, will gain priority over other interests which may exist in the same vehicle by reference to their time of first registration under either one of those Acts. Other interests will rank in priority according to the time of their first registration under the Goods Securities Act.

Although there has been close and continuing consultation with the industry throughout the development of this legislation, it was only during implementation discussions this year that the industry identified to the Government a problem for it in the transitional period arrangements. It was pointed out that, in cases where it turned out that more than one interest had been created in a particular vehicle, the priorities between such competing interests could be determined, and perhaps reversed, by the luck of which batch of applications happened to be processed first during the loading of the expected 80 000 interests.

The solution to this problem is to provide that all interests which are registered during the transitional period shall be treated as being registered at the same moment in time. In this way, the establishment of the register will have a neutral effect on the priorities between existing multiple interests in a single vehicle. The preservation of priority for existing bills of sale and Companies Code charges is unaffected by this amendment. Other existing interests in motor vehicles will be given a level playing field, and the priorities between competing interests where those are found to exist can be determined by reference to settled principles of common law.

It has recently been ascertained from the consultants assisting the Motor Registration Division with the implementation of the computer system for the register that it is not possible to achieve this level playing field for existing interests by administrative means. Accordingly, this technical amendment provides that all interests which are registered during the transitional period will be regarded as being registered at the moment at which the transitional period ends. As I have said, the amendment is purely technical. It achieves an objective which the industry already knew was being sought, and it does not have any practical effect for the industry on the arrangements which have already been made to prepare for registering existing interests in motor vehicles. I make these comments in the hope that they will clarify the need for this amendment to be introduced during the Committee stage. Indeed, that links with the comments I will make briefly about the matters raised by the member for Mitcham.

The Government, in dealing with this measure, has been mindful of the need to act expeditiously, to not involve the Government in excessive expenditure, and to maintain close consultation with the industry. There has been close consultations over a long period. It is for those reasons that the Bill comes before us in its present form and with this foreshadowed amendment, so that we can bring down a law which will work and which will serve all of those parties who are seeking reform in this area.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

New clause 5—'Transitional provisions.'

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

Page 1, after line 19—Insert new clause as follows:

5. Schedule 2 of the principal Act is amended—

(a) by striking out subclause (1) and substituting:

(1) Where a security interest is registered under this Act during the transitional period, the date and time of entry on the register will, notwithstanding any other provision of this Act, be taken to be—

(a) where the security interest was registered under the Bills of Sale Act 1886, or the Companies (South Australia) Code before the commencement of the transitional period, the date and time of its first registration under either of those Acts;

(b) in any other case, the date and time at which the transitional period ends.;

and

(b) by striking out from subclause (2) the definition of 'the registration Acts'.

I have moved to insert this new clause for the reasons given in some detail during the second reading stage of the Bill.

Mr S.J. BAKER: The Opposition accepts the amendment.

New clause inserted.

Title passed.

Bill read a third time and passed.

LIQUOR LICENSING ACT AMENDMENT BILL (1987)

Adjourned debate on second reading.

(Continued from 2 April. Page 3812.)

Mr S.J. BAKER (Mitcham): This Bill had its origins in Labor's broken tax promises. The House will recall that, during the 1983 Federal election campaign, the Prime Minister gave an unequivocal commitment not to introduce a wine tax. This promise was broken in 1984, when a wine sales tax was introduced at a rate of 10 per cent. It was broken again last year, when the rate was doubled.

To provide some quite limited relief from this latest savage impost on a vital South Australian industry, the South Australian Government decided to alter the basis on which fees for producers' licences are levied on cellar door sales. Since this amendment five beer brewers have obtained producers' licences, one for the South Australian Brewing

Company, one for Cooper and Sons, and three for small breweries attached to hotels.

The latter three are not affected by this Bill, nor are wine and brandy producers. When the two large breweries supply beer to persons other than liquor merchants such sales are not subject to the annual licence fee of 11 per cent. This Bill would require them to pay the fee on those sales. The Opposition accepts that, on the basis of equity between the cellar door sales of the two major brewers and hotels, this matter requires attention.

However, under the old brewers Australian ale licence, the breweries paid 6 per cent instead of 8 per cent because the basis on which the licence fee was calculated by the brewers put them at a disadvantage. That is, in calculating the licence fee the brewer at the cellar door will have to charge the wholesale price plus 11 per cent, but the licence fee is calculated on the gross amount and not the net amount. This means that 11 per cent becomes something closer to 12.5 per cent.

On figures supplied to the Opposition, if the fee were 11 per cent and the brewery proposed to sell $100 worth of beer, its price would have to be $112.36 in order that it could recoup $100 after paying the 11 per cent fee, putting the brewing company at a disadvantage in selling its product to its own employees, for example. The Opposition believes, therefore, that the fee should be reduced to 9 per cent in order to not disadvantage the breweries affected.

We believe that sales to employees should be exempted from the licence fee. Employees should be entitled to purchase the products of the company for which they work. That is accepted practice everywhere, but it is ridiculous to suggest that the company or the employee has to pay a licence fee on those sales; in other words, having to pay the Government to buy the products of the company for which they work or for the company to subsidise the cost. The imposition of a 9 per cent fee, while undesirable in itself (as it is another new form of backdoor taxation by this Government), will at least have the effect of putting the brewers in no better or worse position than hoteliers, for example.

The other aspect of this legislation which the Opposition finds disturbing is its retrospectivity. The legislation will take effect from January next year but will apply to sales in the current year, which means that sales already made under existing legislation will be subject to the Government's new fee—a most unfair proposition I am sure we all agree. Under the current Act the assessment period is defined as 12 months, commencing on the first day of July and ending on the thirtieth day of June next. If that same rule is taken on the basis of the commencement date being 1 January 1988, then the first four months of 1987 (which have already passed) will come under the Bill and no provision will have been made. I understand that the Government only gave two affected companies notice of its intention four days before the proposal went before Cabinet. If the Government were fair, it would make the legislation effective from a date that does not affect sales already made.

Apart from the concerns I have outlined, the Liberal Party does not oppose this measure. I would, however, bring this matter to the attention of the House in terms of the amount of time involved. The brewers knew of the Bill four days before it was under way. The Opposition, again, received this on Thursday of last week, and only now have I received a response from some of the people affected. I received this but half an hour ago and, in the process, I have to absorb the material therein and comment thereon.

It is relevant to say that the short period involved in this proposition is simply not good enough. It does not allow us as an Opposition to work effectively if we have to get responses back from the people who will be affected. The proposal to single out the South Australian brewers and leave alone the wine and spirit producers is discriminatory and illogical. It also immediately affects the company's credibility and sales future with the large and non-licensed customers who have supported the organisation in the past. It penalises company employees and staff, and prevents any further benefit in the form of privileged purchase being part of their employment.

A number of other details are contained in the submission we have received in this matter. It is another rushed measure saying, 'Someone's complained: we have to fix it up,' and no time was left for consultation as to whether the measure would be fair. Having said that, I say that we support the proposition provided that our amendments are successful.

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for its indication of support for this measure. This is a Bill which provides an impost and, therefore, is being dealt with in the way that it is. One could have consultations with the industry *ad infinitum* and the industry would not agree to the application of an impost. However, I think in this case the industry can see that the Government is trying to achieve a degree of uniformity and equity, to close the loophole which has opened since 1985 and the amendments at that time.

Certain sections of the industry have had a tax hike during the past few years, and this measure will close up the loophole and provide to the revenue an additional sum of money to which we would have been entitled had the circumstances of 1985 not come about. It is for those reasons and the prudent management of the licensing laws that we bring in this amendment at this time and in the way in which it has been done.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Licence fee.'

Mr S. J. BAKER: I move:

Page 1, line 16—Leave out '11' and insert '9'.

This amendment relates to the percentage that will be charged on sales and the further amendment that I will move later relates to the exemption for employees of the company. I must admit that I left out the directors and the senior staff who would, obviously, need to be included in the same proposal, but that matter will be taken up in another place. I have already canvassed the proposition, and anyone who has an elementary knowledge of mathematics will understand that the way in which the fee is imposed will mean a compounding effect, which will impact on the total price of the goods sold at the cellar door. If the Minister wishes to get out a calculator, he will see that the cost of this measure will be somewhat higher than it should be. I understand that the Minister really wants the 11 per cent to be the surcharge on the sales, not in the order of 12. 1 per cent, as it would work out under this Bill.

I would like to respond to the Minister by saying that when the producers' licences were created it was always envisaged that the breweries would participate in that scheme. One of the propositions was that we would use these outlets as a tourist attraction, just like the wineries, so it was always envisaged that the breweries would take up producers' licences. For the Treasurer to then come out and say, 'Hang on: you're creating an advantage which we really did not envisage you should have,' is stretching the imagination a little too far.

As soon as they were selling beer at cellar door sales—which was allowed for and encouraged—then they had a right of exemption. We had already given cellar door sales the right to promote tourism in this State. So, for the Treasurer to say, 'Shock! Horror! We're not getting all the revenue we need' is somewhat of a strange response. It is unfortunate that the brewers, who were trading on this on the basis of good faith, are now having this advantage taken away.

He should indeed be promoting tourism. If there are cellar door sales on Port Road and people get to see the river and a few other attributes in that area, I think it would do a world of good for tourism. Leaving that aside, we accept that a fee should be imposed, because to do otherwise would see a desire to escape the general licensing provisions. However, we ask the Government to reduce the fee from 11 per cent to 9 per cent. That will mean that an effective rate of 11 per cent is charged rather than an effective rate in excess of 12 per cent.

The Hon. G.J. CRAFTER: Naturally, the Government rejects the Opposition's proposal to reduce the levy to be imposed under this measure. This is clearly a prerogative of the Government and is not a matter that is subject to the to-ing and fro-ing of debate. We have decided that the proper and appropriate level of impost is 11 per cent, and that is not the subject of negotiation by the Committee.

Amendment negatived.

Mr S.J. BAKER: I move:

Page 1, line 17—After 'liquor merchants' insert 'or any of the producer's employees'.

Once again, this provision will have to be tidied up slightly in another place to take account of the directors and senior management who have not been included. In principle, the brewery has always done this and it has never been subject to taxation in this form. The excise is rather new, and it is rather disturbing for brewery employees who have enjoyed their drink at a lower price. I am not sure whether Mr Keating is imposing his FBT in this area, but that is up to Mr Keating. In principle, we feel that brewery employees are quite a deserving group who should continue to receive this advantage, which they have always enjoyed. They should not be required to pay the extra amount, and nor should the company have to pay for the privilege of supplying them with cheap beer.

The Hon. G.J. CRAFTER: This amendment and the consequential amendment to the next clause are opposed by the Government. The honourable member's gymnastics when it comes to enunciating his political philosophy never fail to amaze me. The honourable member, by his amendment, is attempting to provide employees with a benefit. However, he admits to the Committee that he overlooked those people who were not in the employee category within the enterprises involved and that he would tackle that matter in another place. In fact, I suggest that the whole matter would be better debated in another place rather than attempting to tackle it here on a piecemeal basis. The measure can be clearly rejected and full reasons given for its rejection in another place.

Amendment negatived; clause passed.

Clause 4—'Estimate by Commissioner on grant of retail or wholesale licence.'

Mr S.J. BAKER: I move:

Page 1, line 27—After 'liquor merchants' insert 'or any of the producer's employees'.

This matter, to exempt producers' employees from the surcharge, has already been canvassed.

The Hon. G.J. CRAFTER: For the reasons that I have just enunciated to the Committee, the Government rejects the amendment.

Amendment negatived; clause passed.

Title passed.

Bill read a third time and passed.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT (STATUTE LAW REVISION) BILL

Adjourned debate on second reading.

(Continued from 2 April. Page 3813.)

Mr S.J. BAKER (Mitcham): The Opposition supports the measure, although we will move some amendments in Committee. The amendments are for clarification purposes rather than an attempt to dramatically change the thrust of the Bill. The Bill is purely a mechanism for updating the legislation to make the terminology gender neutral, to remove some of the verbiage and, in some cases (but not all), to make the language more understandable. From that point of view we support the Bill. In Committee the Opposition will raise certain matters that are relevant to the changes in wording which have taken place.

The Hon. FRANK BLEVINS (Minister of Labour): I thank the member for Mitcham for his contribution to the second reading debate. As he said, it is merely a consolidation, and no policy changes or changes of any other kind occur in the Bill. I indicate that an enormous amount of work has gone into the Bill, and I pay credit to the Industrial Relations Advisory Council for the amount of work that it has done. I point out that it has taken a long time to arrive at a Bill in this form and that it has the full agreement of the Industrial Relations Advisory Council.

I will be rejecting all the foreshadowed Opposition amendments—not because they are necessarily very terrible but simply because this is an agreed Bill between the unions, the employers and Parliamentary Counsel. If there are to be any other amendments to it, I would want to take them back to the employers, the unions and to Parliamentary Counsel. For those reasons, I indicate that I will reject all the foreshadowed amendments.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Amendment of principal Act.'

Mr S.J. BAKER: I compliment Parliamentary Counsel on the fine job that it has done in drafting this legislation. It took me some four hours to go through this Bill. The only comment I wish to make is that my job was made so much more difficult because we did not have a consolidated piece of legislation. While this Bill is aimed at consolidating the legislation, it should be taken on board that, in these days of computers and word processors, it should be relatively simple to get consolidated legislation whenever an amendment is put before us.

I wasted, I suppose, about three-quarters of an hour of those four hours trying to find the relevant section of the amendment that had been dealt with in this place previously. I would like to bring that to the Committee's attention, because it makes life very difficult. We have to check each clause against the legislation that has been passed previously to ensure that there has not been a later amendment. In this day and age that is not good enough. We should have a clean Bill before us so that, in going through

the updating process, we need merely to change the 'his', 'hers' or the terminology. We should not have to beaver back through the amendments that have occurred over a period of up to 10 years.

Clause passed.

Schedule.

The CHAIRMAN: The honourable member should move his amendments chronologically, and then he can talk to the schedule at large.

Mr S.J. BAKER: I move:

Page 5, proposed new section 15 (3) *(a)*—
After 'may' insert 'be made personally or'.
After 'former employee,' insert 'may'.

The amendment made here to section 15 (2), (3) and (4) leaves out the proposition that an employee may make a claim on his or her own behalf. Under the previous Act it was clear that anyone had the right to make a monetary claim. The Act provided:

Nothing in this section shall be construed as to prevent a claim under this section being made other than by a registered association.

Those words have been left out of the legislation. I do not know whether or not it was intended, but clearly the Act recognised the right of any person to bring a claim forward—whether they did it themselves or through a registered association. That provision has been left out of the legislation. I believe it should be included, and I ask the Minister to have it reinserted. My amendment merely seeks to reinsert it in a different form.

The Hon. FRANK BLEVINS: As I indicated in my response to the second reading, this Bill is merely a consolidation of the Act: it makes no difference to the substantive law of this State. I would have hoped that it be treated in that way, which means that it is virtually a formality. If the member for Mitcham wants an extensive debate on this question, I would argue that this is not the Bill on which to have it. If he does want a debate on it, it will be a one-way debate. I have indicated already that I will not entertain any of the amendments. If there is some fundamental misunderstanding on the part of the member for Mitcham about what this Bill does, I would be happy to go through it again. I would have thought that the second reading made it very clear.

Mr S.J. BAKER: That attitude is quite disgraceful. I have already conceded to the Minister publicly in this Chamber that there is in this Bill no such substantial change to the law. The Minister is getting the Bill rewritten so that it can be reprinted. There is no clause in which I feel the Minister has transgressed. However, that does not mean that we will ever achieve perfection, given that there are 450 amendments. The Minister has told us that Parliamentary Counsel spent many weeks putting this Bill together, and I have already congratulated him on that effort.

I am raising questions which, I believe, I have a right to raise. I am not in any way saying that what is in the Bill is wrong. I am inquiring about the fact that there are certain things absent from the Bill. If the Minister can satisfy me that there is a good reason why they are not there, I would be happy. However, if I have noticed a problem, it is within my rights to ask the Minister to look at it and ask whether we may have missed something, given that I did give a fair amount of time to going through the Bill.

The Hon. FRANK BLEVINS: My heart bleeds for the member for Mitcham: apparently he spent some time doing his job and he wants us to applaud him for that. Certainly, I do not applaud him. I will certainly have a detailed look at the list of amendments that are to be moved by the honourable member. A very brief reading of them tells me that all but one are absolutely of no consequence—they do nothing. The one that may have some slight point could be done by another means, anyway. I make the point again that this is a particularly sensitive exercise. What we have here is full agreement between employers and employees in this State regarding the wording of this consolidation. I am not denying for one moment the member for Mitcham's right to raise these issues.

Mr S.J. Baker interjecting:

The CHAIRMAN: Order!

The Hon. FRANK BLEVINS: I did not interrupt you. The honourable member should learn some manners; I would appreciate it if he did. I am not denying the honourable member's right to raise these questions. In all fairness to members, I make it clear from the outset that I am not at this stage interested in debating the questions with the member for Mitcham. This Bill is the result of a very sensitive exercise between the employers and employees. If the member for Mitcham has some suggestions to make on that matter, he can make them and I will take them to the employers and to the Trades and Labor Council at a later date, if he has not already consulted them on his amendments. If they have any merit, the next time the Act is opened up we can make those adjustments. However, I will not accept any amendment to this Bill which has not gone before IRAC. We have stuck to the letter and the spirit of the IRAC Act and I intend to continue that as regards this Bill. I am not denying the member for Mitcham's right: I am merely saying that what he is doing is totally inappropriate.

Mr S.J. BAKER: I really am fascinated with that discourse from the Minister of Labour. For the first time in this Chamber he has told us that he has gone to IRAC and that he has stuck with the principles of IRAC. How many times in the past has the Minister transgressed? Suddenly he says that IRAC is now a useful vehicle. How many other times has he transgressed on that principle? I am interested in the proposition that suddenly IRAC is a useful body, that people have negotiated, that this is the final word, and that not one word will be put out of place. If we had heard that from the day he became Minister of Labour, we might have had some different results.

My amendments merely canvass the situation. If the Minister says that he will have them looked at, that is his right. If, however, they are simple enough not to have any impact, if they have any sense, and the Minister can get a Parliamentary Counsel determination on that matter, they should be taken into account now. If there is a very good reason why they should not be accepted, they should not be accepted.

Amendment negatived.

Mr S.J. BAKER: I move:

Page 11, proposed new section 50 (3)—Leave out ', so far as may be practicable in the circumstances,' and insert 'at all reasonable times'.

Bearing in mind that there is a new interpretation in the Act, I was interested to talk to employers about this, and they reiterated how sensitive the industrial legislation is: there is recognised terminology, and if it gets displaced too much it can have serious consequences because not only the commission but also the employers and the trade union movement recognise that terminology.

The previous terminology was that employers 'at all reasonable times' had to accommodate the inspectors; it now provides 'so far as may be practicable in the circumstances', as there could be times when it is practicable but not very reasonable. My major concern is with the interpretation under which the major people involved in the system currently operate. This matter was raised with me by an employer group.

The Hon. FRANK BLEVINS: The member for Mitcham has said that an employer group raised this matter with him. The major employer groups are represented in IRAC, and they have painstakingly gone through this Bill and agreed on this wording. They are not my words: they are the words of the employers, the unions and Parliamentary Counsel. If the honourable member is suggesting that other employers have presumably not been consulted and have some view on this, they are free to contact me. If they have some queries I would be delighted to take them up with the employer and union representatives on IRAC. They can have as long as they like for consultation.

It is not specifically for my benefit that the Act is being consolidated: it is for the benefit of the practitioners in the field. If the employers want this holdover while they have a second go at the wording, that is fine by me. They can hold it over for the next five years. It has no practical advantage to me or to the Government. For the member for Mitcham to suggest that employers are unhappy with some of this wording is, to me, very serious because my understanding of this Bill is that it has been prepared by the employers in conjunction with the unions and Parliamentary Counsel. If that is not the case I would like the member for Mitcham to enlarge on these employer groups that do not agree with the words here and we will take the Bill out and give it back to them until they agree. I thought that we were in that position. After approximately two years spent in preparing this consolidation, they can have another six months, or another two years.

Mr S.J. BAKER: We seem to be getting a lot of rhetoric from the Minister.

Members interjecting:

The CHAIRMAN: Order! The Committee will come to order. The honourable member for Mitcham.

Mr S.J. BAKER: I was merely raising the question of terminology, appreciating that certain representatives had gone through that group. I said right at the outset that I was raising these matters for an explanation. The Minister said that it was already explained because the major employer and union groups had agreed to it. That does not necessarily take away the right of other people to raise questions. If some other group asks me, 'Why is this change taking place?' I will raise it in this forum. I will not raise it with the employers or the unions: I will raise it in this forum, and that is my right. The Minister has now said four times that the employers and the unions agree, and I have accepted that. A group of employers represented on IRAC have agreed; a group of unions represented on IRAC have agreed. That is fine. However, there happens to be a lot of other employer groups in this State. Is the Minister saying that they do not have a right to put a submission to a member of Parliament?

The Hon. FRANK BLEVINS: Again, I am not denying the right of an employer group to raise any issue in relation to this Bill. All I am saying is that at this stage I will not entertain any amendment from the member for Mitcham, no matter where it comes from, for the very good reasons that I have given. If some employer group feels that it has not been sufficiently consulted over the past two years in relation to the preparation of this Bill, or feels that for some other reason it does not like it, all it has to do is contact me and I will see that the Bill is withdrawn until that group is happy. I am not going to argue all these points when the employers and the unions have argued for two years. I assure the member for Mitcham that, on every amendment and any questions he raises, he will get the same reply. I am not suggesting that he does not have the right to raise them: all I am saying is that the answer will be exactly the same on each amendment.

Amendment negatived.

Mr S.J. BAKER: I move:

Page 16, proposed amendment to section 82 (1) *(a)*—Leave out this amendment and substitute: After 'he' insert 'or she'.

I do not need the Minister to respond with the broken record that he seems to have about how he has got the employers and the unions on side and this is all that matters, given that I recognised that in the first place. My amendment deals with the reinstatement of the words that the Bill takes out of the Act in relation to technological change. The Act refers to technology restricted to the industry in which the employee is operating, and the Opposition cannot see why that wording should be removed.

The Hon. FRANK BLEVINS: For the reasons that I have already given, I oppose the amendment.

Amendment negatived.

Mr S.J. BAKER: I move:

Page 17—Leave out proposed repeal of section 91.

Section 91 deals with overlapping awards of the Commonwealth and the State jurisdictions. Although there is now reciprocity between those jurisdictions, I consider that there are reasons why the original provision should remain in the legislation.

The Hon. FRANK BLEVINS: I oppose the amendment for the reasons I stated earlier.

Amendment negatived.

Mr S.J. BAKER: I move:

Page 20, proposed amendment to section 129 (2)—Leave out 'must' and insert 'shall'.

The Registrar is now required to take action where it is merited. Previously, the Registrar was responsible for laying a complaint against a registered association that did not submit its annual report, whereas the Bill, as drafted, provides that the Registrar must take action in such circumstances.

The Hon. FRANK BLEVINS: I oppose the amendment for the reasons that I have already given. I may add that, if the member for Mitcham has spent four hours on this Bill and this is the best he can do, he has wasted his four hours. Indeed, he must have been badly advised.

Amendment negatived.

Mr S.J. BAKER: I move:

Page 22, proposed amendments to section 155—Leave out 'Strike out "otherwise such fine shall be paid to the Treasurer in aid of the general revenue of the State" '.

I do not need to expand on my amendment, except to say that the courts could deem that, as a result of a complaint raised by a registered association, a fine should be payable to the Treasury.

The Hon. FRANK BLEVINS: I oppose the amendment for the reasons that I have already given. The amendment is based on a misconception.

Amendment negatived.

Mr S.J. BAKER: I move:

Page 22, proposed new section 157 (2)—Leave out 'the employer's guilt will be presumed unless it is established' and insert 'the onus is on the employer to establish'.

I intend to divide the Committee on this amendment, irrespective of whether or not the employers and the unions have agreed on the provision in the schedule.

The CHAIRMAN: I ask the Committee to come to order. It is difficult to hear the speakers in Committee.

Mr S.J. BAKER: In this clause, there has been a basic change in the law. This is the first time that I have seen legislation, whether industrial or criminal, in which guilt is actually presumed. I do not give a damn whether the employers and the unions have agreed or whether the Min-

ister says that everyone is happy about the terminology. I oppose the terminology: I do not believe that guilt should be presumed, yet according to the Bill, 'the employer's guilt will be presumed unless it is established . . . '.

The presumption of the employer's guilt gives the right to publish details of a case when that may not have arisen with the terminology provided in the existing legislation. However the employers and the employees feel about it, I do not feel comfortable with the provision in the Bill. It reverses the situation that existed previously.

The Hon. FRANK BLEVINS: The honourable member is wrong: the provision in the Bill does not change the law. The law is simply recast differently. I oppose the amendment not only because it is wrong but also for all the reasons that I have given previously.

The Committee divided on the amendment:

Ayes (16)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker (teller), Becker, and Blacker, Ms Cashmore, Messrs Chapman, Eastick, S.G. Evans, Goldsworthy, Ingerson, Lewis, Meier, Olsen, and Oswald.

Noes (26)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, Blevins (teller), Crafter, De Laine, Duigan, and M.J. Evans, Ms Gayler, Messrs Gregory, Groom, Hamilton, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs Mayes, Payne, Peterson, Plunkett, Rann, Robertson, Slater, Trainer, and Tyler.

Pairs—Ayes—Messrs Gunn and Wotton. Noes—Messrs Hemmings and McRae.

Majority of 10 for the Noes.

Amendment thus negatived.

Mr S.J. BAKER: I move:

Page 22, proposed new section 159 (2) *(a)*—After "building industry" insert ", in relation to time worked".

This amendment makes the Bill a little more sensible, otherwise all employees will be required to trot down each day to sign their non-existent pay sheets. It merely tidies up the Bill.

The Hon. FRANK BLEVINS: I accept the amendment.

Amendment carried.

The CHAIRMAN: I point out to the member for Mitcham, although I am sure he understands this, that he has 19 questions and is allowed to speak only three times. If he asks 6⅓ questions each time he will be all right.

Mr S.J. BAKER: Given the Minister's response to my other attempts to change this Bill, these are questions I believe will not be answered. However, I draw to his attention some areas. I notice that in changing the terminology of sections 27 (1) and 86 (1) there is mention of the 'exercise of personal initiative'. We could have said 'personally' if we were trying to improve the Bill. There are a number of areas where we could have improved the terminology, but given the difficulty of the task involved the proposed amendments are of good order. There is a question relating to whether or not an order contains a consideration or direction. That is interposed in the amendments. I make the observation that the word 'Chairman' is not a sexist term, and that the second part of the word, namely 'man', comes from *manos*, which is Latin meaning 'hand'. There is a better terminology in 'presiding officer', which overcomes this problem. There are a number of minor items that I do not believe should be canvassed at this stage, and if I have any concerns about them I will contact Parliamentary Counsel.

Schedule as amended passed.

Title passed.

Bill read a third time and passed.

CORRECTIONAL SERVICES ACT AMENDMENT BILL (1987)

Adjourned debate on second reading.

(Continued from 2 April. Page 3813.)

Mr BECKER (Hanson): This short Bill sets out the criteria for prison officers to make a body search of prisoners suspected of concealing drugs. At present, whilst prisoners are required by law to remove their clothing for the purpose of a search, Correctional Services officers are unable to visually examine the mouth and other body orifices in order to ascertain the presence of illicit materials. It has been brought to the Government's notice that this deficiency has caused management problems relating to the behaviour of prisoners after illicit drugs have been found in prisons.

The current propsal will make it an offence for a prisoner to refuse to open his or her mouth, or to adopt particular postures which will facilitate visual examination of the body. Force may not be used to open a prisoner's mouth except by or under the supervision of a medical practitioner. Only a medical practitioner may search an orifice of a prisoner's body. The search must be carried out speedily, and undue humiliation of the prisoner avoided. Regular searches of cells and common areas by officers and the Dog Squad take place in all prisons.

Since assuming the shadow portfolio I have raised several times the issue of drugs in prisons—first in March 1986 and again in July 1986. It is important to place on notice the Opposition's concern relating to drugs in our penal institutions. On 8 July 1986, an article in the *News*, written by Greg Mayfield, stated:

The State Opposition said it had information that up to 70 per cent of prisoners were taking legal or illegal drugs, including heroin. The correctional services spokesman, Mr Becker, said drugs were being smuggled to prisoners during kissing by visitors. He said the drug packages were passed from mouth to mouth.

Prison officers were powerless to search the mouths of prisoners and visitors, but should be allowed to do so. He called for the Government to set up a task force to probe gaol drug use. His allegations were backed by a prison officer and another unnamed gaol source, who estimated 40 per cent of prisoners used illegal drugs, mostly marijuana, but including heroin. And the prison officers' union, the Miscellaneous Workers Union said it was possible officers could have failed to detect drug smuggling because of poor morale.

The Acting Correctional Services Minister, Mr Hemmings, slammed the claims, but conceded drugs could have been smuggled by mouth. He dismissed claims of widespread drug use as 'cheap political mileage' by the Opposition and politically motivated 'anonymous' gaol sources. He challenged Mr Becker and other critics to 'put up, or shut up' regarding their claims.

'As a member of Parliament he is duty bound to bring any details to the attention of police or gaol authorities,' he said. He said 'nowhere near' 70 per cent of prisoners used drugs, and heroin use was a minor problem which existed in all gaols. Mr Hemmings attacked critics for hiding behind anonymity.

Mr Becker said the Government 'always wants to know who is making criticisms—"who is the dobber?" ' He said a 'watchdog' committee should be set up on gaols as in the US. Mr Becker described his figures as 'staggering'. 'An offender not dependent on drugs when entering gaol has a good chance of being an addict when released,' he said.

I read that article because I believe very strongly in the claims that I made, and I am amazed—again—at the stupidity of the then Acting Minister, who, of course, refuted such allegations. The statements made by the Acting Minister, the Hon. Mr Hemmings, are typical of the drivel we get from him in his criticism or in reply to any press releases made by members on this side of the House. It is unfortunate that he is not here today—I do not know where he is—but, at the same time, I think that, when we have a Minister of the Crown who cannot add anything, it would be far better for him to say nothing. But it is typical of the

left and of trade union tactics that when someone backs them into a corner or puts up an allegation, we get this abuse, and I do not really—

Members interjecting:

Mr BECKER: Okay! The member for Albert Park always comes in like the tide. Whenever I want an interjection it is very easy to bring him in. I can bring him in any time I want to. He knows as well as I do that I came up in the school of hard knocks, and I was well trained by a couple of left wing union officials in Victoria. I know exactly what to do to bring out those reactions, and I know exactly what to expect. We are always ready to counter these arguments, because it is delightful to get stupid, idiotic statements made by the Ministers of the Crown on an issue that is extremely important, very serious and worrying to the community at large.

It would be very worrying to the families of those offenders sent to prison to pay their debt to society to know that, whilst the offenders are in there, they could be subject to abuse or used in drug trafficking in our prisons. Let all members of this House recall that a very large number—estimated at anywhere between 30 and 50 per cent—of offenders in prisons are dependent on some form of medication, be it a drug or whatever we call it. Many of them are dependent on it for behavioural problems. It must be remembered, therefore, that a lot of drugs are being used in our correctional services system. Some of them, no doubt, are probably not taken properly or are mixed with other drugs.

I have also been advised that it is very easy to pass small packages of heroin on visitor contact, and a whole range of people have been suspected of passing these drugs: members of the legal profession, relatives or friends. No-one who visits anyone in prison is exempt from passing the drugs. The legislation sets out some pretty tough guidelines in relation to full body searches of prisoners—and I am amazed that civil libertarians have not yet picked this up. No doubt, they will jump up and down and scream. I do not think that they have anything to be proud of in this regard, because the Minister, the Government and the department are trying (and I strongly support them in their efforts) to stamp out the incidence of illegal drug use in our correctional institutions.

I was pleased to note that in the Department of Correctional Services annual report, 1985-86, tabled in the House recently, in the Yatala Labour Prison report on page 24, the Director had this to say:

> Heroin was noticed within the prison at a concerning rate during the early months of the year. Fortunately, as the supply of heroin dried up in the community so did the supply within the prison. Notwithstanding this belief of a significant presence of heroin within the prison, only a minority of prisoners were detected with syringes or actual heroin substances. Heroin's very small packaging frustrated staff efforts to determine exactly how heroin was entering the prison. As the year progressed the detection of heroin practically ceased. However, Indian hemp was still found on occasions. In all cases where prisoners were detected with drugs or drug implements, they were either charged by the police, before the visiting tribunal or were not awarded remission.

Then the Manager of the Northfield complex, in his section of the same report, said:

> Drug and alcohol related incidents increased from six in 1984-85 to 10 in 1985-86—

and with something like 40 prisoners, on average, in the complex, that is quite a high ratio—

> A high percentage of female prisoners are sentenced for drug or drug related offences. Most have some form of drug or alcohol addiction. To prevent drugs from entering the institution, it has been necessary to bar suspected or known drug traffickers from visiting. The privilege of contact visits has also been removed for some prisoners for periods of time.

Probably the fairest representation one could get was quoted on 10 July in the *News* under the heading 'Prison bashings to "settle debts" '. He said:

> Yatala gaol prisoners are being bashed to settle drug debts, says a prison officer. The senior officer, who asked not to be named, said the gaol had a 'helluva drug problem'. 'This is what all the bashings are about,' he said. He was commenting on claims by the State Opposition that it had information ... on the use of ... prescription or illegal drugs.
>
> 'Prisoners are getting drugs and not paying their bills and someone makes an example of them,' he said. 'There is plenty of the stuff around. They have not got much money to buy it and this is when you get bashings.' He said visitors were suspected of smuggling drugs into the gaol. 'We are telling people about the problems and no-one is listening,' he said.
>
> The prison officers' union, the Miscellaneous Workers Union, repeated a call for an inquiry into gaols. Union organiser, Mr Peter Neagle, said it was highly unlikely any prison officer would be involved in drug smuggling.

I would be extremely disappointed if that were not so. I do not honestly believe that prison officers would be involved, so I do not see why he even had to make that comment. The report continues:

> 'They would put their jobs on the line—if they were caught, they would become one of the inmates,' he said. 'Because of the morale, there could be a few officers who drop their bundle and say "What's the use?" It could be some people have not picked up what they should have picked up. It all depends on how searches are carried out.'
>
> Mr Neagle said syringes used for injecting drugs were often found and drug use was 'prevalent' in South Australian gaols. Officers were upset that bashings of prisoners seemed to attract more publicity than assaults against officers. Injured officers were still on workers compensation.

It is also noted at page 24 of the Department of Correctional Services annual report:

> Fighting between inmates occurred at rates similar to previous years but a definite trend of more serious assaults has emerged. The most serious incident occurred in June when a prisoner was attacked with a cricket bat.

I believe that the Government is courageous in taking that step. As I said, the remedy is there and, if a prisoner totally refuses to comply and causes problems and cannot be searched, under Division II (breaches of the regulations), section 43 of the Correctional Services Act, penalties are stipulated—and they are quite severe for offenders. In fact, penalties include the forfeiture of a specified number of days remission of sentence or conditional release being credited to a prisoner, the forfeiture of any specified amenities or privileges for a specified period not exceeding 28 days or exclusion from any work that is performed in association with other prisoners for a specified period not exceeding 14 days; or the manager may reprimand and caution a prisoner.

As far as a prisoner is concerned, the loss of privileges is quite severe. I just hope that this measure will put to rest the drug problem in our prisons and that it will not be necessary to go into full body searches, because that will be time consuming and expensive, as it will have to be done under full medical supervision. Certainly, I believe that there is a need in this day and age for legislation to ensure that drug use in our prisons is stamped out.

The Hon. FRANK BLEVINS (Minister of Correctional Services): I thank the honourable member for his contribution to the debate, and in particular for his support. The issue of drugs in prisons is very difficult. This small Bill will be an important part of the Department of Correctional Services armoury in combating this problem. While I do not like to have the problem of drug use in prisons at all, I am fortunate that Department of Correctional Services officers in this State appear to be very successful in keeping out of our gaols the amount of drugs that apparently is found in interstate gaols. On behalf of the State, I record

my appreciation for the job that these officers do. This will be another weapon in the department's armoury, and I feel that it should go through the House as expeditiously as possible.

Bill read as second time.

In Committee.

Clause 1 passed.

Clause 2—'Search of prisoners.'

The Hon. FRANK BLEVINS: I move:

Page 1—

Line 24—Leave out 'at the search' and insert 'at any time during the search when the prisoner is naked'.

Line 27—Leave out 'throughout the search' and insert 'at all times during the search when the prisoner is naked'.

In an abundance of zeal I think we managed to make searching of any kind illegal without two Department of Correctional Services staff being present. That is certainly overkill and was not our intention,but merely a slip. This amendment corrects our error.

Mr BECKER: It often worries me when we have a Bill before us and the Government brings in amendments. I had accepted the Bill as it was introduced without these amendments. The amendments are of no great consequence, but I am disappointed because I was quite satisfied and had accepted that it would be all right if two officers were present. In fact, I think that is fair enough. I had considered the Bill in that form and I was prepared to accept it. However, I accept the Minister's very brief explanation, and we are prepared to see how the legislation works. We therefore support the amendment.

The Hon. FRANK BLEVINS: I thank the member for his support, and I apologise. It was an error. My advice was that the most convenient way to correct the error was by moving this amendment. I would have preferred to redraft the Bill, because the error was picked up before the Bill was introduced into this place. For various reasons I accepted the advice that to move an amendment was the most convenient way for all concerned. I apologise and agree with the member for Hanson that it should not be necessary to amend a Bill while it is still before this place.

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

STATUTES AMENDMENT (CONSUMER CREDIT AND TRANSACTIONS) BILL

Adjourned debate on second reading.

(Continued from 1 April. Page 3712.)

Mr S.J. BAKER (Mitcham): Once again we seem to be missing the Minister responsible for the Bill.

Members interjecting:

Mr S.J. BAKER: If it had happened only once, we would be all forgiving. The fact is that it seems to be happening—

The DEPUTY SPEAKER: Order! I understand the honourable member's concern, but his remarks must relate to the second reading.

Mr S.J. BAKER: Quite simply, the Opposition supports the proposition, except for the introduction of change by regulation in relation to the monetary amounts (and I will address that matter briefly in a few moments). Since 1982, there has been a limit of $15 000 in regard to goods and chattels and the purchase of goods on credit. In respect of land, the limit has been $30 000. The legislation does not apply above those limits. The legislation is designed to protect consumers, particularly in relation to their credit transactions. The Bill now allows the limit to increase from $15 000 to $20 000. We believe that it is appropriate that that change takes place. Inflation over the past four years would have accounted for that rise, at least.

In accepting that $20 000 is realistic, the Opposition assumes that most of the people who need protection fall within that limit. No-one has come to us saying that they would like the limit raised because they believe that there should be greater protection in the higher transaction ranges. It would seem, if the lack of representation is an indication, that the Bill as it stands today reasonably covers those areas of credit, and so on, that need to be protected.

The one area of difference with the Government once again relates to the Government's inserting a provision that changes to those limits shall be by regulation. The Opposition rejects that proposition. I do not intend to take up the time of the House to reiterate some of the arguments that have already been put, other than to say that Parliament should set the principles. Regulations only provide the description. A principle is involved here. The principle is to limit the amount to which this Bill applies to $20 000 in relation to normal goods and $30 000 in relation to land. The Opposition supports the general proposition of raising the limit. However, we certainly do not support in any shape or form the way in which the Government intends to change these prescribed amounts by regulation.

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for its indication of support for this measure. I note that the member for Mitcham proposes some amendments, and these will be debated in Committee. The purpose of the Bill, as the honourable member has stated, is to raise from $15 000 to $20 000 the monetary limits in the Consumer Credit Act and the Consumer Transactions Act, where there is no security over land. That limit has been eroded significantly since it was last reviewed some five years ago.

It is not proposed to change the monetary limit of $30 000, which applies where security is taken over land used as a place of dwelling for the consumer's personal occupation at this time. The Bill also provides for future changes to these monetary limits to be made by regulation. I understand that this is the point with which the Opposition has some difficulty, but I commend the Bill to the House. I move:

That the sittings of the House be extended beyond 6 p.m.

Motion carried.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Amendment of Consumer Credit Act.'

Mr S.J. BAKER: I move:

Page 1, lines 17 to 20—Leave out subparagraph (i) of paragraph *(a)* and insert new subparagraph as follows:

(i) the principal exceeds $20 000;.

We made our position clear in the second reading debate. The Opposition will be testing this principle with this amendment. All the other amendments listed in my name are consistent with our desire to see that the Act retains its own integrity and that the Act is subject to parliamentary scrutiny in the fullest possible form.

If the Parliament wishes people to be covered in a greater or lesser form, let us say so. We do not believe that it is the right of a Minister to change these amounts by regulation. They are very important. They are recognised as areas where certain people's rights can be exercised. In other cases the obverse situation applies—where people cannot exercise

their right under this Act. Therefore, we believe it is an important principle, and this amendment is a trial suggesting that the Act should be subject to the scrutiny of Parliament and not be subject to the Minister in terms of the monetary amounts.

The Hon. G.J. CRAFTER: The Government rejects, for the second time today, this attempt by the Opposition to avoid the subordinate legislation process and to unnecessarily clog the role of Parliament with matters that can be dealt with satisfactorily by other means. It is not as if the Government is attempting to avoid the parliamentary process. This activity is subject to the scrutiny of Parliament through the subordinate legislation process. The very fact that this legislation has not been amended and that these amounts have not been altered for many years is an indication of the difficulty that arises with respect to waiting for amendments to come in packages and the like, so that the time of the House can be used economically.

At present the monetary limits can be varied only by amending the Acts themselves. Here, it is proposed that they be varied by regulation in future to enable such changes to be made quickly in order to maintain uniformity with interstate legislation. All honourable members would see that as being desirable in this area of the commercial life of the community. Of those States that currently have consumer credit legislation, South Australia is the only one in which monetary limits cannot be varied by regulation. That seems not to deter the Opposition: it still seems to want to proceed, despite what every other State has achieved.

In the comparable interstate legislation, the New South Wales, Victorian and Western Australian uniform Credit Act 1984, the monetary limits can already be varied by regulation. The Credit Bill, which is currently before the Queensland Parliament, also allows for variation by regulation. Such regulations would remain subject to consultation with industry, consumers and the other States and be subject to scrutiny by Parliament. However, the procedure for variation by regulation is much simpler and quicker than that for amending the Acts themselves.

While all States are working towards uniform credit provisions, it may be some time before legislation could be brought to the Parliament. Since the monetary limits are among the key determinants of the area of the application of those Acts, it is important that in the period prior to the introduction of uniform consumer credit legislation it be possible for the States to act together to adjust the monetary limits should this become necessary.

If South Australia's limits cannot be varied by regulation, then, should the other States change their limits, there would be a delay before South Australia could do likewise. This would cause unnecessary difficulties for credit providers, especially those operating across State boundaries, as well as consumers. I am sure that the Opposition would not want that to occur.

Amendment negatived.

Mr S.J. BAKER: I do not intend to proceed with any of the other amendments standing in my name to this clause or to clause 3.

Clause passed.

Clause 3 and title passed.

Bill read a third time and passed.

REGISTRATION OF DEEDS ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

REAL PROPERTY ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendment:

Page 1 (clause 3)—After line 29 insert new subsections as follow:

(1a) The Minister must not execute a discharge of mortgage pursuant to subsection (1) *(d)* unless—

(a) the Registrar-General has sent by certified mail to the mortgagee at his or her last known address a notice stating that the Minister proposes to discharge the mortgage pursuant to subsection (1) *(d)* at the expiration of the prescribed period unless the mortgagee establishes to the satisfaction of the Minister that he or she is justified in refusing to execute a discharge of the mortgage;

and

(b) the prescribed period has elapsed since the notice was sent.

(1b) The prescribed period is—

(a) in a case where the notice is addressed to the mortgagee within Australia—one month;

(b) in any other case—two months.

Consideration in Committee.

The Hon. R.K. ABBOTT: I move:

That the Legislative Council's amendment be agreed to.

I am happy to accept the amendment, because it does not alter the thrust of what I am trying to achieve in this amending Bill.

Mr S.J. BAKER: The Opposition is delighted that the Minister has accepted the amendment. It provides that additional check and balance in the Real Property Act which means that if a mortgage is to be discharged the person concerned who has a say in connection with that mortgage gets a final right to make representation to the Minister if justice is not being done. I thank the Minister and acknowledge the work of my colleague the Hon. Trevor Griffin in another place.

Motion carried.

BILLS OF SALE ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendment:

Page 1 (clause 2)—After line 26 insert new subsections as follow:

(1a) The Minister must not execute a discharge of a bill of sale pursuant to subsection (1) *(d)* unless—

(a) the Registrar-General has sent by certified mail to the grantee at his or her last known address a notice stating that the Minister proposes to discharge the bill of sale pursuant to subsection (1) *(d)* at the expiration of the prescribed period unless the grantee establishes to the satisfaction of the Minister that he or she is justified in refusing to execute a discharge of the bill of sale;

and

(b) the prescribed period has elapsed since the notice was sent.

(1b) The prescribed period is—

(a) in a case where the notice is addressed to the grantee within Australia—one month;

(b) in any other case—two months.

Consideration in Committee.

The Hon. R.K. ABBOTT: I move:

That the Legislative Council's amendment be agreed to.

The comments I made in relation to the Real Property Act Amendment Bill are exactly the same as they relate to this legislation, and we agree with the amendment.

Mr S.J. BAKER: I endorse what the Minister has said.

Motion carried.

SUPPLY BILL (No. 1) (1987)

Returned from the Legislative Council without amendment.

ADJOURNMENT

The Hon. R.K. ABBOTT (Minister of Lands): I move:
That the House do now adjourn.

Mr De LAINE (Price): A fairly major problem is occurring in Port Adelaide in relation to the large trucks and petrol tankers that have no business in Port Adelaide but travel through the heart of that city. It is fair enough for these heavy vehicles to go into the Port if they have to pick up or deliver within the Port Adelaide commercial area, but they unnecessarily travel through the area and cause many problems. The practice is unnecessary, undesirable and downright dangerous. The noise and vibrations from these vehicles are bad enough, but many of them carry dangerous substances through the area. In addition, many things fall off these trucks when they are cornering—spare wheels, ladders, gas bottles, and so on.

On one occasion a business on the corner of Commercial Road and St Vincent Street in Port Adelaide, opposite the Black Diamond Corner, had a spare wheel crash through its front plate glass window, narrowly missing staff. On other occasions ladders and gas bottles have fallen off vehicles, creating a potentially dangerous situation. These large trucks travel through the Port all day and all night. Many weigh in excess of the carrying capacity for roads in the area and therefore damage roads and buildings, especially those buildings in the historic precincts of the Port.

Speed is also a major problem, which is exacerbated by the weight of these vehicles and by the way they corner, especially from Lipson Street into St Vincent Street. The major problem is that Commercial Road and St Vincent Street are not wide enough. The city was not designed to cater for this sort of traffic. The noise reverberates between the buildings and makes the problem even worse. In fact, during the day—or night, if it comes to that—the voices of people standing on the footpaths of these streets trying to converse are drowned out by the noise of these trucks and vehicles.

These trucks come through the Port area mainly to go to Outer Harbor via the Birkenhead Bridge or the Jervois Bridge, or to go to the premises of industrial companies to the north-east of the Port Adelaide commercial area. The Birkenhead Bridge is very old: it was commissioned in 1940 and is becoming more and more out of service due to the excessive demands placed on it by this very heavy traffic. Only last week the bridge was out of commission for about five days, and the week before that for several days. The maintenance problem seems to be increasing as time goes on, especially since it is an opening bridge and the mechanism is obviously getting older. One only has to stand on the bridge when these large heavy trucks and tankers are going over to witness the violent vibrations and excess movement that takes place.

The Grand Junction Road extension, which is a concrete road, was built to allow these heavy trucks, especially tankers, to bypass the Port. I believe that the road was constructed of concrete rather than bitumen so that if there was an accident with these tankers the road surface would not burn. The bypass road was originally built because of the problem of up to three and four petrol tankers being lined up at times, one after the other during peak traffic, right in the middle of the Port Adelaide commercial area, with the potential for a major catastrophe in the case of an accident if one of the tankers happened to catch fire, setting the whole lot alight.

The situation is better now, but still some drivers are persisting in bringing their tankers through the Port. As I said previously, the vibrations and noise are absolutely deafening, and this practice creates traffic problems. Some heritage buildings in Port Adelaide in the historic precinct are built on foundations of red gum and stone. I am amazed that, with all this traffic passing, they have stood for as long as they have. There is very little serious structural damage, but a lot of cracks are opening up because of this heavy traffic passing. As I said earlier, Port Adelaide was not designed or built for this kind of traffic and, because of the changing uses of the buildings for industrial and tourism purposes, people are taking up residence in them as caretakers, museum keepers, and so on. These people and their families are being disturbed all night long by this heavy traffic noise and vibrations caused by it.

In reply to a question last week, the Minister said that when the bypass road was built there was a gentleman's agreement that heavy traffic would use that road and not pass through the main area of Port Adelaide. It seems that, with the passage of time, either that agreement has been forgotten or people have changed their attitudes and are using the Port again, so something needs to be done to make them use the bypass road. Another matter exacerbated by this problem in the Port area is the danger to pedestrians caused by speed and congestion of traffic. Several pedestrians have been knocked down and killed in the past couple of years in St Vincent Street in the vicinity of the town hall. The main cause of that has been speed and traffic congestion.

If most of this heavy traffic, which has no business in the Port and which is just passing through to go to other places, were excluded from this area there is a possibility that traffic management methods could be adopted in relation to lighter vehicular traffic in order to overcome some of these problems and to perhaps limit the speed of traffic for the safety of everyone, especially pedestrians.

This is a major problem and the vibrations and noise caused by these heavy vehicles are having a detrimental effect on the Port. Looking ahead at the blossoming tourism potential of the area, and bearing in mind the historical significance of a lot of buildings and other attractions in Port Adelaide, I believe it is imperative that strong action be taken to prevent trucks and tankers passing through the Port. I say that for those reasons I have mentioned, especially the danger they cause. I will raise this matter with the Minister to ascertain whether something can be done to force traffic to cease travelling through the main part of Port Adelaide at all hours of the day and night.

Mr OSWALD (Morphett): During the approaching parliamentary recess there will be several months during which the House will not be sitting, so I have a special request for Cabinet. I am pleased to see that the fourth most senior Cabinet Minister is in the Chamber: I hope that he takes my request to his colleagues. One of the most important aspects of our work as members of Parliament is to represent our constituents, particularly in approaches to the Parliament. To do this a member has three avenues open to him: to ask questions on notice; lead a deputation to the relevant Minister; or write to a Minister or Government department seeking information that he then communicates to his constituents.

Because of the busy schedule of most Ministers, probably the only avenue open to members is to write letters, so such

letters are an important part of the process that backbenchers use to communicate with a Minister, and by that I mean backbenchers from both sides of the Parliament. If a member wishes to be an effective one in his local constituency he must, of necessity, receive prompt replies to such letters to enable him to respond to constituents and give them the information they seek.

There are several reasons why a Minister is slow in replying to correspondence. First, he may not have the staff, but with the South Australian Public Service as it is at the moment, that is a complete nonsense. Secondly, the Minister may not have the expertise within his department to answer the question. Once again, I suggest that that is a nonsense in the South Australian Public Service. Thirdly, the department could be too busy to handle queries from members of Parliament. If that is the case, departmental priorities need to be looked at, because I do not believe that any department would openly say that it is too busy to handle queries from members of Parliament. I accept that there could be a wait of two or three weeks at times during which information is collated and replies are prepared for Ministers, but there are many occasions when delays are far too long.

There could be occasions on which Labor Ministers treat correspondence from members of Parliament as unimportant. I hope that is not the case, but sometimes one is led to believe that that is the situation when members write letters which are not replied to for some time. I will give some examples that the Government can take on board and do something about during the recess. I refer first to the Deputy Premier's department and to correspondence to which answers are outstanding.

We as backbenchers on both sides (and I do not have lists from Government members) are concerned that Ministers take so long to answer letters. The member for Mitcham wrote to the Deputy Premier in December 1985 about shack licensing on the Coorong; that letter is still unanswered. The member for Murray-Mallee wrote to him about the Loftia Park fence in March 1986; the member for Bragg wrote about long term development options for metropolitan Adelaide in May 1986 and again in February 1987; and the member for Light wrote about the wreck of the *Zanoni* in June 1986 and again in January 1987. None of those letters has been answered.

The member for Murray-Mallee wrote a letter about the Wunkar recreation ground in August 1986; the member for Light wrote a letter about Western Australian business experience with the police in September 1986 and another to the E&WS concerning work at 6 o'clock on a Sunday morning (the relevant date is October 1986); the member for Murray-Mallee wrote another letter, in November 1986, about leasehold river frontage land; the member for Light wrote about a fallen tree in the Murray River in December 1986; the member for Kavel wrote a letter in December 1986 about the construction of a boatshed in Mannum—and again in March 1987; and so the list goes on. All those letters were written to the Deputy Premier and none was replied to.

Letters were also written to the Attorney-General. The member for Bragg wrote a letter on petrol pricing in December 1986; the member for Murray-Mallee wrote a letter on toxic substances in food in January 1987; and the member for Goyder wrote a letter on allegations of misbehaviour in January 1987, neither of which has been answered. The Minister of Agriculture and Recreation and Sport was written to in April 1986 about the Royal Adelaide Show opening, but the writer has received no reply to that letter.

The member for Goyder wrote to him on a decision on an application to clear native vegetation in July 1986; the member for Bragg wrote on equal opportunities in the Australian Primary Schools Athletic Carnival in December 1986, and they have not received replies. The Minister of Marine received a letter in February 1986 from the member for Goyder concerning the Fences Act and rural properties; he received a letter from the member for Murray-Mallee in December 1986 on land tax assessments; another letter from the member for Murray-Mallee on 29 December 1986 on property assessments; and another letter from the member for Goyder on the upgrading of the Price boat ramp on January 1987.

The Minister of Employment and Further Education received a letter in October 1986 from the member for Mitcham concerning staff reductions at Panorama and has not replied. The Minister of Local Government received a letter in January 1987 on the minimum rate for district councils; she received another on the national inquiry into local government finance in January 1987, both subjects which could have been replied to by now. The Minister in charge of industrial matters received a letter from the member for Murray-Mallee on the NEIS scheme in April 1986. The Premier was written to by the member for Murray-Mallee on land tax, land beside the river held on long-term leases, in December 1986.

The Minister of Housing and Construction was written to by the member for Bragg in August 1986. He was written to again by the member for Murray-Mallee on Teacher Housing Authority rents, in January 1987; another letter from the member for Murray-Mallee on the South Australian Housing Trust, in January 1987, and so the list goes on. The Minister of Transport was first written to by the member for Bragg about the Flinders Medical Centre parking problems in May 1986; another letter was written on Deacon Avenue transport terminal from the member for Bragg, in September 1986; a level crossing highway at Jabuk and Parilla by the member for Murray-Mallee, in October 1986; sign posting at Murray Bridge, from the member for Murray-Mallee, in November 1986; and the name on file after fare infringements, by the member for Light, in December 1986. Time does not permit me to go further into that list.

The Minister of Health received letters going back to June 1985 from the member for Mitcham concerning children's flammable clothing; another letter from the member for Mitcham requesting an up-to-date list of gluten-free products, in August 1985; a letter from the member for Mitcham on Psychology Board guidelines, in December 1985; another concerning the Chiropodists Act, in July 1986; one from the member for Murray-Mallee concerning country hospitals, in October 1986; and that list continues.

The Minister of Education has letters outstanding going back to October 1986 from the member for Goyder on road safety education; one in November 1986, on Wardang Island; one in December 1986, on the 'Come Out 1987' program from the member for Murray-Mallee; in December 1986, one from the member for Mitcham on secondary deputy principal at Port Augusta High. The list is not exhaustive, and I would ask members of Cabinet to examine it during the holidays, and please see that when we come back they are cleared up.

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

Mr ROBERTSON (Bright): During a trip to Europe in 1977 (pre-Parliament, I point out) I was struck by the biological wealth of the Southern European area and the

Eastern Mediterranean, particularly the area surrounding the Balkans. The number of food plants, plants which can be used directly by local people, is quite extraordinary. I cannot vouch for the veracity of all of those, but it seemed to me that there were species of wheat and barley which were quite common, growing wild in the hills of Northern Greece and Yugoslavia, and herbs such as sage, oregano and thyme were quite common.

To simply walk through the fields and smell the edible herbs, and see the seed plants there, gave one some conception of just how easy it must have been to live off that particular land and evolve settlements, and evolve a settled lifestyle in that region. By contrast, it struck me just how difficult it had been for Aboriginal people in this country during the past 60 000 or so years to do likewise. In fact, Australia lacks to a large extent edible food plants, plants which can be grown in concentrations, in mono-cultures, harvested and used in the way those plants can.

Recently a scientist from the CSIRO on the 'Science Show' indicated that he felt it was time that Australia devoted more time to researching some of the food plants in this country which really have not been cultivated, researched, bred or husbanded to this point in time. That set me thinking of the number of plants which may be here which could be used by twentieth century *homo sapiens* if and when we put our minds to it. Several books are available on food plants. I have one book which describes the food plants used by the Kaurna people of the Adelaide Plains region, but much more general texts and quite good texts are available.

I refer the House particularly to a book by Cribb and Cribb entitled *Wild Food in Australia*. I took the liberty of going through this book and isolating some of the plants which are in fact edible. There are a surprising number. For the edification of the House I will go through some of these plants at this point. If we look at those plants which can be used for their fruits, there are at least 136 edible plants enumerated in that book. A further 48 may, under some circumstances, be edible but have not been tried by Cribb and Cribb and, therefore, cannot be vouched for directly.

Among these are a number of South Australian species which have not yet been researched, husbanded or followed up in any significant way. The native cranberry, a plant growing in the southern Flinders Ranges, *astroloma humifusum*, is one such plant which is quite edible. I mention the common or garden lillypilly, *eugenia*—there are four species of *eugenia* which can be and are used, and were used by Aborigines in Queensland as food plants. There are three species of figs, *ficus*, which lend themselves to cultivation and further research. The native lime, *microcitrus*; there are three of those in Australia. The nitre bush which, again, is common throughout the plains around Lake Eyre, *nitraria schoberi*, was used by the Dieri and similar people in that area.

Three species of linospadix palms, all from Queensland, and the pandanus palm, are all edible plants. The native raspberry, *rubus*; there are five of that genus. Of the sandalwoods, *santalum*, two, both of which grow in South Australia, (*santalum acuminatum* and *santalum spicadnum*) have edible fruits. There are two species in the genus *piper*, peppers, similar to the edible peppers that grow in the Caribbean. There is one species of native grapes, *tetrastigma*, and two species of *cissus*, all of which are edible. The common or garden pigface, which grows along the coastal sand dunes of the Adelaide region, the *carpobrotus* genus, has six species that are edible.

Of the nardoo, on which Burke and Wills are said to have fed until they starved to death—not a particularly nutritious plant—two species are growing in the region along the Cooper Creek and the Lake Eyre basin. They belong to the genus *marsilea* and are quite edible. They require a great deal of preparation but are quite edible. Among the edible seeds we do not have our wheats and barleys, but we do have 57 plants producing edible seeds which have been vouched for by the Cribbs, and a further 23 they suspect are edible but are not able to vouch for. Amongst these are the bunya pine, which most people would know about, the *araucaria*, and the common kurrajong, growing in most inland areas of the Eastern States of Australia, the *brachychiton populneum*, which is the Kurrajong with the itchy seeds. The seeds can be washed, cleaned, winnowed in a way and ground up into flour and eaten.

There are four species of macadamia nuts. We only know of one, of course, because that has been cultivated, but there are three other species which lend themselves to further refinements. There are also seven species of edible grasses, including the common mitchell grass from the Murray-Darling basin area of New South Wales, a grass known as wild rice, another called Australian millet and two species of sporobolus, which again is found in the Eastern States of Australia.

Turning to leaves and shoots of the spinach type substitutes (if you like), 79 are mentioned by A. B. & J. W. Cribb as verified as being edible and a further 24 as possibly edible. In the area of roots, tubers and bulbs (that is, potato substitutes), there are 64 that are edible and 26 that may be edible with a little bit of patience. Among the edible flowers (an example of which would be the artichoke), there are eight which are eaten by Aborigines in Australia, and of course they deserve some research.

In relation to beverages, 25 plants can be used as (if you like) tea and coffee substitutes; and 24 produce an edible gum. There are 15 algae species which are edible and another 17 may be. There are 13 fungi which are edible (in fact, contrary to popular belief, the majority of Australian fungi are edible), and 13 have been eaten by A. B. & J. W. Cribb—and they lived to write the book, so I presume that they were not overly harmed.

I submit to the House that we in this country should be considering conducting field trials and selective breeding of some of these species. We should be looking at capitalising on our biological resources and increasing the yield of some of these plants and finding ways to propagate, harness and commercially produce them. In fact, with modern techniques of propagation it would not be particularly hard to do that. I hasten to point out in this context that Australia was reputed to have no gold, iron ore or coal until someone went out and did the basic research. I submit that the same thing applies to food plants. In fact, if a bit of research was done we may be able to commercialise many of these resources.

I conclude with a little quote from the explorer Major Sir Thomas Mitchell, who, on a trip through the Darling region of western New South Wales, talked about one of the species I mentioned earlier, Australian millet, and described the natural stands of millet along the Darling River as follows:

> I counted nine miles along the river, in which we rode through this grass only, reaching to our saddle-girths, and the same grass seemed to grow back from the river, at least as far as the eye could reach through a very open forest, I had never seen such rich natural pasturage in any other part of New South Wales. Still it was what supplied the bread of the natives; and these children of the soil were doing everything in their power to assist me, whose wheel tracks would probably bring the white man's cattle into it.

Of course, that turned out to be prophetic because that is exactly what happened. If you travel along the Murray-Darling system today you do not find those stands of native

millet, because we have allowed that biological resource to disappear along with the people who husbanded it. I submit to the House that before other species and traditions are lost in this way we should follow it up, commercialise it, research it and do the work. In that way we may be able to turn some of these things into a resource that can be used to carry Australia into the twenty-first century.

Motion carried.

PUBLIC AND ENVIRONMENTAL HEALTH BILL

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The Public and Environmental Health Bill constitutes one of the most significant changes to public health legislation in the history of South Australia. Specifically, it will replace the existing Health Act, one of this State's most venerable pieces of legislation, which has been in force since 1873. Development of public health legislation in South Australia relied much on the British experience of the early nineteenth century. In the early 1800s epidemics of infectious diseases such as cholera swept the British Isles with devastating results. This experience, coupled with the work of John Snow and others, led to the development of the modern science of public health and epidemiology. The legislative response to this epidemic was the English Public Health Act of 1848, an Act upon which the South Australian health legislation was very closely modelled.

In particular, the Health Act embodied the English concept of the division of responsibility for the administration of the Act between central and local authorities. Thus it was that the present Central Board of Health was created, together with a network of local boards of health. Each local board was responsible for a defined local government area, and members were invariably also local councillors. In effect, each council acted, for all public health purposes, as the local board of health for its area. During the nineteenth century South Australia's major health problems were largely related to the adverse impact of inadequate sanitation and infectious diseases. Indeed, so pungent was the foul odour which lingered over early colonial Adelaide, that one resident felt moved to describe it as the 'city of stenches'. This rather pointed criticism was, based upon other contemporary accounts, well deserved.

The Health Act was thus intended to address the pressing problems associated with 'disease, dunnies and drains'. These decidedly unglamorous areas of public health interest are now often regarded as little more than a good source of humorous remarks. However, the fact that the major health problems associated with them have been either eradicated or controlled is testimony to the effectiveness of the Health Act and those who administer it.

The 'new' public health has moved beyond these basic issues and now seeks to address other more modern environmental health hazards such as those associated with the use of toxic chemicals, together with the health problems associated with unhealthy lifestyles. However, it remains of vital importance for our community that effective control is maintained in the traditional public health areas. The Public and Environmental Health Bill is to be the legislative instrument through which such control can be both maintained and extended.

The Bill is the end product of a long consultative process. In 1985 the Government established the environmental health working party to carry out a comprehensive review of existing public health legislation, and to make recommendations regarding the future role of local government in the health area. The working party was chaired by Dr C. C. Baker, a senior executive of the South Australian Health Commission. Other members included representatives of the Department of Local Government, the Municipal Officers Association of South Australia, the Institute of Health Surveyors and, most importantly, the Local Government Association of South Australia.

I am pleased to say that the working party succeeded where various other committees and groups had previously failed. It was able to recommend a basis for legislative reform which could both meet modern health requirements and preserve the valued traditional involvement of local government in the administration of public and environmental health legislation. This significant achievement reflects great credit upon those involved in what was a sometimes difficult process of discussion and negotiation. I pay a special tribute in this regard to Mr Des Ross, former President of the Local Government Association of South Australia who served as both a member of the working party and the implementation committee which followed, and also to Mrs Jennifer Strickland, Commissioner, South Australian Health Commission, who chaired the implementation committee.

Having touched upon some of the history behind the development of this Bill, I now turn to the specific provisions it contains. Part I of the Bill deals with such routine matters as the short title, commencement date and definition of terms.

Part II deals with the general administration of the proposed Act. Section 5 of this part makes the Health Commission responsible for the overall administration and enforcement of the Act. This removes an existing legislative anomaly whereby both the Health Commission and the Central Board of Health have virtually the same overall responsibilities in the public health area. The anomaly arose because, although the South Australian Health Commission Act clearly reflected an intention that the commission should have overriding responsibility for health services in South Australia, no action was taken to amend those provisions of the Health Act which vested the Central Board with overall responsibility in the public health area.

Division II of this part provides for the establishment of a Public and Environmental Health Council. This body will assist the commission by carrying out much of the work associated with the administration and enforcement of the Act. Its members will be appointed on the basis of their professional expertise in the public and environmental health area, and their capacity to represent the interests of the principal organisations involved in the administration of the Act.

The council will be the main focus for State and local government interaction. It will report to the commission or the Minister on any matter relating to public or environmental health, and will be able to initiate, carry out or oversee programs and activities designed to improve or promote public and environmental health. It will be able to conduct inquiries, and will keep the operation of the legislation under review, with a view to making recommendations in relation to regulations.

Part III details the powers and duties of the authorities involved in the administration of the Act. The functions formerly exercised by local boards of health will be exercised by local councils. Section 13 allows the Public and Environmental Health Council to exercise certain powers over a local council which fails to discharge its duty under the Act.

This provision allows for the withdrawal of a local council's powers under the Act where this is deemed necessary. However, the section requires that such action cannot occur prior to consultation with the council concerned on the reasons for its apparent failure to carry out its duty. This requirement has been included in order to allay fears in local government circles that the Public and Environmental Health Council might act precipitously without having proper regard to all the relevant circumstances.

While it is extremely unusual for a council to fail to properly discharge its duty under the existing Health Act, such instances have occurred. Under the existing Act the Central Board of Health is empowered to give directions to a local board and exercise the powers of a local board where it deems this necessary. This division of the proposed Act confers similar powers upon the Public and Environmental Health Council, with the additional safeguard of a requirement for consultation.

Division II of this part deals with those provisions relating to sanitation and drainage. These are quite straightforward and reflect the requirement to maintain proper standards of sanitation and hygiene throughout the community. Division III relates specifically to the protection of water supplies. Division IV allows authorities to act to protect the public's health where a person refuses to comply with a lawful direction to do so. It also allows authorities to recover the costs of carrying out the required work.

Division V provides for appeals against the decisions and directions of local councils. Such appeals would be heard by a review committee established by the Public and Environmental Health Council. These provisions are similar to those applying under the present Health Act, and there have been many occasions when the Central Board has been called upon to hear appeals against a decision taken by a local board.

Overall, this part of the Bill maintains the historic roles of State and local authorities in maintaining satisfactory standards of sanitation and hygiene throughout the State. Local councils will retain their existing considerable discretionary powers in this area, with the Health Commission maintaining a watching brief and providing information, advice and assistance as required.

Part IV of the Bill deals with notifiable diseases and the prevention of infection. The Bill streamlines and simplifies the existing controls over infectious and notifiable diseases.

The diseases to which the new Act will apply are set out in the first schedule. These simply transfer the existing list of diseases controlled under the present Act. If it is necessary to add further diseases to this list, the Bill provides that this can be done by regulation. Notification of diseases will be made directly to the Health Commission. This replaces the cumbersome and circuitous procedures that currently require notification of diseases either to local boards of health or to the Central Board. The Bill requires the Health Commission to keep local councils informed of disease outbreaks in their areas. As currently applies, reporting is compulsory for medical practitioners. Other categories of persons who will be required to report notifiable diseases can be added by proclamation.

The current Health Act imposes a variety of restraints and requirements on persons suffering from infectious diseases. The majority of these requirements are quite inappropriate and, if followed literally, would impose a visible and quite unnecessary stigma on sufferers. Throughout history, epidemic diseases have unfortunately brought with them a social aspect that has resulted in discrimination, victim blaming, and acts of outright oppression. In medieval Europe, people were persecuted because of their perceived associations with spreading the Black Death. The moral outrage in some quarters against victims of the AIDS virus suggests that this phenomenon is still with us.

A responsible Government is obliged to ensure that it achieves an appropriate balance between ensuring that the community at large is protected from the spread of disease whilst ensuring that those with the disease are not persecuted or subject to repressive controls. Accordingly, the Bill abolishes many of the current requirements of the Act: for example, the obligation on a person suffering from an infectious disease to inform the driver of this fact before they board a bus.

However, Part IV, Division II of the Bill contains a requirement for a person to undergo an examination if the Health Commission suspects that he/she may be suffering from a controlled notifiable disease. It also allows for detention of persons if they are suffering from conrolled notifiable diseases and they are a risk to the community. However, detention cannot be for a period greater than 72 hours unless it is with a magistrate's authority. If a person is detained for more than six months, this must be on the authorisation of a Supreme Court judge.

The commission is also empowered under this part to give directions to persons suffering from infectious diseases. These directions are designed to prevent the risk of diseases spreading throughout the community. Possible directions include the requirement for periodic examination or preventing sufferers from performing specified work that might pose a particular risk (such as in child care centres or in food premises). A person who is the subject of such an order may appeal to a magistrate and, if still dissatisfied, to the Supreme Court.

Section 36 (1) of the Bill also provides a general obligation on any person infected with a controlled notifiable disease to take all reasonable measures to prevent transmission of that disease to others. A maximum penalty of $10 000 applies for breach of this requirement. The Health Act currently contains specific requirements that are more appropriate in other Acts. The parts relating to scientific research will be placed in the South Australian Health Commission Act. The licensing of pest controllers will in future be done by regulations under the Controlled Substances Act.

The provisions regarding the licensing of rest homes and nursing homes will await the development of new legislation. In the interim, the existing provisions of the Health Act and regulations will continue to apply. As I stated earlier, this Bill represents the culmination of a long period of discussion and negotiation involving many different organisations and individuals. A great deal of time and effort has been devoted to producing a piece of legislation that reflects contemporary public and environmental health needs.

Many archaic and redundant provisions of the Health Act have been excised or replaced with more succinct and appropriate provisions. The Health Act contains 171 sections while this Bill contains only 44 sections. In addition, passage of this Bill will result in the repeal of two other Acts: the Venereal Diseases Act and the Noxious Trades Act. In the case of the Noxious Trades Act, adequate control

provisions now exist under the Planning Act and the Clean Air Act.

Clearly, this Bill represents a significant step in reducing the weight of legislation applying to the health area, without sacrificing the State's capacity to ensure that South Australians live and work in a healthy environment.

Clause 1 is formal.

Clause 2 provides for the commencement of the measures.

Clause 3 sets out the definitions required for the purposes of the Bill. A reference in the Bill to 'the authority' means, in relation to a local government area, the council for that area (unless the commission is acting in place of the council) and, in relation to an area of the State outside a local government area, the commission. A 'notifiable disease' is to mean a disease included in the first schedule or a disease declared by proclamation to be a notifiable disease. Premises are, for the purposes of the Bill, in an insanitary condition if the premises give rise to risk to health, are at risk of being infested by rodents or other pests, cause justifiable offence to nearby occupiers or are emitting offensive material or odours.

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

Clause 5 provides that, subject to the Act, the commission is responsible for the administration and enforcement of the Act throughout the State. The commission will be subject to the control and direction of the Minister.

Clause 6 allows the commission to delegate any of its powers, functions or duties under the Act.

Clause 7 provides for the appointment of authorised officers by the commission or a council.

Clause 8 provides for the appointment of the Public and Environmental Health Council. The council will consist of a presiding member, who will be a member of the staff of the commission, two members appointed on the nomination of the Local Government Association, two members who have experience in public and environmental health and one member who is an officer or employee of a council nominated by the Institute of Health Surveyors.

Clause 9 sets out the term of office of members of the council.

Clause 10 provides for the proceedings of the council. Four members will constitute a quorum of the council.

Clause 11 provides that an act or proceeding of the council is not invalid by reason only of a vacancy in its membership or a defect in the appointment of a member. No personal liability will attach to a member of the council for an act or omission by the member in good faith but will attach against the Crown.

Clause 12 sets out the functions of the council. The council will be required to report to the commission or the Minister on any matter relating to public or environmental health, will be able to initiate, carry out or oversee programs and activities designed to improve or promote public and environmental health, will be able to conduct inquiries, will be able to keep the operation of legislation under review and will be able to carry out any other function assigned to it by the Minister.

Clause 13 provides that it is the duty of the commission to promote proper standards of health in the State generally and the duty of councils to promote proper standards in their areas. If a council fails to discharge its duties, the council may, after consulting with the council, transfer the council's statutory powers to the commission. Furthermore, the commission will be able to take over a council's functions under an agreement with the council.

Clause 14 is a delegation-making power.

Clause 15 will allow the authority for a particular area to take action against the occupier of premises that are in an insanitary condition. The authority will also be able to prevent the occupation of premises that are unfit for human habitation.

Clause 16 makes it an offence to cause premises to be in an insanitary condition. It will be a defence to prove that there is a reasonable excuse for the condition of the premises.

Clause 17 will allow the authority to direct that certain offensive activities be ceased.

Clause 18 makes it an offence to discharge waste into a public place. The authority will be able to order the occupier of premises to take specified action to prevent a discharge or to remove waste that has been unlawfully discharged.

Clause 19 requires the owner of a private thoroughfare to keep the thoroughfare clean and free of refuse.

Clause 20 will empower the authority to require the owner or occupier of premises to provide adequate facilities for sanitation or personal hygiene. In addition, the occupier of a building that is used as a place of public assembly will be required to keep the building clean and properly ventilated.

Clause 21 makes it an offence to pollute a water supply. The authority will be able to take action to prevent pollution occurring.

Clause 22 will empower the authority to restrict or prohibit the taking or use of water from a polluted water supply.

Clause 23 will allow the authority to take its own action if the requirements of a notice given by it under the legislation are not carried out. The costs of such action will be recoverable.

Clause 24 facilitates the recovery of costs by a person who has complied with a notice from another person who is in fact responsible for the circumstances that necessitated the issuing of the notice.

Clause 25 will allow a person to appeal against the requirements of a notice issued under this part. An appeal will be carried out as a full review of the matter.

Clause 26 provides that a review committee is to be formed for the purposes of hearing an appeal. The membership of the committee is to be drawn from the council.

Clause 27 sets out the proceedings on an appeal.

Clause 28 prescribes the action that a review committee can take on an appeal. The review committee will be able to revoke a requirement, substitute any requirement or notice that is, in its opinion, desirable, refer the matter back to the appropriate authority for reconsideration, and make an order for costs.

Clause 29 is an appeal provision.

Clause 30 provides for the reporting of notifiable diseases to the commission.

Clause 31 will empower the commission to require a person who is suspected of suffering from a controlled notifiable disease to attend for a medical examination. A person who fails to attend in response to the appropriate notice will be liable to arrest on warrant and then examined, although a person will not be able to be detained under this provision for more than 48 hours.

Clause 32 will allow the commission to quarantine a person in appropriate cases. An order for the detention of a person will be made by a magistrate. An initial order will last for 72 hours but may then be extended by further order of a magistrate. A person will not be able to be detained for more than six months without the authorisation of a Supreme Court judge.

Clause 33 will allow the commission to specify conditions that must be observed by a person suffering from a controlled notifiable disease. The conditions must be required

to prevent the risk of the infection spreading to others and may include a direction that the person reside, or remain, at a specified address, submit himself or herself to regular medical examinations and not carry out specified work or not carry out any work other than specified work. A person will be entitled to apply to a magistrate for a review of the conditions specified by the commission.

Clause 34 provides a right of appeal from a decision of a magistrate under the particular part to a Supreme Court judge.

Clause 35 requires the commission to report to councils on notifiable diseases occurring in their areas. Reports are to be made on a monthly basis. The commission will also be required to report to councils the occurrence of any diseases in their areas that may constitute a threat to public health.

Clause 36 sets out the action that may be taken by the commission or an authorised officer to prevent the spread of an infectious disease.

Clause 37 makes it an offence to fail to take all reasonable measures to prevent transmission of a notifiable disease or other prescribed conditions to others.

Clause 38 allows for inspections to occur for the purposes of the Act.

Clause 39 allows for the appointment of officers of health.

Clause 40 protects officers from personal liability for acts or omissions that occur in good faith in the exercise of duty.

Clause 41 will empower the commission or a council to obtain certain information relating to public or environmental health.

Clause 42 facilitates the service of notices under the Act.

Clause 43 provides for detailed reporting by councils, the council and the commission.

Clause 44 relates to offences under the Act.

Clause 45 makes directors of a body corporate liable for offences committed by that body corporate.

Clause 46 is the regulation-making power.

The first schedule sets out a list of notifiable diseases.

The second schedule sets out a list of controlled notifiable diseases.

The third schedule provides for the repeal of certain Acts and sets out transitional provisions.

Mr BECKER secured the adjournment of the debate.

STATUTES AMENDMENT (PUBLIC AND ENVIRONMENTAL HEALTH) BILL

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill is cognizant with the Public and Environmental Health Bill 1987. The Bill amends five pieces of legislation, being the Building Act 1971, the Cremation Act 1981, the Drugs Act 1908, the Housing Improvement Act 1940 and the Local Government Act 1936. Many of the amendments effected by the Bill replace references to the Central Board of Health with references to the South Australian Health Commission or replace references to local boards of health with references to local councils. These amendments are consequential on the repeal of the Health Act 1935, and the scheme under the new Public and Environmental Health Bill where the functions of the Central Board of Health are now to be exercised by the Health Commission (in conjunction with the proposed new Public and Environmental Health Council) and the functions of local boards of health are to be exercised by the local councils themselves. Other amendments repeal various provisions that will be superfluous after the new Public and Environmental Health Bill comes into operation.

Clause 1 is formal.

Clause 2 provides for the commencement of the measure.

Clause 3 is an interpretative provision.

Clause 4 provides for the amendment of the Building Act 1971.

Clauses 5 and 6 provide for the amendment of the Cremation Act 1981. Section 2 of that Act is to be repealed and a new section, making reference to the approval of the South Australian Health Commission being required to establish a crematorium, is to be inserted. A new section 10 of the Act is also to be included, which will make reference to the South Australian Health Commission in lieu of the Central Board of Health.

Clauses 7 to 16 provide for the amendment of the Drugs Act 1908. Clause 7 strikes out the definition of 'Central Board of Health' and replaces it with a definition of the South Australian Health Commission. Clauses 8 to 11 replace various references in the principal Act to 'Central Board of Health' with references to the South Australian Health Commission ('the Health Commission'). Clause 12 makes the definition of 'infectious disease' consistent with the new definition of notifiable disease in the Public and Environmental Health Act 1987 and replaces a reference to the Central Board of Health with a reference to the Health Commission. Clause 13 amends section 46 of the principal Act to improve its form and replaces a reference to the Central Board of Health with a reference to the Health Commission. Clause 14 repeals section 52, which will be superfluous on the transfer of responsibilities under the Act from the Central Board of Health to the Health Commission. Clauses 15 and 16 again replace certain references to the Central Board of Health with references to the Health Commission.

Clauses 17 to 31 are amendments to the Housing Improvement Act 1940. The general purpose of these amendments are two-fold. First, references in the principal Act to 'local board' are to be replaced with references to a council. This is consequential on the abolition of local boards of health under the Health Act 1935, and the transfer of authority to councils under the Public and Environmental Health Act 1987. Secondly, references to the Central Board of Health are to be replaced with references to the South Australian Health Commission. Again, this is consequential on new arrangements under the Public and Environmental Health Act 1987.

Clauses 32 to 45 are amendments to the Local Government Act 1934. Many of the clauses replace references to the Central Board of Health with references to the South Australian Health Commission. Sections 536a, 536b, 538, 539 and 540 are rendered superfluous by virtue of the Public and Environmental Health Act 1987. The same case applies to the repeal of Division II of Part XXVi.

Mr BECKER secured the adjournment of the debate.

SUBORDINATE LEGISLATION ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The Bill proposes that regulations will have a maximum life of seven years. At the end of the seven year period, regulations will be automatically revoked. Prior to the date of expiration, all regulations will be reviewed in consultation with relevant parties to determine whether a replacement regulation is necessary. It will allow for consolidation, rationalisation, and simplification of regulations which have become outdated. In the context of this Bill, regulation means any regulation, rule or by-law.

Victoria included a regulation revocation program in its Subordinate Legislation Act. The first stage of the program was that all subordinate regulations made prior to 1 January 1962 lapsed as from 1 July 1985, unless action was taken to retain the regulation. Approximately 1 000 sets of regulations lapsed and have not been replaced.

Queensland passed a Regulatory Reform Act 1986 and the first stage of the revocation program is that all subordinate legislation made on or before 30 June 1962 shall expire on 30 June 1987.

The Bill will ensure that regulations which impact on business and the community at large will have to be re-justified every seven years. Where a replacement regulation is necessary it will be designed to be the least restrictive on business and the community consistent with the public interest.

This Bill is part of a package of deregulation initiatives announced earlier this month by the Attorney-General. These initiatives were detailed in a paper *South Australian Deregulation Initiatives* tabled in the Legislative Council on Tuesday, 10 March 1987.

As well as the automatic revocation system for all regulations, the package includes:

- A 'prior assessment process' to ensure the benefits of regulation clearly outweigh the costs;
- 'Regulatory Impact Statements' to obtain public comment where the impact of the regulation is likely to impose an appreciable burden, cost or disadvantage upon any sector of the public; and,
- Sunset clauses in legislation where Cabinet considers it appropriate.

Under the package, the development of new or amended legislation will need to undergo a stringent prior assessment process to ensure the benefits of regulation clearly outweigh the costs. Where an Act or regulation will have a significant economic impact, or where it is likely to impose significant costs or disadvantages on any sector of the public, a regulatory impact statement (RIS) will be prepared. The RIS will be made available for public comment if the State Government believes it is necessary.

Clause 1 is formal.

Clause 2 is a consequential amendment.

Clause 3 amends the definition of 'regulation' to make it quite clear that this Act only applies to regulations, rules and by-laws made under an Act.

Clause 4 inserts a new Part in the Act to provide for the expiry of certain regulations.

Clause 5 provides that all regulations will expire except for the following:

- — regulations that are not subject to disallowance because of an express exclusion in the Act under which they are made.
- — regulations that only relate to the internal affairs or administration of a statutory corporation and its property and so only have a restricted application.
- — regulations that actually amend an Act (e.g. regulations made under the Fees Regulation Act).
- — regulations made pursuant to an agreement for uniform legislation.
- — rules of court.
- — prescribed regulations, thus enabling the exemption from this Part of other kinds of regulations should the need arise.

New section 16b provides for the gradual expiry each year from 1989 to 1993 of all existing regulations. All new regulations (i.e. made after 1 January 1986) will expire on their seventh anniversary. It is provided that a regulation is made on the day on which it is published in the *Gazette*.

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

At 6.28 p.m. the House adjourned until Wednesday 8 April at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 7 April 1987

QUESTIONS ON NOTICE

GOVERNMENT ASSISTANCE

297. **Mr S.G. EVANS** (on notice) asked the Premier:

1. What financial assistance have the following organisations received from Government departments for each of the years from 1970-71 to 1985-86:
   (a) Australian Railway Historical Society (S.A. Division)
   (b) Steam Ranger Tours
   (c) Victor Harbor Tourist Railway
   (d) Australian Electric Transport Museum
   (e) Mile End Railway Museum
   (f) Pichi Richi Railway Preservation Society; and
   (g) Steamtown Peterborough Railway Preservation Society?
2. What parts of the assistance to each were a general grant and for specific projects, respectively?
3. Did any of the organisations receive assistance for a project which was subsequently cancelled and, if so, which organisations and which projects?
4. Was permission sought to change the nature of any of the projects and, if so, in what way was that permission granted, are all of the commitments given by the organisations for a change in the nature of projects being honoured and, if not, which organisations are not honouring their commitments and in what way?

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

1. Tourism development funds were supplied by the Department of Tourism as follows:
   (a) Australian Railway Historical Society (S.A. Division)—
      Approved 15.12.79—$20 000 for change of location of depot.
      Approved 23.4.80—$42 000 purchase of coaling equipment.
      Approved 30.10.81 $60 000 re-tyreing of engine No. 520.
      Approved 30.10.81—$500 plans for engine pit.
      Approved payment in stages for purchase of six steel passenger carriages.
         1982-83—$11 000
         1983-84—$11 000
         1984-85—$11 000
      Approved 2.4.86—$27 500 restoration of engine no. 621.
         TOTAL: $183 000
   (b) Steam Ranger Tours—No financial assistance. This is the operating arm of the Australian Railway Historial Society.
   (c) Victor Harbor Tourist Railway—Special loan funds provided in 1985-86 through the Department of Tourism for payment of $470 182 to the Department of Transport for materials as Government contribution to assist a CEP project to upgrade the Victor Harbor rail line track.
   (d) Australian Electric Transport Museum—
      Approved 24.3.76—$750 to the city council of Salisbury to assist in laying of track.
   (e) Mile End Railway Museum—No financial assistance.
   (f) Pichi Richi Railway Preservation Society—
      Approved 28.9.79—$8 000 purchase of spare parts
      Approved 23.7.83—$10 000 restoration of car. no. 90.
         TOTAL: $18 000
      In 1980-81 National Estate Grants Program: $8 000 also provided.
   (g) Steamtown Peterborough Railway Preservation Society—
      Approved 30.1.80—$60 000 purchase of Depot building paid through Corporation of Peterborough.
2. All payments were for specific projects, except $8 000 for the purchase of spare parts for the Pichi Richi Railway Preservation Society. These were obsolete equipment relating to steam engines and no longer available through normal business channels.
3. No financial assistance was paid for any project which was subsequently cancelled.
4. No permission was sought or granted for any change in nature of any of the projects.

URBAN LAND TRUST

The Hon. D.C. WOTTON (on notice) asked the Minister for Environment and Planning:

1. What is the policy of the Urban Land Trust regarding the use of compulsory land acquisition?
2. On how many occasions did the Urban Land Trust compulsorily acquire land in 1986 and what were the details surrounding each acquisition?

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

1. The use of compulsory land acquisition is to further the trust's program of acquiring land for the future provision of housing blocks.
2. Twice. Two parcels of land in Munno Para comprising 35.24 ha. Amount paid into court $352,000.

METROPOLITAN FIRE SERVICE

317. **The Hon. D.C. WOTTON** (on notice) asked the Minister of Emergency Services: Further to the answer provided to Question on Notice No. 199, does the figure of $14 517 refer only to recall costs from sickness and, if so, what are the other recall costs associated with the maintenance of minimum manning levels within the Metropolitan Fire Service?

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

1. Yes.
2. It is only possible to calculate a percentage of total overtime as being applicable to the additional personnel required for the 38 hour week. This is calculated to be $29 100 for the period November 1985 to October 1986.

EMERSON CROSSING

318. **Mr S.J. BAKER** (on notice) asked the Minister of Transport: As the original concept plan for the Emerson crossing showed the four Highways Department properties on the South Road/Cross Road corners abutting the crossing as open space, why has some of the property already been put up for auction and what does the department intend to do with the other properties affected?

The Hon. G.F. KENEALLY: Plans for the Emerson overpass project did not envisage that surplus land from the

project would become open space. The Highways Department is currently selling some of the surplus land and giving consideration to the future disposition of the remainder.

TAFE ENROLMENT FIGURES

321. **Mr S.J. BAKER** (on notice) asked the Minister of Employment and Further Education: What are the 1987 enrolment figures for prevocational and apprenticeship courses at TAFE colleges in the following categories:

(a) by course; and

(b) by sex of enrolee,

and what were the comparable figures for 1985 and 1986?

The Hon. LYNN ARNOLD: The enrolment figures for prevocational and apprenticeship courses at TAFE colleges are listed on Tables 1 and 2.

Table 1, Total Basic Trade Enrolments, 1985-1987, reflects the situation at 6 March 1987 and the comparable data for the years 1985 and 1986. It should be noted that enrolments do continue during the year, often by 200 to 300 individuals.

Table 2, Total Individual Prevocational Enrolments, 1985-1987, reflects the total number of students who commenced a prevocational or a preapprenticeship course during 1985-1987 and includes all State and Commonwealth funded courses offered by TAFE. The 1987 data is preliminary only; student numbers will significantly increase during the year.

Due to the continual commencement of courses some students continue studies over a two academic year period and hence are double counted. In 1985-87 this number has estimated to be 200 approximately. This should be kept in mind when considering data in table 2.

TABLE 1. TOTAL BASIC TRADE ENROLMENTS—1985-1987 (As at 6 March 1987)

	1985			1986			1987		
Trade Group	Male	Female	Total	Male	Female	Total	Male	Female	Total
METAL									
Blacksmithing	2	—	2	2	4	6	10	16	26
Fitting and Machining	833	7	840	793	5	798	804	4	808
Metal Fabrication	344	3	347	347	2	349	353	1	354
Moulding	15	—	15	28	0	28	24	0	24
Sheetmetal Working	120	1	121	138	1	139	153	0	153
Refrigeration Mechanics	84	1	85	101	1	102	115	0	115
Automotive Mechanics	678	5	683	768	7	775	802	10	812
Heavy Vehicle Mechanics	217	3	220	255	0	255	237	0	237
Motor Cycle Mechanics	18	—	18	25	0	25	23	0	23
Patternmaking	18	—	18	18	0	18	15	0	15
Aircraft Mechanics	49	—	49	50	0	50	44	0	44
Optical Mechanics	17	3	20	32	3	35	28	2	30
Watch and Clock Repairer	0	—	0	0	0	0	0	0	0
Locksmithing	0	—	0	0	0	0	9	0	9
	2 395	23	2 418	2 560	19	2 579	2 613	17	2 630
ELECTRICAL									
Electrical fitter Mech.	661	7	668	686	4	690	702	11	713
Radio Tradesman	0	—	0	0	0	0	0	0	0
Automotive Electricians	45	2	47	72	0	72	79	2	81
Electroplating/Metal Fin.	7	—	7	3	0	3	5	0	5
Instrumentation	50	3	53	30	1	31	30	0	30
Electronics	67	3	70	88	3	91	107	5	112
	830	15	845	879	8	887	923	18	941
BUILDING									
Bricklaying	110	—	110	141	0	141	130	0	130
Carpentry and Joinery	385	3	388	488	5	493	507	6	513
Ceiling/Wall Fixing-Fibr.	25	—	25	37	0	37	39	0	39
Floor and Wall Tiling	32	—	32	34	0	34	35	0	35
Glassworking	21	—	21	36	0	36	39	0	39
Painting and Decorating	69	11	80	87	8	95	78	8	86
Plumbing	267	2	269	304	1	305	320	1	321
Signwriting	17	2	19	30	2	32	33	4	37
Solid Plastering	11	—	11	11	0	11	17	0	17
Roof Tiling	11	—	11	1	0	1	3	0	3
	948	18	966	1 169	16	1 185	1 201	19	1 220
PRINTING									
Binding and Finishing	22	1	23	24	1	25	22	4	26
Graphic Reproduction	22	6	28	28	11	39	40	12	57
Composing	25	34	59	36	41	77	56	38	94
Printing/Machining	108	1	109	133	0	133	147	0	147
Screen Stencil Prep.	8	2	10	18	3	21	22	5	27
	185	44	229	239	56	295	287	59	346

DEPARTMENT OF TECHNICAL AND FURTHER EDUCATION—SOUTH AUSTRALIA
TOTAL BASIC TRADE ENROLMENTS 1985 TO 1987

	1985			1986			1987			
Trade Group	Male	Female	Total	Male	Female	Total	Male	Female	Total	
VEHICLE										
Body Makers	27	2	29	35	3	38	31	0	31	
Brake Mechanics	11	—	11	24	0	24	24	0	24	
Motor Trimmers	17	—	17	18	0	18	21	0	21	
Panel Beating	181	—	181	224	1	225	246	0	246	
Motor Painters and Liner	93	—	93	125	1	126	153	2	155	
Auto Parts Interpreting	42	1	43	32	1	33	19	0	19	
	371	3	374	458	6	464	494	2	496	
FOOD										
Breadmaking	24	—	24	31	0	31	40	0	40	
Butchery	141	1	142	126	2	128	157	1	158	
Cake and Pastry Cooking	73	7	80	75	8	83	71	9	80	
Commercial Cookery	217	105	322	232	101	333	293	121	414	
Smallgood Manufacturers	0	0	0	0	0	0	0	0	0	
Breadmaking & Pastry Cook	—	—	—	—	—	—	30	4	34	
	455	113	568	464	111	575	597	135	726	
FURNITURE										
Cabinetmaking	225	1	226	302	2	304	324	1	325	
Chairmaking	1	—	1	2	0	2	4	0	4	
Furniture Polishing	38	—	38	42	3	45	39	2	41	
Furniture Upholstering	25	2	27	28	0	28	34	1	35	
Woodmachining	91	1	92	111	0	111	118	0	118	
	380	4	384	485	5	490	519	4	523	
FOOTWEAR										
Footwear Manufacturing	19	—	19	17	0	17	15	0	15	
	19	0	19	17	0	17	15	0	15	
OTHER										
Shipbuilding	13	—	13	12	0	12	10	0	10	
Dental Technology	19	5	24	19	6	25	18	4	22	
Hairdressing	123	803	926	133	1 021	1 154	129	985	1 114	
Saw Doctoring	27	—	27	29	0	29	39	0	39	
Jewellery	21	3	24	26	2	28	23	3	26	
Gardener/Greenkeeper	71	16	87	87	18	105	148	19	167	
Farming	—	—	0	124	3	127	225	5	230	
	274	827	1 101	430	1 050	1 480	592	1 016	1 608	
STATE TOTALS	5 857	1 047	6 904	6 701	1 271	7 972	7 205	1 266	8 471	+34

TABLE 2. PRE VOCATIONAL ENROLMENTS 1985-87

NOTE: These figures include pre-apprentice courses, State and Commonwealth funded courses and several courses which commence in one year and continue into the following year (approximately 200 in 1985-86).

COURSES	1985			1986			1987		
	M	F	T	M	F	T	M	F	T
Animal Management	5	20	25	5	17	22	3	19	22
Automotive	39	2	41	74	5	79	—	—	—
Automotive-Multi Trades	11	1	12	14	1	15	42	4	46
Automotive-Fitting	67	0	67	28	2	30	115	14	129
Automotive-M Fab	27	0	27	24	3	27	46	0	46
Automotive-Paint	—	—	—	—	—	—	—	—	—
Bread/Cake/Pastry	7	5	12	8	4	12	10	5	15
Building (Wet)	37	0	37	32	0	32	32	32	32
Building (Wood)	72	10	82	79	8	87	78	5	83
Building (Paint etc)	—	—	—	—	—	—	—	—	—
Business	57	97	154	89	104	193	18	54	72
Electrical	83	6	89	170	9	179	148	7	155
Electronics	—	—	—	16	2	20	18	2	20
Butchery	24	0	24	12	0	12	23	1	24
Commercial Cooking	18	18	36	14	11	25	19	17	36
Fashion Careers	1	23	24	5	20	25	1	23	24
FM/MFab	84	1	85	143	6	149	127	3	130
FM/Multi trades	10	2	12	15	0	15	20	20	20
FM/Sheetmetal	10	10	10	—	—	—	—	—	—
Gardener/Greenkeeper	22	8	40	—	—	—	20	3	23
Hair and Beauty	5	39	44	6	71	77	7	98	105

COURSES	1985			1986			1987		
	M	F	T	M	F	T	M	F	T
Health/Care	—	—	—	—	—	—	13	13	13
Hospitality	29	26	55	8	22	30	10	19	29
Hospitality/Tourism	21	39	60	2	14	16	—	—	—
Intensive Horticulture	—	—	—	15	2	17	11	9	20
Leisure Industries	7	13	20	—	—	—	18	12	20
Metal Fab/Light	15	0	15	15	0	15	—	—	—
Metal Fab/G-Greenkeeper	15	0	15	13	5	18	28	6	34
Painting (Dec and Auto)	12	0	12	21	11	32	12	4	16
Printing	—	—	—	—	—	—	13	7	20
Sheet M/Plumbing	30	1	31	30	1	31	44	1	45
Travel and Tourism	3	15	18	3	16	19	4	17	21
Visual/Comm Art	14	6	20	9	11	20	8	10	18
Surveying	15	0	15	—	—	—	15	2	17
TOTAL	740	332	1 082	850	345	1 197	903	407	1 235

HOUSING TRUST ACCOMMODATION

324. **Mr LEWIS** (on notice) asked the Minister of Housing and Construction:

1. Why is it Government policy to provide South Australian Housing Trust accommodation to middle and senior management personnel of Government and semi-government agencies, such as departments, deficit funded hospitals and local government, ahead of those people already on the waiting list who are on very much lower incomes and less able to provide housing accommodation for themselves?

2. How many such personnel on salaries of $17 000 per year or more have been given trust accommodation as a priority consideration ahead of those already on the waiting list in country centres in the past three years?

3. What rental do they pay for detached three bedroom and two bedroom homes?

4. Does the rental figure differ in any way from the amount tenants on lower incomes are expected to pay (where such lower income tenants are not in receipt of welfare benefits)?

5. Is this policy of providing such personnel with accomemodation currently under review?

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

1. The Housing Trust as part of the Government family has traditionally provided housing in country areas for Government and semi-government agencies which of necessity have recruited personnel from outside the country town because suitable employees were not locally available.

2. Where dwellings are let to Government, semi-government, local government or medical departments or agencies, the trust has no knowledge of the income of the tenant. However, during the period July 1983 to June 1986 the trust let 99 dwellings to departments and agencies as listed in the question. (It should be noted that not all of these dwellings are necessarily still occupied under these arrangements.) The agencies concerned are as follows:

Teacher Housing	44
Hospitals	15
Woods and Forests	11
ETSA	8
SAIT	6
Local Government	4
Housing and Construction	3
State Bank	3
Health Commission	2
Environmental Health	1
Department of Agriculture	1
Correctional Services	1

3. The current rent for a three bedroom single unit brick dwelling in the country area is $70.50 per week. The trust has no two bedroom detached dwellings in country areas.

4. The rental charged to departments or agencies is the same as full rent payable for equivalent dwellings by tenants. The rent level will increase at regular intervals between now and August 1988 as previously announced by Government.

5. The policies relating to Government employee housing will be subject to review with the formation of the Office of Government Employee Housing. The office will be fully operational in 1987-88.

DEPARTMENT FOR COMMUNITY WELFARE

329. **Mr BECKER** (on notice) asked the Minister of Education, representing the Minister of Community Welfare:

1. Has the West Torrens office of the Department for Community Welfare attached to the Glenelg Branch been closed and, if so, why?

2. Has there been an increase in notification of child abuse in the West Torrens council area and, if so, what are the figures for each quarter in 1985, 1986 and in 1987, to date?

3. What are the staff numbers and classifications of the Glenelg office and how do they compare with those in each of the past three years?

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

1. No.

2. Yes, in common with a general State-wide increase.

Quarter	No. of Notifications	Per Cent of State Figure
January-March 1985	5	1.5
April-June 1985	6	2.1
July-September 1985	16	4.0
October-December 1985	17	3.2
January-March 1986	6	1.1
April-June 1986	13	2.7
July-September 1986	18	2.7
October-December 1986*	93	11.0

* The figure for October-December 1986 was artificially inflated by a single extraordinary case, and is not representative.

3. West Torrens has only been a branch office of Glenelg District Office for one year. Data for the Glenelg-West Torrens Office is not available prior to that.

Classifications—Glenelg + West Torrens—

	FTE	CO1	CO2	SW01	SW02	SW03	PS3
21.6.86	14.3	2	2	6.8	2	1	0.5
13.3.87	13.6	2.5	1	6.6	2	1	0.5

YATALA LABOUR PRISON

330. **Mr BECKER** (on notice) asked the Minister of Correctional Sevices:

1. Who previously operated the Officers Mess at Yatala Labour Prison and what was the annual cost to the Government?

2. Who was the successful tenderer on 30 January 1987 and what is the annual cost?

3. What was the cost of new equipment installed in the mess and who paid for it?

4. Has the operation been 'privatised' and, if so, why?

The Hon. FRANK BLEVINS: The replies are as follows:

1. The Offenders Aid and Rehabilitation Service. The annual cost to the Government was $8 450.14 in 1985-86.

2. The Good Food Catering Company. An annual allowance of $8 000 will be provided towards the cost of cleaning the building.

3. $2 618.50, which was paid for from funds allocated to the Department of Correctional Services for plant and equipment.

4. No.

MATURE STUDENT COURSE

335. **Mr BECKER** (on notice) asked the Minister of State Development and Technology: Is the mature student course for panel beaters at the Automotive School at Croydon TAFE being phased out and, if so, why and who made the request to curtail the course?

The Hon. LYNN ARNOLD: No. The certificate in panel beating provided by the Department of Technical and Further Education is the required course for the declared vocation of panel beater. As such it is provided in daytime hours to apprentices indentured to this trade under the Industrial and Commercial Training Act. Along with several other trade areas the Department of TAFE has provided training in panel beating in the evening to mature age students wishing to retrain into this trade or to broaden their skills from a related trade. However, these classes generally have been provided in a limited way, only when resources allow. At the moment resource constraints are such that many of these classes are not being provided this year and this is the case for first year mature age panel beaters.

EMERGENCY HOUSING OFFICE

336. **Mr M.J. EVANS** (on notice) asked the Minister of Housing and Construction:

1. What is the estimated total recurrent cost of the Emergency Housing Office for 1986-87 broken down by the following categories:

(a) staff
(b) office rental (subdivided by office location)
(c) motor vehicles
(d) office expenses
(e) staff on-costs
(f) tenant property maintenance
(g) rent collection costs; and
(h) advances to tenants (subdivided by category)?

2. What amounts advanced by the office to tenants since the establishment of the office have yet to be repaid, how much is not expected to be repaid and what amounts is it anticipated will be repaid?

3. What is the total capital cost of all properties owned or used by the office for emergency housing and what is the average stay of tenants in the latest period for which statistics are available?

4. How is the relative priority of tenants for occupation of these properties determined?

5. Is the identity of each applicant properly established beyond doubt and, if so, how and is any cross check made with the South Australian Housing Trust as to the status of each applicant and their eligibility for priority housing by the trust?

6. Are the properties occupied by the tenants of the office inspected to ensure that only approved applicants are residing in the property and, if so, how often?

7. How is the rental scale fixed and if income is a criteria, is the actual income of the applicant verified and, if so, how?

8. What services are provided to the office by the trust and what charge (if any) is made for these services?

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

1. The total estimated recurrent costs of the Emergency Housing Office in 1986-87 amount to $5 612 575, as follows:

	$	
(a) Staff	1 551 778	
(b) Office Rental		
• Currie Street	80 124	
• Christies Beach	8 715	
• Woodville	3 600	
• Salisbury	15 322	
• Angas Street	7 239	
(c) Motor Vehicles	68 160	(Govt. Car Pool)
(d) Office Expenses	364 725	
(e) Staff on costs	137 679	
(f) Tenant Property Maintenance*	n/a	
(g) Rent Collection Costs*	n/a	
(h) Advances to Tenants		
• Bond Grants	2 631 170	
• Furniture Grants	160 000	
• Rent-in-advance	468 610	
• Utility Bonds	5 453	
• Removal Expenses	110 000	
	$5 612 575	

* These costs are not separately identified in the EHO Budget.

2. To the end of December 1986 a total of $5.019 m in EHO bond payments had been lodged with the Residential Tenancies Tribunal and the office estimates that a further $0.2 m is held by landlords of properties outside the metropolitan area. Of this amount ($5.019 m), $1.540 m had been claimed by, and paid to, landlords and $1.705 m reimbursed to the EHO. At the end of December, the RTT held EHO bonds to the value of $1.773 m, representing 6 329 tenancies. It is impossible to accurately predict what proportion of this amount will be lost and what will be repaid. However, based on the reimbursement rates mentioned above, a crude estimate would be that 47.5 per cent of the EHO bonds held by the RTT would be paid to landlords and 52.5 per cent reimbursed to the office.

It should be noted that the answer to this particular question has been compiled with the assistance of the Residential Tenancies Tribunal.

3. At the present time, the EHO has a stock of 116 pool houses. The estimated capital cost of these properties is $6.38 m (based on an average value of, say, $55 000 per dwelling). Three months is the average length of stay of tenants in the latest period for which statistics are available.

4. Pool houses are used to accommodate households who are in an immediate crisis and who have no alternative shelter available to them. Pool houses are allocated on a case by case basis rather than a 'relative priority' or other merit system, following a careful assessment of each household's circumstances.

5. All EHO clients are required to produce proof of identity and income before services are provided. All clients who interviewed are encouraged to lodge a Housing Trust application and in consultation with Trust officers, are referred for priority housing where this is considered appropriate.

6. Pool houses are not specifically visited to establish whether only approved applications are in occupation. However, most tenants are visited on a regular basis to provide ongoing support until their long term housing needs are met. These visits vary on an individual basis and are predetermined at the point of interview where a contract is established between the tenant and EHO.

7. Rents of pool houses are flexible and will vary according to a household's individual social, medical and financial circumstances. Rents are usually around $40.00 per week, although some have been set as high as $50.00 where household members have employment. In a limited number of cases peppercorn rents of $1.00 per week have been charged because of the particularly extenuating financial and other difficulties being experienced at the time of being housed. Proof of income is established by EHO sighting a recent statement of income from the Department of Social Security or a pay packet received in the two weeks prior to receiving EHO assistance.

8. The Trust provides a range of administrative support services to the EHO. These consist of:

the payment of salaries and wages;
the provision of personnel services including training;
internal printing and copying and supply of stationery;
the payment of accounts;
the maintenance of pool houses;
the recovery of bad debts;
the provision of income and expenditure reports; and
other administrative support required by EHO.

In 1986-87 the charge for the provision of these services is $172 436.

NUTRITIONAL HEALTH SUPPLEMENTS

339. **Mr M.J. EVANS** (on notice) asked the Minister of Transport representing the Minister of Health:

1. Since the establishment of the Working Party on Nutritional Health Supplements, which substance traditionally used by the practitioners of alternative medicine have been prohibited or restricted?

2. Was the advice of the working party sought prior to the implementation of the prohibition or restriction in each case and, if not, why not?

3. In the past two years, how many people in South Australia have been poisoned by substances obtained or taken as a result of the practice of alternative medicine, e.g. 'naturopathy'?

4. When is it expected that the report of the working party will be made public?

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

(1) None

(2) Not applicable.

(3) The categories under which poisoning statistics are collected are very broad and in most cases do not refer to individual products or to the source of supply. It is therefore not possible to extract figures that apply only to preparations supplied by natural or alternative medicine practitioners.

(4) It is anticipated that the working party will submit its report to the Minister in the latter half of this year.

BUILDERS LICENSING ACT

352. **Mr M.J. EVANS** (on notice) asked the Minister of Education representing the Attorney-General:

1. What are the factors which have caused delay in implementation of the Builders Licensing Act?

2. Has the Housing Industry Association contributed to the delay in any way and, if so, how and to what extent?

3. When is it expected that the Act will be fully operational?

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

1. The drafting of regulations necessary to bring the Builders Licensing Act 1986 into operation took longer than anticipated.

2. No.

3. 1 May 1987.

TOURISM MAGAZINE

353. **Mr BECKER** (on notice) asked the Minister of Transport representing the Minister of Tourism:

1. How many copies of *Tourism in South Australia, The Trends, The Challenge, The Future* were printed and what was the cost of the:

(a) services of co-ordinator;
(b) text;
(c) design;
(d) photography; and
(e) printing?

2. Were tenders called for printing, design, coordination, etc and, if so, when, how many were received, what were the highest and lowest bids submitted, who handled receipt of the tenders who made the final decision and if tenders were not called, why not?

3. Will future tourism brochures etc. go to public tender and, if not, why not?

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

1. 5 000.

The cost of the document can be detailed as follows:

	$
(a) Coordination of production	500
(b) Text	1 900
(c) Design	3 200
(d) Photography	40
(e) Printing (est.)	12 500

2. Tenders were not called for the printing of the publication as the department complied with Government policy concerning use of the Government Printer.

3. Future tourism brochures will be produced in accordance with Government policy concerning the use of the Government Printer and the audit regulations.

ENVIRONMENTAL IMPACT SCHEME REVIEW

356. **The Hon. D.C. WOTTON** (on notice) asked the Minister for Environment and Planning:

1. When was the review into EIS procedures under the Planning Act announced?

2. Have submisisons been received from the public and, if so, how many?

3. When is it intended that the review will be completed and will the results of that review be made public and, if not, why not?

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

1. September 1984.

2. A total of 46 written submissions and numerous personal submissions at the public seminars were received.

3. The review has been completed and the report is now publicly available.

ABORIGINAL HERITAGE BILL

362. **The Hon. P.B. ARNOLD** (on notice) asked the Minister of Environment and Planning:

1. Is the Minister aware that the Aboriginal communities in Port Augusta, Coober Pedy, Marree, Nepabunna, Copley, Hawker and Quorn have all firmly rejected the proposed Aboriginal Heritage Bill?

2. What instructions have been given and to which officers of the Aboriginal Heritage Branch in gathering community reaction to the proposals?

3. Will the Minister table the reports of these officers before bring in the Bill?

4. Why is the Minister proposing to transfer traditional elders' responsibilities to the Department of Environment and Planning?

5. What evidence can the Minister provide that the proposed bill is either desired by the traditional Aboriginal communities or better than the people's own proposals, as submitted to the Legislative Council select committee?

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

1. I am unaware of any firm rejection on the part of the communities mentioned.

2. Virtually the entire staff of the Aboriginal Heritage Branch has been engaged in the process of community consultation. In each case, these officers have been instructed to explain and clarify the provisions of the draft Aboriginal Heritage Bill and to record any comment offered by Aboriginal communities.

3. The reports referred to contain confidential Aboriginal comment and will not, therefore, be tabled.

4. No such transfer of traditional responsibilities is intended. In fact the draft Bill specifically emphasises consultation with traditional owners.

5. The draft Aboriginal Heritage Bill and the attendant consultation period represent the culmination of discussions conducted over many years with Aboriginal communities throughout South Australia. These discussions have clearly shown an Aboriginal desire for effective heritage legislation. The draft Bill has taken Aboriginal proposals into account.