HOUSE OF ASSEMBLY

Tuesday 9 February 1988

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

ASSENT TO BILLS

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

Agricultural Chemicals Act Amendment,
Apiaries Act Amendment,
Architects Act Amendment,
Barley Marketing Act Amendment,
Children's Services Act Amendment,
City of Adelaide Development Control Act Amendment,
Crown Proceedings Act Amendment (No. 2),
Expiation of Offences,
Land Agents, Brokers and Valuers Act Amendment,
Land Agents, Brokers and Valuers Act Amendment (No. 2),
Landlord and Tenant Act Amendment,
Legal Practitioners Act Amendment (No. 2)
Metropolitan Milk Supply Act Amendment,
National Parks and Wildlife Act Amendment,
Parole Orders (Transfer),
Planning Act Amendment (No. 3),
Residential Tenancies Act Amendment,
River Murray Waters Act Amendment,
Road Traffic Act Amendment (No. 3),
Summary Offences Act Amendment (No. 2),
Tertiary Education Act Amendment,
Waste Management,
Wheat Marketing Act Amendment,
Workers Rehabilitation and Compensation Act Amendment.

PETITION: PEDESTRIAN CROSSING

A petition signed by 136 members of South Australia praying that the House urge the Government to establish a pedestrian crossing outside the Prospect kindergarten was presented by Mr Bannon.

Petition received.

PETITIONS: ELECTRONIC GAMING DEVICES

Petitions signed by 18 residents of South Australia praying that the House reject any measures to legalise the use of electronic gaming devices were presented by Messrs Bannon and Robertson.

Petitions received.

PETITION: SHOP TRADING HOURS

A petition signed by 1 901 residents of South Australia praying that the House reject any proposal to extend retail trading hours was presented by Mr S.J. Baker.

Petition received.

PETITION: MITCHAM MOTOR REGISTRATION DIVISION

A petition signed by 5 140 residents of South Australia praying that the House urge the Minister of Transport to reject any proposal to close the Motor Registration Division office at Mitcham was presented by Mr S.J. Baker.

Petition received.

PETITIONS: COUNTRY HOSPITALS

Petitions signed by 1 150 residents of South Australia praying that the House oppose the closure of country hospitals were presented by Messrs Eastick and Gunn.

Petitions received.

PETITION: FIREARMS

A petition signed by 1 835 residents of South Australia praying that the House reject any changes to the regulations governing the ownership and use of legal firearms was presented by Mr S.G. Evans.

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 224, 265, 267, 290, 298, 299, 303, 364, 369, 424, 427, 428, 430, 454, 457, 459, 463, 465, 469, 472, 473, 476, 479, 487 to 495. 497 to 503, 506 to 512, 516, 517, 519 and 521; and I direct that the following answers to questions without notice be distributed and printed in *Hansard*.

LEGAL SERVICES COMMISSION

In reply to **Mr OLSEN** (12 November).

The Hon. J.C. BANNON: The Government has advised the Legal Services Commission that it should draw on the large amount of State Government funds held by it. Over several years there has been an accumulation by the commission of State Government funds. The reserve funds held at 30 June 1987 were $1 625 000 (page 281 of the Auditor-General's Report 1987).

In addition to the normal appropriation of funds from the estimates of payments by the State Government, the commission receives funds from areas which have been traditionally identified as State Government funds for the purposes of legal aid. These funds comprise the interest on solicitors' trust accounts and the interest on the statutory deposits held by the Law Society. In 1986-87 these funds produced revenue of $1.7 million and together with the revenues raised from other sources, excluding the allocation from the State Budget, were almost sufficient to fund the commission's State Government responsibilities for legal aid. It is interesting to note that in some other States, legal aid for State cases is funded solely from interest received on solicitors' trust accounts and the statutory interest account.

The Government has appropriated funds in 1987-88 and has included those funds in the estimates of revenue (page 17 of the estimates of receipts for the year ending 30 June 1987). The matters referred to in your question were raised and discussed in the examination of the Attorney-General's

estimates of payment by the Estimates Committee on Tuesday 15 September 1987. The Attorney-General also answered a question on this matter in the Legislative Council on 12 November 1987.

I have noted your comments in respect of the independence of the commission. The Government has not interfered with the independent operations of the commission in the conduct of its statutory charter. However, the independence does not extend to the provision of unlimited funding. The commission and its services are not placed under any financial cloud. The commission will, based on last year's revenue, have a financial income on its State Government account in the vicinity of $1.9 million, plus reserves of $1.625 million plus funds of $670 000 in the Legal Assistance Scheme at its disposal. These funds are more than adequate to service the estimated State Government costs for legal aid in 1986-87.

PORT RIVER POLLUTION

In reply to **Mr PETERSON** (10 November).

The Hon. J.C. BANNON: Coastal waters world wide contain about 1 500 species of dinoflagellates—microscopic plants that can move about and are food for shellfish such as mussels and cockles. When any species encounters its optimum conditions, it can grow and divide rapidly, reaching very high concentrations (more than 100 000 cells per litre) and colouring the water. This is known as 'bloom'.

At least 20 species are known to produce toxins during their normal growth. If one of those species blooms, shellfish can accumulate sufficient toxin to cause symptoms in humans ranging from numbness to paralysis. In extreme cases, this may be fatal.

High concentrations of plant nutrients promote blooms. Nutrients have built up in the West Lakes/Port River system and we have observed eight blooms involving several different species, in the past five years. Because of their small size and general similarity it is difficult to identify species—some known to be toxic are virtually indistinguishable under the microscope from benign species. The most reliable guide to toxicity is to test extracts on laboratory animals but this virtually requires that the species has bloomed for there to be sufficient material for a test. In 1986, the species later identified as *Alexandrium ibericum* bloomed in the Port River. It was the first bloom confirmed to be toxic in South Australia.

The worldwide frequency of dinoflagellate blooms appears to be increasing as nutrients build up in coastal waters. Some of the nutrients in the Port River come from wastewaters, but in West Lakes, garden runoff and pets contribute. The toxins are not accumulated from, nor induced by, industrial wastes; they are complex organic molecules produced by the dinoflagellates during normal growth.

An unrelated effect of any algal bloom is that it may outstrip the oxygen content of the water so that fish and other organisms die from lack of oxygen. It appears that most marine organisms are better adapted to the toxins than are land mammals. A mussel can accumulate a dose severely toxic to humans without obvious damage to itself.

In practice, it takes several days from the onset of a bloom to confirm if it is toxic or not, so the Government has taken the attitude that any bloom should be treated as potentially toxic until proven safe.

NEW TECHNOLOGY

In reply to **Mr ROBERTSON** (21 October).

The Hon. J.C. BANNON: The technique of shaping plastic materials by a vacuum process is well established. The particular application described by Dr Waddell is novel in that it allows the magnifying power of an optical system to be varied by the operator. The application of the idea to camera telephoto systems arises from this feature.

The idea is regarded as being in the pre-commercial phase and needs development before it could be incorporated in production camera equipment. Areas that need to be addressed include effect of temperature and vibration, fatigue life of the film, the actual shape assumed by the reflecting plastic surface and the necessity for additional optical elements to compensate for departure from ideal performance.

Because of the severe environmental conditions encountered by military equipment, it is considered that this technique would not have much application to defence work. The idea may lead to commercial/industrial applications but these are some way off and require investment in engineering and testing. From available information it appears that South Australian industry is sufficiently knowledgeable and alert to maintain an awareness of this and many other related technological developments.

TINTINARA AREA SCHOOL

In reply to **Mr LEWIS** (2 December).

The Hon. G.J. CRAFTER: While Mr Keith Russell was appointed acting Superintendent of Schools during part of 1987, he will return to Tintinara as Principal from the beginning of the 1988 school year.

ISLAND SEAWAY

In reply to **Mr INGERSON** (1 December).

The Hon. R.K. ABBOTT: Initially, it was possible for the engines to stall when under automatic pilot or during certain procedures when under collision avoidance manoeuvres. This was discovered during sea trials, and subsequent fine tuning of the sophisticated electronic equipment which controls the vessel when on automatic pilot has eliminated the problem entirely.

PAPERS TABLED

The following papers were laid on the table:

By the Minister for the Arts (Hon. J.C. Bannon):

Pursuant to Statute—

South East Cultural Trust—Report, 1986-87.

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

City of Adelaide Development Control Act 1976—Regulations—Development Applications, Fees, Registers of Development Rights and Heritage Items.

By the Minister of Emergency Services (Hon. D.J. Hopgood):

State Emergency Service Act 1987—Regulations—S.E.S. Units.

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

South Australian Institute of Technology—Report, 1986.

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

Commissioners of Charitable Funds—Report, 1986-87.

Regulations under the following Acts—

Building Act 1971—Regulations—Bushfire Prone Areas.

Drugs Act, 1908—Regulations—

Advisory Committee Attendance Fees.

Ivermectin.

Ovulatory Stimulants.

Poisons and Warning Statements.

Metropolitan Taxi-Cab Act 1956—Regulations—
Fares.
Fees.
Motor Vehicles Act 1959—Regulations—
Licence Re-establishment Fee.
Practical Driving Tests.
Private Parking Areas Act 1986—General Regulations.
Road Traffic Act 1961—Regulations—
Emission Control and Compliance Plates.
Child Restraint Exemptions.
Road Worthiness Examination Fee.
Reporting of Accidents.
South Australian Health Commission Act 1976—Regulations—
Compensable Patient Fees.
Private Patient Fees.
Private Prostheses Fees.
Summary Offences Act 1953—Regulations—
Traffic Infringement Notices—Child Restraints.
Adelaide Children's Hospital Inc.—By-laws—Trespassing, Damage and Parking.
Corporation of Salisbury—By-laws—
No. 1—Permits and Penalties
No. 2—Streets
No. 4—Parklands
No. 8—Caravans
No. 10—Repeal and renumbering of By-laws.
District Council of Dudley—By-law No. 27—Bathing and Controlling the Foreshore and Recreational Reserves.

By the Minister of Mines and Energy (Hon. R.G. Payne):
Electrical Workers and Contractors Licensing Act 1965—Regulations—Forms.

By the Minister of Education (Hon. G.J. Crafter):
Hairdressers' Registration Board—Report, 1986-87.
Registrar of Credit Unions—Report, 1986-87.
Commissioner for Corporate Affairs on the Administration of the Building Societies Act 1975—Report, 1986-87.
National Companies and Securities Commission—Report, 1986-87.
National Crime Authority—Report, 1986-87.
Commissioner of Statute Revision—Schedules of Alterations made.
Second-hand Motor Vehicles Act 1983.
Planning Act 1982.
Justices Act 1921—Rules—Fees.
Supreme Court Act 1935—Supreme Court Rules—Setting Down Procedures, Interest Rates and Exhibits.
Criminal Injuries Compensation Act 1978—Regulations—Solicitor's Fees.
Education Act 1972—Regulations—Teacher Resignations.
Land Agents, Brokers and Valuers Act 1973—Regulations—Small Business—Extension of Exemption.
Legal Practitioners Act 1981—Regulations—
Practising Certificate Fees.
Professional Indemnity Insurance.
Liquor Licensing Act 1985—Regulations—
Liquor Consumption at Adelaide (Amendment).
Liquor Consumption Corporation of Noarlunga.
Liquor Consumption at Port Augusta.
Local and District Criminal Courts Act 1926—Regulations—
Bailiff Fees.
Fees.
Summary Offences Act 1953—Regulations—Expiation Fees—Seat Belts and Restraints.
Supreme Court Act 1935—Regulations—
Fees.
Probate Fees.

By the Minister of Aboriginal Affairs (Hon. G.J. Crafter):
Pitjantjatjara Land Rights Act 1981—By-laws—Control of Alcoholic Liquor (Amendment).

By the Minister of Public Works (Hon. T.H. Hemmings):
West Terrace Cemetery Act 1976—Regulations—Fees.
Architects Act 1979—By-laws—Registration Fee, Examinations and Advertising.

By the Minister of Labour (Hon. Frank Blevins):
Workers Rehabilitation and Compensation Corporation of South Australia—Report to 30 June 1987.
Long Service Leave Act 1987—Regulations—Records and Forms.
Occupational Health, Safety and Welfare Act 1986—Regulations—
Commercial Safety—Portable Ladders.
Construction Safety—Portable Ladders.

By the Minister of Agriculture (Hon. M.K. Mayes):
South Australian Meat Hygiene Authority—Report, 1986-87.
Meat Hygiene Act 1980—Regulations—Daily Record Form and Slaughtering Return.

By the Minister of Fisheries (Hon. M.K. Mayes):
Fisheries Act 1982—Regulations—
Gulf St Vincent Experimental Crab Fishery—Extension of Time.
Northern Zone Rock Lobster Fishery—Licence Numbers.
Restricted Marine Scale—Fishery—Licence Numbers.
Snapper.
Southern Zone Rock Lobster—Fishery.
Licence Numbers.
Pot Entitlements.
Spencer Gulf Experimental Crab Fishery—Extension of Time.
West Coast Experimental Crab Fishery—Extension of Time.

By the Minister of Recreation and Sport (Hon. M.K. Mayes):
Pursuant to Statute—
South Australian Trotting Control Board—Report, 1986-87.

GOLDEN GROVE SHARED SECONDARY FACILITIES

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

Golden Grove Shared Secondary Facilities (Stage 1).

Ordered that report be printed.

MOTION FOR ADJOURNMENT: TAXES AND CHARGES

The SPEAKER: I report that I have received the following letter from the honourable Leader of the Opposition:

That the House at its rising do adjourn until 1 p.m. tomorrow for the purpose of discussing a matter of urgency, namely, that in view of the resounding message from the Adelaide by-election that the average family can no longer cope with excessive rises in taxes and charges, this House, in the interests of social justice, calls for an immediate and an unequivocal commitment from the Premier that any rise in revenue generated by State taxation next financial year and any rises in State charges, particularly public transport fares, Housing Trust rents, electricity tariffs, the price of water and public hospital fees be kept within the CPI.

I call those members who support the motion to rise in their places.

Members having risen:

Mr OLSEN (Leader of the Opposition): I move:

That the House at its rising adjourn until tomorrow at 1 o'clock, for the purposes of discussing a matter of urgency, namely, that in view of the resounding message from the Adelaide by-election that the average family can no longer cope with

excessive rises in taxes and charges, this House, in the interests of social justice, calls for an immediate and unequivocal commitment from the Premier that any rise in revenue generated by State taxation next financial year and any rises in State charges, particularly public transport fares, Housing Trust rents, electricity tariffs, the price of water and public hospital fees, be kept within the CPI.

In the past 48 hours, the Premier has ordered his Party back on to the streets. He says that its members have to get out there and find out what is going on and listen to what the people tell us. He promises to get in touch with ordinary people. These confessions of arrogance in Government and abdication of responsibility are as stunning as the message from last Saturday's by-election was resounding. Apparently although almost 20 000 of the electors are in the Premier's own electorate, the Premier has just discovered that people out there—families, single mothers, parents, the unemployed, the handicapped—are ordinary, average people and families who are struggling with Labor's sustained and selfish attack on their living standards.

Members interjecting:

Mr OLSEN: Members on the other side interject because they do not like the message they got last Saturday from the electorate at large. Should they believe this Premier? Should they assume that Labor will have learnt from that great Liberal victory in Adelaide last Saturday, or will the Premier's by-election blues see nothing more than politicians on the Government side going on to the streets to solicit votes in return for more promises that will never be fulfilled by this Government? The Premier should make no mistake about it. Last Saturday's result was much more than a phone message. Timed calls were only the catalyst, a spark to the smouldering resentment out in the electorate that has been building up across all socio-economic groups during the past five years under Labor.

The people of Adelaide have put paid to timed telephone calls and, in doing so, they have spoken up for all of Australia in saying that they have had enough of Labor's high taxes and high Government charges. They have had enough of Labor's assault on their hard earned wages. They have had enough of Labor's creeping interference in their daily lives, in the denial of their right to spend their money in the way they choose. This is why the working class abandoned Labor so classically in last Saturday's election.

Almost four years ago, I predicted that this would be the ultimate outcome of mean, manipulative Federal and State Labor Government policies. In a speech I gave on 21 July 1984, I said:

> The working class has been abandoned by the Labor Party in its time of greatest need. The Federal and State Labor Governments have embarked upon the greatest ever assault on the hip pockets of the average South Australian family when they have least been able to afford it.

On Saturday, the majority of Adelaide voters—an electorate which is two-thirds working class—recorded their anger. Over the last five years, one in four have deserted Labor, and the Premier is just as much a target for their resentment as the Prime Minister, as radio talk-back over the last 48 hours has confirmed. His Government has paid just as much lip service to the poor and the unemployed.

Mr Rann interjecting:

Mr OLSEN: The member for Briggs might well look at the economic track record. Under Labor, South Australia has the highest level of poverty of any State, and I am sure that there is plenty of it in his electorate. South Australia has the lowest population growth of any State, the lowest level of building approvals, the lowest level of retail sales, the highest level of bankruptcies and consistently higher levels of youth unemployment than all the other States. That is the economic track record of this Administration.

Members interjecting:

Mr OLSEN: Indeed, he has gone quiet. South Australia has been outperformed and outstripped by the other States. I challenge the Premier to refute the evidence—ABS statistics. That is what we need him to refute. I challenge him to explain why the performance is so different from the promise, and urge him to give the commitment sought in my motion, because without it many more South Australian families will be plunged into poverty.

Already, one in three South Australian households, 33.4 per cent, have a gross income of less than $15 000 a year—lower than the poverty line. These are the people least able to afford the excessive rises in State charges imposed by the Premier. Since this Government came to office, the level of Government charges has risen much faster than has the average for the eight capital cities. This applies particularly to public transport and electricity costs, and we know that more are in the pipeline. The STA Business Plan which the Government now has recommends further significant rises in fares—on top of the 100 per cent plus rises that have already occurred since 1982.

Members interjecting:

Mr OLSEN: It is good to see the new member for Adelaide in the gallery.

The SPEAKER: Order! The Leader of the Opposition is aware that reference to members of the public present in the gallery is not permitted. Whilst I have the Leader's pause for a moment, I ask members—

Members interjecting:

The SPEAKER: Order! I ask members on both sides to reduce the amount of interjection taking place. The honourable Leader.

Mr OLSEN: The trip from Port Adelaide to the city costs 114 per cent more than it did when this Government took over responsibility for the STA. The Electricity Trust is talking about more tariff increases in excess of the CPI and well in excess of pay packet rises. A major reason for them will be the Government's own imposts on the trust, now adding up to more than $50 million a year, in the 5 per cent turnover tax and other taxes and charges applying to the Electricity Trust. Since 1982 the average household's power bill has risen by more than 55 per cent—again well above inflation and rises in the pay packet.

Housing Trust tenants will also be hit by a further round of rises in State charges. Tenants over 75 years of age are the first in the firing line. The Government has yet to reveal that from 2 July there will be an immediate thaw in the frozen rents that those people have been enjoying. The Minister of Housing and Construction is noticeably silent on that issue. Since this Government came to office, State charges overall have risen by 50.6 per cent while the increase in the weighted average of the eight capitals was 35 per cent. Items like public transport fares and electricity tariffs have gone up by amounts well in excess of average weekly earnings, despite all the promises that the Premier has made.

In the *News* of 10 June 1986 the Premier promised that during the following 12 months 'a system of automatic increases in State charges and fees in line with consumer price index movements is likely to be introduced'. That has come to nothing. In the *News* of 5 November 1985 the Premier said:

> I have promised a total freeze on State Transport Authority fares until next July and inflation only rises after that—and it's a promise I intend to keep.

Those were the Premier's words. That promise has been broken not once, but twice. This year the trifecta would be

well and truly on the cards. Again, in the *News* of 31 October 1983 the Premier said:

> The Government is to consider dropping a requirement for the Electricity Trust to contribute to the State's coffers.

Again, that is all promise but no performance. The Government's 5 per cent tax on Electricity Trust consumers is now worth $32 million a year, which is twice as much as it was worth when that promise was made by the Premier. The story is the same with total revenue from State taxation—it has risen by 86 per cent under this Government, or by almost twice the rate of inflation. At present thousands of South Australians are receiving their land tax bills. They are people who recall the Premier's promises at the 1985 election 'to keep the lid on land tax', yet the same people are now being told by the same Premier to move their businesses if they are unhappy with the massive increases in land tax which they are being forced to pay. That is the response: move out and go somewhere else if the land tax is too high.

The Premier is so divorced from the needs and problems of small business that he does not seem to realise that many are tenants who simply cannot shut up shop and move because of long-term lease commitments—tenants to whom the cost of land tax is passed on automatically. Even if they could move, they would have to go hundreds of kilometres from where their customers are if they were to lower their land tax commitments to levels that applied when this Government came to office. That is a totally unrealistic and unreasonable response.

Clearly, the Premier does not understand; obviously, he has never run a business and he does not understand that location is the most important thing in establishing a business. The Premier's attitude to land tax assumes that business is so highly productive and profitable that it can absorb more and more of the economic burden of creeping socialism that we have in South Australia. If the Premier has learnt anything from the small business vote on Saturday, he will give an immediate pledge not to increase land tax revenue above the CPI next financial year. This means reviewing the rates that apply. It means looking at what is happening in New South Wales (where no land tax is payable until a property is valued at more than $94 000, $34 000 above the South Australian threshold) and in Victoria, which is budgeting for a real reduction of 10 per cent in land tax receipts this financial year. After Victoria and New South Wales, South Australians are taxed more per head than people in any other State and the gap is narrowing. When this Government came to office, State tax per head of population in South Australia was 72 per cent of the Victorian figure and it is now 85 per cent of the Victorian figure. Over the same period the same trend has occurred in comparing South Australia with New South Wales.

Despite these massive rises in revenue, the Premier has also increased borrowings to record levels. In this State we now owe $4 billion. He has put the cost of the Government's extravagance on the tabs of our children and their children. Future generations will pick up the bill of this Government's administration. The interest bill on borrowings has risen by 37 per cent in real terms.

Public concern about these trends would not be so great if better, more efficient Government services had gone hand in hand with real increases in taxes and charges. However, the public has deserted our buses and trains in droves. The queues for our public hospitals are growing day by day. Parental concern about the state of education has heightened and police resources are under growing pressure to deal with the rising crime rate.

All this shows that the public believes that it has received no return at all for the big increase in public sector employment that has occurred under this Government. Figures that have just become available from the Australian Bureau of Statistics confirm this trend. Last financial year, growth in State public sector employment in South Australia was up by 3.3 per cent. However, the figures for the other States were as follows: New South Wales, 1.8 per cent; Victoria, .9 per cent; Tasmania, .4 per cent; Queensland, a fall of .03 per cent; and Western Australia a fall of 1.6 per cent. Despite a much bigger bureaucracy, there is a crisis in service delivery in this State. There is also a crisis in standards and there is a crisis in public confidence in the ability of important State instrumentalities to provide basic services in health, education, law and order, and public transport. This is because, over the past 20 years, Labor has extended the role of State Government to the point where there is too much waste, too much duplication and too much inefficiency, and insufficient resources are being devoted to those areas of essential services.

The interest bill on borrowings alone takes up 55c in every tax dollar paid to the Government. This diversion to pay interest means less and less of the community's taxation can be used for education, for health, for providing better public transport and for more extensive police resources. Only the Liberal Party has been prepared to debate these issues and to put forward a new agenda. Last Saturday's election result must bring the realisation to this Government that it is hurting ordinary people. They can no longer tolerate the impost, the cost increases, being inflicted on them by this Administration. I have no doubt that at least two Ministers (the Ministers of Education and of Recreation and Sport) and, I am sure, a number of backbenchers, such as the members for Adelaide, Bright, Newland, Fisher and Hayward, have, as a result of Saturday's election result, been served notice that their jobs are on the line.

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

The Hon. J.C. BANNON (Premier and Treasurer): I could accuse the Opposition of some kind of *dé ja vu* approach to this Parliament. I guess that the Leader of the Opposition has characterised himself during the period he has occupied that office by repeating again and again and again the same points with a slight variation, occasionally updating figures if that suited his case but not doing so if it did not suit. Again and again it is the same thing.

We have been told that this motion is a matter of urgency and a matter of public importance that needs to be debated. The motion begins with the words 'In view of the resounding message from the Adelaide by-election', but we have not heard much from the Leader of the Opposition about the by-election or an analysis of its results, largely because he is incapable of telling us. We simply got a regurgitation of what he has said again and again in every budget speech and on every no confidence motion, in questions and in long and tedious explanations, for the past five years, and it is about time that this House was given the benefit of a better analysis and, more importantly, the benefit of policies from the Opposition. The House should be able to hear what the Leader proposes and not merely that the Government should spend more on a range of services and raise less in taxation. That is the prescription for bankruptcy in Government that the Leader has constantly advocated and he should not be allowed to get away with it, nor will he be allowed to get away with it.

What is the message from the Adelaide by-election? W do not get that from what the Leader of the Opposition ha

said. He raises the question of the average family and its position, and I will deal with that in a minute. He announces to us his amazing discovery of the concept of social justice. What hypocrisy! What hollow irony, coming from a Government that did more to distort and lower the living standards of less well off people in our community than any other Government. Again, we witnessed his constant confusion and misinterpretation of figures of revenue because he cannot understand the difference between gross revenue and the rates at which that revenue is levied. What about the nonsense he continues to repeat about charges, ignoring what we have done in the area of charges, in particular in some of those sections to which he drew attention, and I will come to that in a minute as well.

Overall, it is a totally opportunist effect to get on the band wagon, to try to drag something out of the first victory that the Liberal Party has had in this State since 1979—and congratulations! There is no question that a good campaign was waged. We do not at this stage know what the final percentage swing or outcome has been as there is still a lot to be counted, but it does seem very clear indeed that the Liberal candidate in that by-election has picked up the seat, and I congratulate him for it. However, it is very interesting that opportunistically the Leader of the Opposition jumped on that band wagon. He was conspicuously absent during that campaign, but when he thought he was on a loser—

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! I call the House to order.

The Hon. J.C. BANNON: I was so inconspicuous—

Members interjecting:

The SPEAKER: I warn the honourable member for Mitcham.

The Hon. J.C. BANNON: I was so inconspicuous that the Liberal Party wanted to lay a charge on me and have me locked up in prison. That is how low profile I was. What nonsense! The Leader of the Opposition, to save embarrassment, was quietly shunted out on to the sidelines and went off to do some water ski practice, allowing Mr Howard and others to get on with it. I must admit that I imagine the Liberal candidate's heart sank every time that the Leader of the Opposition and his Federal counterpart arrived on the scene, because they went backwards at that time. It was clear what the issues were in the Adelaide by-election, and that analysis has been made, but for the Leader of the Opposition to come into this House claiming not only some sort of credit for the result, when in fact he had to be shunted off and Steele Hall and Senator Hill allowed to come and do the work for the campaign, but then to claim it as some kind of victory for the State Opposition in relation to State Government policies, indicates that the yawning credibility gap is as big as the gap between the Leader's figures and reality.

Let us get back to this average family and their taxes and charges. Sure, times are tough—we all concede that. The Leader of the Opposition conveniently ignores the massive loss of national income that has occurred in this country—Australia's capacity to pay—and some people are suffering; but unlike the Opposition, unlike Mr Howard and his $11 billion cut in Government services at the Federal level, we care. We are interested in protecting the revenue and delivering the services for it. So, to talk about social justice, to hear those words uttered from the Opposition, is just so much arrant nonsense.

What sort of social justice is it that has Mr Howard, the Federal Opposition Leader, talking about $11 billion spending cuts, making a quick modification in the last few days of the by-election campaign, and saying, 'No, actually if you work it all out it is really only $5 billion to $6 billion, depending on what happens to the economy. Who will be hurt by that?' Housing Trust tenants will be hurt first, and they have already been affected by cuts from the Federal Government. Welfare recipients, persons on unemployment—all of those categories that were mentioned by the Leader of the Opposition—will also be affected by cuts of the magnitutde that Mr Howard proposes.

What do we hear from the Leader of the Opposition? Nothing at all! He bobs up and claims great credit for a victory in a Federal by-election in which the very person leading the Opposition in the course of that campaign is proposing cuts that would wipe out families in this community. Absolute nonsense! A yawning credibility gap! Rather than lecture us, I would like to see the Opposition Leader stand up to John Howard and tell him a thing or two, if that is really what he thinks. Of course, he will not, because he knows the consequences of that will be far too great to handle. It is true that in some years our overall tax revenue has improved.

Of course it will improve, because it is linked to activity in the economy. The more active and successful our economy, the more benefits, in turn, that Government revenue will attract. By so doing it provides us with the capacity to lower taxes. And we have lowered taxes; we have lowered the rate of taxes on a number of occasions. For instance, the payroll taxes exemption level has been lifted well above the rate of inflation during the period of this Government's office. There have been many other changes. The Leader of the Opposition mentioned land tax but did not acknowledge that in three successive budgets this Government has provided concessions worth about $20 million in the area of land tax.

The fact is that my Government has not greatly increased tax rates as the Opposition would say: we have, in fact, ensured that the lid has been kept on. It is all very well to take matters in isolation and to ignore what is happening elsewhere and in other States. The fact remains that as a State we levy well below the general level of taxation in this country and will continue to do so. Our *per capita* taxes are still among the lowest in the country and will remain so. I do not ask the House simply to take my word for that. I refer members, for instance, to the recent survey made by Moodys, which is, incidentally, an organisation that obviously did not hear the Leader of the Opposition telling us that we were in the worst period since the depression and our economy was about to vanish down the gurgler. Somehow Moodys must have overlooked all that evidence because it awarded to South Australia a top credit rating of international standard.

What does this organisation say about tax? It says that in theory there is considerable room for manoeuvring in this State because it can increase the overall tax burden on its citizens by about 5 per cent before it reaches the average level applying to the six States. South Australia is a low tax State, and whatever the Leader of the Opposition says that is a fact which can be demonstrated and attested to: but no doubt the Leader of the Opposition rejects Moodys, and other assessors of our economy, because he certainly rejects their assessment of the state of our economy.

Indeed, this State, like the rest of Australia, is suffering problems and I am glad that the Leader of the Opposition has now come off the fence (Legh Davis has apparently been pushed back behind the scenes) and is going to lead the doom and gloom arguments and produce his selective indicators. The Leader of the Opposition says that this is

the worst year since the depression but we do not hear anything about the fact that in 1982, under a Government in which he was a Minister, this State had a negative growth rate of 3 per cent. In the last three difficult years in this State we have experienced an average of at least 3 per cent growth per annum, and that is not a bad achievement. So, let us get our facts straight.

On this question of charges—public transport facing massive deficits and problems—what does the Opposition do? It attacks the need to raise fares and ignores things like multi trip tickets and other ways of reducing the burden on the regular commuter. It ignores all that and, in addition, demands that we extend services and keep uneconomic services open, and members opposite constantly berate the Minister. Where will the money come from for that? That is typical of the Opposition's hypocrisy and this yawning credibility gap. Let us refer to Housing Trust rents, which increased much more under the Liberals than under this Government. It is certainly true that we have honestly approached Housing Trust tenants and pointed out to them that there has been a massive reduction in support from the Federal Government for housing in this State; we are doing our best to make it up and to make the dollar stretch as far as possible; and that we have been required, as a condition of obtaining those funds, to make some real increases in Housing Trust rents.

That has been honestly laid out to those tenants and explained to them. That is the truth, and we have addressed that. Do we hear the Opposition do other than criticise the rise in rents on the one hand and the size of the waiting list on the other? Do we conjure money out of nothing? What hypocrisy! What a yawning credibility gap!

Let us take the question of water. In the period in which the Labor Party has been in office, the average water bill for the average household about which the Opposition is so keen to talk has gone down in real terms by 2 per cent. It has reduced by 2 per cent. So much for the CPI. With regard to hospital fees, this is another staggering example of a tax by us, when Medicare and Commonwealth agreements require certain imposts. At the same time, the Opposition spokesman on health criticises every economy and every change, demanding that waiting lists be reduced. He says, 'Spend, spend, spend.' His Leader in this Chamber stands up and says, 'Please do not charge any more. You are taxing us too much.' How about talking to the spokesmen who have been unleashed on the spending programs and getting them to be more realistic.

Electricity is mentioned in this motion. Over the past three years, a 16 per cent real reduction has occurred in electricity tariffs in this State against a background of enormous financial problems for the Electricity Trust, the bushfire liabilities, vegetation clearances and so on. The extraordinary thing is that part of the reason for that is the way in which the trust has addressed its finances. What have we had from the Opposition? We have had shock, horror, criticism and complaints about the major restructuring of the Electricity Trust's leasing arrangements, and so on. Despite the attacks made on it, it has reduced tariffs to consumers.

Where exactly do Opposition members stand? They want us to abandon all those things but at the same time they want us to reduce the impost. We will start listening to this opportunistic Leader of the Opposition on the question of taxes and charges when he actually faces reality and starts telling us which services we are to cut and where, how and in what way we will do so instead of, as he and his spokesmen do constantly, talking about more expenditure on parks, education, police and law and order. They say, 'Spend, spend, spend', without any kind of brake or reference to reality, and the Government is attacked on taxes and charges. The Government stands on its record. It is managing this State's economy in extremely difficult times with the lowest debt burden of all but one of the States, and if that is not a massive achievement, what is? I reject this motion totally.

Members interjecting:

The SPEAKER: The honourable member for Coles.

The SPEAKER: Order! That is sufficient congratulations. The honourable member for Coles.

The Hon. JENNIFER CASHMORE (Coles): Thank you, Mr Speaker. I thank my colleagues opposite for their applause and good wishes. I am most grateful for that. This afternoon members have witnessed a perfect example of how the Premier's usual silver tongued oratory has deserted him and has led him to rely on sarcasm and other techniques in order to hide the fact that the emperor no longer has any clothes. The result on Saturday has confirmed that Labor has started on a slippery slope from which there is no return. Because the Premier knows it, he had to rely on bluster. His customary style of oratory deserted him. He stood there and shrieked, and he shrieked untruths, as I will now proceed to demonstrate.

This is the Premier who says, 'We will go back to the people.' The trouble with this Premier is that he thinks he is going back to the people when he is strutting down the straight of the Grand Prix with the Prime Minister, the little silver bodgie. He thinks that he is back to the people when he is involved in that kind of exercise—when he is spinning coins at the Casino, when he is opening submarine projects. Let him stand at a polling booth, as we all did on Saturday. Let him go to the shopping centres, as we have been doing for weeks and months, and let him really listen to what the real people are saying. Then he would not be standing in this place and saying that things are good in South Australia.

Indeed, he would tell us the results in Ross Smith—the seat that the Premier in the last State election held by 18-plus per cent. The people spoke in Ross Smith, and the Premier's margin is now down to 4 per cent. His hapless colleagues behind him—some of whom have become unusually silent—include the member for Adelaide, the Minister of Education and others. The Minister of Education might well shrink back in his seat, because he now knows that after the next election he will no longer be in the House of Assembly and neither will the Minister of Recreation and Sport or the members for Todd, Fisher, Newland or Bright.

Members interjecting:

The Hon. JENNIFER CASHMORE: The member for Briggs, who is so vocal, cushioned by his great majority, cannot possibly be supported by his colleagues. Let us get back to the motion, which states:

> In view of the resounding message from the Adelaide by-election that the average family can no longer cope with excessive rises in taxes and charges, this House, in the interests of social justice, calls for an immediate and unequivocal commitment from the Premier that any rise in revenue generated by State taxation next financial year and any rises in State charges, particularly public transport fares, Housing Trust rents, electricity tariffs, the price of water, and public hospital fees be kept within the CPI.

Did we get that commitment? Not for one minute! The Premier skirted it, dodged it, and ran away from it. The Premier did not come anywhere near that commitment. In fact, that commitment might as well have been a stinking rat for as close as the Premier would come to it. He refused absolutely to touch the substance of the motion. He refused absolutely to come close to the substance of it. In doing so, he has, we are glad to say, given the Opposition all the

ammunition it wants to tell the electorate that the Premier is going to raise taxes and charges at the next election.

Let us look at what they are now. Payroll tax for the current year is $294 million—up, despite the Premier's protestations to the contrary, by $5 million. Stamp duty is $232 million—up from last year. Registration fees, which are killing the average motorist, amount to $100 million. Petrol tax, which the Premier did not mention, is $70 million this year—up on last year by $22 million. That was the clever ruse that the Premier slipped in. The Premier denied that land tax was up: it is up by $13 million, 30 per cent, to $58 million in the current year. Tobacco tax stands at $44 million and liquor tax $37 million. FID—the tax that was not to be a tax, the tax that we had when taxes were not to be increased—introduced in 1983-84 at $8 million, is currently standing at $36 million for this year.

ETSA is $32 million and the Premier says that we have kept electricity tariffs in check. The average power bill, as the Minister of Recreation and Sport would know, as his constituents are suffering badly, is up by 55 per cent. Income to the State Government from ETSA is $32 million. The State Bank revenue tax is $20 million. That is what this Government has introduced.

Let us hear, in light of the motion, what the Government proposes to do for these people in South Australia who are disadvantaged, on the poverty line, struggling to make ends meet—the people who stopped to talk to all of us at the polling booths and in the suburbs of Stepney, Klemzig, Blair Athol and Kilburn in the weeks leading up to the by-election. Let us hear what this Government promised to do in terms of social strategy. In a statement released by the Minister of Community Welfare and Health in July 1986 the Government made much of its social justice strategy. The Minister said:

> There are a number of points which can have a positive impact and improve social justice.

He said that an effective strategy should be based on several points, which I shall now enumerate. What was the first point? It was an interesting point: he said that we must protect the community from credit traps. Credit traps! The biggest credit trap that this State is in is the fact that every citizen is paying 56c in every dollar of State taxation for loan repayments. How is that for a credit trap? How is that for a Government setting an example for the people? What kind of credit trap is that? It is the biggest credit trap of all and it is one into which the Premier himself has pushed the State.

The second point was that Government departments should be made to be aware of their impact on poverty. Tell that to the Housing Trust! The Minister of Housing and Construction is looking agitated because he knows that he is about to put up rents. Tell that to the Engineering and Water Supply Department, because we know that the requirement to pay excess water has increased dramatically since this Government came to office! Tell that to ETSA, which has increased power bills by 55 per cent! Tell that to the State Transport Authority because, in the years since this Government has been in office, State Transport Authority charges have risen by a greater rate than those in any other State in the Commonwealth! They have doubled, tripled and quadrupled. This is what is killing the average family.

The third point was to increase access to low cost finance. There is not much chance of that with this Government in power. The fourth point was to provide direct concessions to those in greatest need. It is interesting to note that in its motion the Opposition calls for the Government, if it must increase taxation and charges, to limit itself to CPI increases, but there has been no corresponding undertaking by the Government to increase concessions in line with CPI increases. The result is that increasingly the concessions little by little are worth much less to the beneficiaries. Further, the Minister said that his Government would reduce the cost of living for people in poverty. The Leader has demonstrated already that that statement has been totally disregarded by the Government and he has provided figures to indicate that people who are living in poverty are worse off under this Government than they were five years ago when it came to office.

Allegedly, this Government was going to fight to ensure that Commonwealth pensions, benefits and taxes would be provided at a realistic level. What has happened since that commitment? One of the things that the Federal Government has done is to completely abolish the widow's class B pension upon which women who were bringing up their children on their own relied for some kind of dignity and income. That has been whipped out of the way. These women who have done the hardest thing that a mother can do (namely, bring up their children on their own) are now being told, 'Go out and find work and, if you cannot, you are going on unemployment benefits.' Their access to income support has been completely denied in terms of their roles in life as mothers.

The next point mentioned in this statement was to expand access to work opportunities. In relation to that point the Leader has indicated clearly that in South Australia unemployment is now higher than it was when this Government came to office—it has never been higher. We are looking not only at the present but also at the future. In regard to the future it is important to look at the fact that private investment in this State is reducing. It is at a low point where investment in plant and equipment has reduced every year since 1982-83. The Premier might point outside to North Terrace and say, 'Look at the cranes and look at everything wonderful that is happening down on the ASER site. Look at this! Look at that!' The fact is that South Australia has the lowest level of building approvals in the country.

Adding building and plant investment to ascertain the total private investment in this State, we find that there has been a decline from $1.6 billion in 1982-83 to $1.48 billion in 1986-87. That is not just a decline of 7.5 per cent in real terms: it means that South Australia is going rapidly in the reverse direction from that in which it should be going.

The Hon. B.C. Eastick: If you hide your head in the sand, you don't see the things that matter.

The Hon. JENNIFER CASHMORE: Yes, and the Premier clearly hides his head in the sand. The next point made on behalf of this Government by the Minister of Community Welfare in this fantastic so-called social justice strategy was to ensure relevant education, but how many members on both sides have in recent weeks been besieged by students wishing to enter TAFE courses but unable to do so because there are no places.

Members interjecting:

The Hon. JENNIFER CASHMORE: Now we hear the baying from the hounds opposite, because they recognise that this is a sensitive issue. Members opposite know full well that the number of applications for TAFE matriculation courses has increased by 30 per cent, but have the number of places for such courses increased by 30 per cent? No! There is no per capita funding. Only block funding is available and people are being turned away from the chance to train in order to improve skills and thus gain employment. The Minister of Employment and Further Education, who had the grand design for South Australia to become

the technological State, knows very well that the places are not available in TAFE colleges to enable South Australia to achieve that goal.

The final point in the explanation by the Minister of Community Welfare of his Government's so-called social justice policy is to conduct a public campaign to inform people of their rights and entitlement, and to 'sensitise the public to social injustice'. However, the public already is sensitised to social injustice: it is keenly aware of social injustice and on Saturday it made the Government aware of its awareness. Saturday's by-election was a rout for the Labor Party not only in terms of the result at the polling booths but in terms of the number of people who stopped to tell us of their despair and disillusionment. They told us that they could have no confidence or hope in a Labor Government that has betrayed them so many times not only in terms of promises broken and its delivery but also in terms of the Government's actions and the solid hypocrisy that has been so amply demonstrated by the Premier. The Premier's performance today in attempting to defend his Government against this motion was abysmal and he stands condemned.

The Hon. D.J. HOPGOOD (Deputy Premier): I think that Opposition members would do both this House and the people of South Australia a considerable service, and possibly pick up their game a little, if they could determine for themselves whether social justice meant spending more or spending less, because I am left totally bewildered by much of what the member for Coles has said and, by implication, by much of what the Leader of the Opposition has said. They apparently want us to spend more on TAFE, to employ more nurses, and to spend more on national parks. Indeed, I could give a long list in that regard, but that is not what this motion is all about.

It was refreshing to see a different member of the team drawn into the list on this occasion. The beginning sounded very much like what we have heard from the Deputy Leader of the Opposition for a long time. I always thought that the Deputy wrote his own stuff, but I am beginning to wonder. The delivery of the member for Coles had a certain journalistic gloss. In terms of what was really added to the debate, I thought that we could have done ourselves a service by reverting to Question Time at 2.45. There should be a number of things on which this Opposition wants to probe the Government concerning matters of administration, but the people of South Australia will be disappointed because we must wait until tomorrow for the chance to have a Question Time.

I want to question the basic assumption in the motion. There is little doubt that there was a message in the by-election, an age-old one, and the one that should have been learnt a long time ago. I entered this place in 1970, along with a number of people who are still here. These are the senior people in this place who will recall that Mr Steele Hall—the same person who was brought into the list for this by-election; the same person who believes, by the way, in no controls on shopping hours, but that is another matter—called an early election, and he lost. I was in this place 12 months before I expected to be and, indeed, 12 months before I really wanted to be, but here I was.

Also, I can recall landing at Rome airport in 1975 to be greeted by an official of the Australian Embassy and told, 'Go home; Don Dunstan has called an early election', only two years after the previous election, and that was a very, very near thing indeed. I can also recall that in 1979 Des Corcoran decided that he should call an election well in advance of when an election should have been called, and we went down to defeat.

People do not like early and unnecessary by-elections. The circumstances here were all so unusual, very unusual indeed. Here was a seat by no means safe—whatever that might mean—for the Labor Party, held for 19 years by a well respected, hard working member. He capped his career by being in the Ministry and the benefits for this State of Chris Hurford's service in that Ministry were very considerable indeed. His tenure in that seat was confirmed last year. Yet, suddenly, the electors of Adelaide wake up to find that their well respected member is to take a diplomatic post. Mr Hurford is eminently qualified to hold down the position to which he goes—eminently qualified—

An honourable member interjecting:

The Hon. D.J. HOPGOOD: It has a great deal to do with the motion because the motion makes certain assumptions, and I dispute those assumptions.

Members interjecting:

The SPEAKER: Order! I call the Leader of the Opposition to order and ask him to set a better example. The honourable Deputy Premier.

The Hon. D.J. HOPGOOD: However, the decision on that appointment—and I am speaking as much to my own Party as anybody—could have been taken immediately before the July 1987 election or it could have been taken immediately before the next Federal election, whenever it is held, but it was not taken, and the electors were obviously not pleased at having to be drawn to the polls in those circumstances. We have to remember that it is an axiom that there is always a swing against an incumbent Government in a by-election. It can be up to 5 per cent even when there are no issues around, but there was an issue around and the Prime Minister says that he has now got the message. I hope that he has got the right message.

The right message having been indicated, we cannot ignore the time charging issue. The only person who spoke to me about time charging when I was doorknocking actually supported the issue. Nevertheless, I was aware that it was a very unpopular one. It was brought home to me by my own experience when, unbeknown to me, my children timed me while I was on the phone talking to my mum. When I came off, they said, 'You'd be in excess because you spoke for 11 minutes', and on one occasion my wife rang a public institution, only to be put on hold, so she hung up. But there you are: it clearly was a very unpopular issue. John Howard invited people to turn it into a referendum on that issue, and there is little doubt that a good number of the electors did so. It is also true to say that, although the final figures are not yet in, there was a low turnout at the by-election.

Mr S.J. Baker interjecting:

The Hon. D.J. HOPGOOD: Of course there was a low turnout, and I challenge the member for Mitcham to deny that that was the case. It appears that this was not protest abstention. When doorknocking, I found that in many cases people did not know that they had to vote at a by-election, but the Electoral Act is no different with regard to by-elections than it is to a general election. So, there it is: an early and unnecessary election. It is a by-election, and there is a ready made issue—the only one in terms of the real visibility of propaganda—upon which the Liberals ran. Yet suddenly they find the real reason. The real reason is not any of these matters for which they paid thousands of dollars in TV advertisements and that sort of thing. The real reason has something to do with the State Government: this is apparently a referendum on the performance of the State Government and not the Federal Government. It just will not wash.

The plain fact of the matter is that everybody will line up to take the credit or blame as to the results of the

election. Ask the Wilderness Society, and they will tell you all about the write-in campaign. Mr Stokes and his cigarette lobby will no doubt try to take some credit for the whole thing. People wanting longer shopping hours or shorter shopping hours will try to take the credit or blame. People who say that we are being too weak or too tough on gun legislation will line up in order to take the blame. All the 'I told you so' people will come crawling out of the woodwork. The plain fact of the matter is that we know why there was a by-election, and we know why it was lost.

From the point of view of one of my portfolios, I want to just touch again on a matter that the Premier raised in relation to water charges, because you cannot just isolate one component of a water charge out of the total bill that people have to pay. The Opposition likes to do these sorts of things with figures when we come to debating such matters. However, the plain fact of the matter is that, during the time in which it is reasonable to look at these figures, the actual householder's bill has risen by 2 per cent less than the CPI. I make the further point that the reduction would have been even more but for the fact that we have embarked upon a deliberate policy of reducing the subsidy from the general taxpayer to the water user, and I imagine that that is something that would be applauded by the Opposition. So, those additional savings which do not show up in water charges show up elsewhere, either in benefits which flow back to the community or in additional taxes that they do not have to pay.

This is a policy that we intend to continue. We believe it is reasonable that we keep a control on the amount of subsidy which flows across to the actual delivery of any of these commodities, be they transport, the various sorts of service, water or electricity. But I remind those people who say that they want shorter queues at public hospitals, that that almost certainly means employing more nurses and putting more capital expenditure into these sorts of facilities.

Opposition members cannot have it both ways. They cannot place themselves in a position whereby, on the one hand, they continue to come at us with requests for additional expenditure in all sorts of areas—areas which we could tick off, areas which I have already briefly identified—yet at the same time say that we have to reduce taxes. The Premier has already indicated that we have in a sense gone further in the time that we have been in office than is envisaged in the request in this motion, and I think it is not an unreasonable assumption from that that we will be able to continue to perform at that level. It is true that in terms of the capital indebtedness in this State, if it is looked at on a per capita basis, we do extremely well indeed in Australian terms.

All Governments, in particular the Federal Government, in recent years have been assiduous in doing what they can to address this issue, this legacy of many years. Of course it is regrettable that any component of taxation should go simply towards the paying of interest. I also remind members that no Government is going to abandon the concept of borrowing money for capital works. I remind the Leader of the Opposition that it was his Premier, when his Government was in office, who initiated the interesting proposal of borrowing from the bank in order to pay for the groceries. This Government has had to derail that procedure to get us on to a more desirable transport track. This Government has been successful in doing that, as has been shown in the figures which are available for all members and the general public to look at in an unbiased way.

This motion invites the Government to take certain lessons from the by-election on Saturday. I am quite happy to take those lessons, but let us have no sham and let us have no hypocrisy; let us have proper analysis of what happened at that election. I think that members opposite will have a sinking feeling in their stomachs because the Labor Party has always learned from these events and has always bounced back.

I suppose it is not unreasonable that we should allow the Leader of the Opposition his little bit of basking in the sun, his reflected glory, because that is really why this matter is being debated at this time: in order that the Leader of the Opposition may have a chance for a little taunt. That is okay. As I think he said on Saturday night—I think I saw it reported in the *Sunday Mail*—it has been a long time between drinks for the Liberal Party. The Liberal Party has got used to losing, so if occasionally it turns up trumps that is okay. Why should we on this side of the House be churlish about it, provided that we are prepared to take to heart the real lessons that might be involved in a result such as this? As the Premier has indicated, it is a reflected glory; it is not glory that comes from the Leader of the Opposition and, indeed, he was as conspicuous by his absence during the campaign as he was so very quick to be photographed with the winning candidate when the results finally came out of the box.

I have lost a little sleep over the past couple of days: I have been getting up to watch the Australians in the Davis Cup in Mexico. I am reminded that even Pat Cash loses a set now and again, but I would not suggest to the Leader that he hold his breath awaiting the results of the rubber.

Motion withdrawn.

The SPEAKER: Call on the business of the day.

SITTINGS AND BUSINESS

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

That the time allotted for all stages of the following Bills:
Beverage Container Act Amendment,
Electoral Act Amendment (No. 2),
Justices Act Amendment (No. 2),
Constitution Act Amendment (No. 3),
Acts Interpretation Act Amendment (No. 2),
Family Relationships Act Amendment, and
Reproductive Technology—
be until 6 p.m. on Thursday next.

Motion carried.

BEVERAGE CONTAINER ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 25 November. Page 2092.)

Mr ROBERTSON (Bright): I wish to join my colleagues in congratulating the member for Coles on her engagement during the break. I suggest that, in the light of the speech she made in the closing days of last year on the subject of the Beverage Container Act, she may at the time have been distracted from her research. Her contribution at that time appeared to be the height of hypocrisy, given the fact that she herself and her amendment to the original Bill were the reasons for the amending Bill in the first place. I wonder how gullible the member for Coles really is. In my opinion her proposed amendments to the original Bill showed a good deal of shortsightedness and perhaps even more in the way of poor preparation. As the member for Coles pointed out, it is a fact that a member of the industry broke ranks with the rest of the industry on this matter. That suggests

with the rest of the industry on this matter. That suggests that the industry exercises very little control over its members.

I do not think that there is a great deal of point for the industry or the member for Coles to be whingeing about the additional costs to the industry if it exercises no control over its own membership. I suspect that in this industry, as with some others, the so-called representative body is far from being representative, and does a very poor job of informing its members about trends in the industry. I think that the original Bill, and indeed the amending Bill, could have been worn by the industry and that subsequent attempts to circumvent them by various members of the industry did it no credit whatsoever.

The reason for the amending Bill is that several members of the industry who produce low alcohol coolers decided that they could circumvent the Act by increasing the alcohol percentage of their coolers from something like 5.8 per cent to slightly over 8 per cent. I believe that one manufacturer was marketing so-called low alcohol coolers containing 8.2 per cent alcohol, which seems to me to be far from low, particularly by European standards. I do not think that that does anything to solve the problem in this country of teenage alcoholism.

It is a well known fact that many children begin drinking and forming habits that ultimately lead to their social and financial demise by imbibing so-called low alcohol drinks. These are the cordial based wine type beverages that are classified as low alcohol. As I said a moment ago, 8.2 per cent seems to be far from low, given the fact that many Danish beers contain less than 3 and 4 per cent alcohol. If one is going to have a low alcohol beverage the label ought to mean what it says. The whole problem of teenage drinking is not just the establishment of bad habits but the rate of teenage drinking; in particular, the rate of consumption of these low alcohol beverages. That goes some considerable way to giving us in this country, and in the various States, a road death rate amongst young males, particularly those in the 18 to 21 age group, that is something like wartime casualty rates. I think that the behaviour of the industry and the contribution of the member for Coles do us no credit in that regard. If the industry wants to play ducks and drakes with the Parliament, it is incumbent upon this Parliament to plug the holes.

In her contribution the member for Coles promoted the idea of an education campaign. I can remember that in the first year I came to Adelaide, Christmas 1971, radio station 5KA—when 'environment' was the buzz word of the year or the month—ran a so-called 'I care' campaign that involved the printing of thousands of beer coasters with the words 'I care' on them with a little logo in green and yellow, those very patriotic and environmentally conscious colours. An open-air pop event was held on a metropolitan beach, and I can recall walking along the beach the next day seeing 'I care' coasters as far as the eye could see. The kids who had those coasters did not care a great deal about what they did with them and left them on the beach. I think that education campaigns have a fairly limited purview and effect in the matter of glass recycling and keeping the environment clean and acceptable.

The honourable member points to the fact that the record of the 15c deposit is 'relatively poor', to use her words, in the Far North of South Australia. It seems to me that that indicates clearly that it is not worth one's while to return a bottle from 300 kilometres the other side of Port Augusta to Port Augusta simply to claim the 15c deposit. It suggests that, if deposit legislation works in the metropolitan area, and not in the Far North, the whole concept of a deposit is a good one. In other words, it works where it is economically viable. Where it pays people to return the bottles, they will return them. It is purely an economic decision. It plays immediately on the purse strings rather than the heart strings of the people who consume the product, and it appears to work. If the price of that is a few bottles in the Far North, it is a price that we can wear.

However, I support the honourable member's call for recycling in the glass industry. I point to the contribution of Smorgen and ACI, particularly in the Eastern States. I understand from a recycling newsletter *Packaging Today*, which was sent to MPs and others at the end of last year that the glass industry in particular services about 2 million households in Australia either weekly or bi-weekly. Most of those households are concentrated in Melbourne or Sydney, where the recycling of glass bottles without deposits is quite effective, to the extent that Smorgen has constructed a series of what are called Igloo bottle banks around the nation, particularly in Melbourne and Sydney. To September last year Smorgen spent over $1 million in establishing 370 of these strange shaped objects. By the end of last year, it expected to have 520 bottle banks spread throughout Australia.

While the Australian industry or ACI is able to handle 30 per cent of recycled glass in the form of cullet in its glass manufacturing process, a factory in West Germany works with a 100 per cent recycled glass content. It is able to put 100 per cent cullet into the furnace and produce good quality glass from it.

The honourable member's contribution last year was mischievous, ill informed and poorly researched. If the industry wants to use the member for Coles as its cat's-paw in this place to sabotage and circumvent the legislation, it is the duty of the Government to plug the holes. It is most unfortunate that it had to be done in this way but we have learned by experience that the honourable member does not get her act together very well and knows very little about this subject, and that is the reason for the amending Bill. It is of great regret to me that the time of the House must be spent in doing this, but I repeat that, if the industry wants to play ducks and drakes with the legislation, it is the duty of this House to amend it appropriately.

The Hon. D.J. HOPGOOD (Minister for Environment and Planning): This is a rather unusual debate in that it commenced before Christmas and is now concluding. For the most part, the debate has been silence. I thank the members who contributed to the debate. I must make the point that this Bill is being debated in the shadow of a case which has been on the lists of the High Court for some time and, so far as I am aware, it will be quite some time before the matter is resolved in that place. That has been sufficient for me to determine that there was really little point in proceeding with the Government's commitment to a full-scale inquiry into the legislation because there is no way of knowing how the legislation will be touched or qualified by anything that the High Court might say. However, there is an Act to be administered, and the administration of it must go on.

The Act has a very high level of support in the South Australian community. South Australia continues to be alone amongst jurisdictions in this country as people who are prepared to have such an Act and it is interesting to hear

what people from other States say about it. When I charge people from other States with their responsibility to follow our lead, a lead to which they have been very slow in responding, they say, 'Well, we do not really want to go your way but, for goodness sake, don't abandon your legislation.' They are able to use the threat of South Australian type legislation to force the industry in their State to address the question in other ways. We have sufficient information to suggest that the addressing of the problem is not as effective in the other States as are the very simple principles which underly our own legislation and which this Bill, in a very small but necessary way, seeks to strengthen and underline. I commend the Bill, simple and straightforward as it is, to the House.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Interpretation'.

The Hon. JENNIFER CASHMORE: Clause 2 deals with the definition of low alcohol wine based beverage, and it is highly specific. In my second reading speech I referred to the fact that the original definition, as moved by the Opposition in a previous amending Bill, was moved at the request of the Wine and Brandy Producers Association in the genuine and sincere belief that that definition was the most appropriate and workable one. That completely refutes any arguments that the member for Bright made in alleging that it was political interference on my part or that of the Liberal Party. In my second reading speech I mentioned that the industry had again come to me because it had found great difficulty in getting a response from the Minister. The industry has said that, as not only wine is used in wine coolers but also spirits and that a beer based cooler is about to be released, it would be better for the definition to read 'alcohol based beverage'. If that were the wording, it would embrace both the spirit and beer based coolers as well as the wine coolers.

In my second reading speech I said that I would await the Minister's response to this practical reality and suggestion rather than move further amendments here and now. I therefore ask the Minister to respond to that suggestion. Can he advise the Committee whether his departmental officers have had discussions with manufacturers about the likelihood of this current amendment being superseded in a very short time by the introduction of alcohol based beverages which do not come within the ambit of this definition of wine based coolers?

The Hon. D.J. HOPGOOD: I understand that the industry is fairly relaxed about this measure, which has been around for long enough to allow for a good deal of consultation. I understand that it is felt that the definition is broad enough to encompass any of these things that may proceed. We have to keep in mind that we are only having to deal with this within the confines of the Beverage Container Act because it is a beverage within the definition of the Act. It is regarded by the Act as a soft drink, although the soft drink is mixed with alcohol.

I am not aware, indeed, that those other beverages have come onto the market and in the circumstances our feeling at this stage is that the Bill is before the House, we should proceed, we should close the loophole and, as we get our signals from the industry, if it is necessary to amend further we will do so. I think that my officers feel that it probably will not be necessary to further amend.

The Hon. JENNIFER CASHMORE: That is an interesting reply. I did not say that spirit and beer based coolers had come onto the market: I said that manufacturers were known to be planning to introduce them. It therefore seems that the simple words 'alcohol based', which embrace everything, represent plain commonsense and I would have thought that the Minister would have welcomed an all embracing term which would have relieved him of the tedium (and I am sure it must be tedious for the Minister) of continually introducing amending Bills in respect of the Beverage Container Act.

The other point is that the Government already faces one substantial court case. I find it hard to believe that, if we proceed with the wording 'wine based beverage', a good or even mediocre lawyer could not make out an excellent case for a company placing a beer or a spirit based beverage on the market and saying that it did not come within the ambit of the Act as beer is not wine based and many spirits are not wine based. I suggested in the second reading debate that the Opposition is so weary of the Minister's intransigence over this piece of legislation, as is the industry, that we are almost inclined to say, 'Let the Minister stew in his own wine cooler' as that is likely to happen if such a narrow definition is entrenched in the legislation.

The Hon. D.J. HOPGOOD: Aside from the fact that I do not consume alcohol at all, I understand entirely what the honourable member is saying. I have no objection to the amendment which she is conjuring up but which she has not specifically placed before us. All I am saying is that my officers do not believe at this stage that it is necessary and that, indeed, the industry will come to us in order to overcome these problems. The honourable member must realise that Mr Bond is a little unusual. He has the resources to be able to wade through High Court challenges and so on. As a result of the challenge, Mr Bond has lost two summers of sales in South Australia. Obviously that does not concern him very much. The average retailer or producer of course, is very concerned about that and, rather than getting expensive legal opinions, they would rather come to the Government with what they propose to do and say, 'We think that we and you will be in trouble under the Act if we proceed; can we talk about an amendment to the legislation?' What I am saying is that they have not put that to me.

In light of the honourable member's advocacy, members will recall that I was more than reasonable the last time that this matter was before the House. That is why we are dealing with it now: because I was more than reasonable and I let the honourable member persuade me to write in a figure that people have been able to get around. It seems that I never learn. However, I am prepared to give it another go. If it seems on balance that it is not unreasonable that something like the honourable member's amendment should be entertained, we can do it in another place. I give that guarantee. Perhaps I never learn. I bend over backwards to be fair. But again I make the point that I have not had this specific request from industry. I am not aware that it sees it as a problem in this case and my feeling was that we could jump that hurdle when we got to it. However, the matter has been raised, we will further investigate it and, if it seems not unreasonable, I am prepared to have a colleague in another place move to insert the necessary words.

Clause passed.

Clause 3 and title passed.

Bill read a third time and passed.

ELECTORAL ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.
(Continued from 3 December. Page 2503.)

Mr S.J. BAKER (Mitcham): The Opposition supports the Bill which makes a number of amendments to the Electoral Act 1985. It contains a wide variety of amendments relating to and stemming from the report delivered by the Electoral Commissioner as a result of the 1985 election. It is an excellent report and brings together a number of difficulties and anomalies noticed at the election and the prior election which needed to be tidied up. These changes put forward in the Bill before us today reflect the Government's intention to proceed with the recommendation of the Electoral Commissioner.

To itemise some of the changes being made to the Act, I point out that we have a situation where the British subject provisions which existed under the Electoral Act for a considerable time have been amended because of citizenship changes that have taken place and changes in Commonwealth legislation. There is an amendment to the provision allowing prisoners on the roll to change their address and to delete ownership provisions. There is a provision for registered officers of political Parties to nominate voting tickets. The registered officer in each case has the ability, by being authorised by the candidate concerned, to do a number of things on behalf of that candidate.

There is an amendment to delete the three month qualification period for voting entitlement at an election. The legislation provides for declared votes for persons working on polling day where they might not otherwise have been able to attend a polling booth. It provides for a reduction from 9 p.m. to 5 p.m. on the Thursday before the election for applications for postal or declared votes to be made.

If it is impractical to provide a mobile polling booth on the day that was previously announced, amendments allow the Electoral Commissioner somewhat more flexibility. There is provision for declared votes to be delivered to the Electoral Commissioner or the electoral staff rather than being sent by post. A number of other areas have been canvassed, including the right of an electoral officer to change the six metre rule if he or she thinks it is practical to do so on polling day.

The Opposition supports the Bill. I suppose that the most interesting part of this debate will be beyond the prospect with which I was faced last night when I was going through the changes to the Electoral Act. I had in my possession a document which was raised by Parliamentary Counsel and which purported to amend the Electoral Act to make it compulsory for people to enrol in House of Assembly districts in this State. There is no doubt that the Government intended to change the Electoral Act in order to make compulsory enrolment a feature of it. After I made further inquiries I found that this copy suddenly had been lost and that a different copy had been placed before the House. However, it was the Bill on which I had spent some time, so therefore I think it is worth debating the point. If the Government does not now intend to make it compulsory for people in this State to enrol, it intends to do so some time in the future.

For the benefit of those people who are not aware of the Electoral Act, I point out that it has been a feature of the Constitution and the Electoral Act probably since they were both first promulgated, that there shall be no such thing as compulsory enrolment. That does not satisfy the Liberal Party, because we do not want compulsory voting in any shape or form so, in its wisdom, the Government must have understood the storm that would arise if it removed that last vestige—voluntary enrolment. I believe that it is incumbent on Federal and State Governments in the not too distant future to change their Electoral and Constitution Acts to provide for voluntary voting.

In this day and age it is anachronistic that people are forced to go to the polls. It is ridiculous that we have to take the people to the trough and make them drink. Obviously, the Government was tightening up any voluntary provision that existed in the Act and it spied this voluntary enrolment provision. It then said, 'In keeping with our philosophy of forcing everyone to vote, to participate in an election, we will ensure that they have to enrol.' Obviously, the Opposition would oppose that provision very vehemently. It is not now our intention to do so, because it is not in the Bill before us. However, I remind the House that that was the intention of the Government until the 12th hour.

Whilst the Opposition supports most of the propositions contained in the Bill, we have some reservations about one or two items. We do not believe that the changes in relation to prisoners will usefully assist the ability of the Electoral Commissioner to deal with prisoners and we do not believe it is appropriate to amend that section of the Act. I believe that the legislation is deficient to the extent that, whilst a candidate can authorise a registered officer to place the how-to-vote card and the preferred voting pattern on the listing system before the Electoral Commissioner, there is no requirement that that authorisation be notified to the Commissioner.

We believe that that is a deficiency. We will see situations arise that have occurred in the past. If there is some dispute, letters with some pre-date on them could arrive after the election. This situation arose because I believe that at the last election six candidates failed to notify the Electoral Commissioner of their voting ticket. That meant that all No. 1 votes or crosses and ticks were not recorded as valid votes. I believe that that was the fault of the candidates concerned and that, if people are to be members of Parliament, they should at least understand the laws under which they will become parliamentarians. They should not have to be hand fed to ensure that they comply. However, to make it easier, particularly for Government members who were far in excess of members of the Opposition in their ignorance, in their wisdom they have deemed that the Act shall be changed so that we can cater for the dills which, unfortunately, we always have to do in relation to the laws of this State.

The Opposition opposes the proposition that the residential criteria should be waived. We believe it is important, particularly in very marginal seats, that every possible check be made on the validity of people's eligibility to vote. I believe that, without compelling evidence, we have seen strange movements in rolls prior to elections. The job of the Electoral Commissioner to keep a clean roll is hard enough without encouraging people (and I particularly mention members from the other side of the House) to stack the rolls. During the Norwood by-election and even in the

recent 1985 election there were some very strange increases in enrolments in marginal seats held by Labor candidates.

Members interjecting:

Mr S.J. BAKER: The member for Adelaide asks, 'Where are the facts?' I simply say that, in the absence of compelling proof, let us try to keep the system as clean as possible.

Members interjecting:

The DEPUTY SPEAKER: Order! Would the honourable member for Adelaide please contain himself and I ask the honourable member for Mitcham not to respond to interjections.

Mr S.J. BAKER: Far be it from me to respond to interjections, but I know that there will be some very strange manoeuvrings behind closed doors in certain sections of the Labor Party as to how it can boost failing votes in very marginal electorates prior to the next election. We do not intend to assist that process in any way whatsoever. We believe that, because of the way in which the rolls are cleansed, the three month rule should apply, because otherwise some people of a certain political persuasion, namely from the other side of this House, may be inclined to keep people on the roll in certain areas when they have left those areas, or they may insert the name of people onto a roll when they do not belong there. Unless there is some check and balance in the system, that possibility will increase.

I have some reservations about the ability of someone to turn up with a declared vote some time after the poll has finished, but that is what the legislation provides. This topic will be explored in greater depth during the Committee stage. I noted that the Electoral Commissioner recommended that all prosecutions should be commenced within six months. That recommendation was contained in the report to which I referred earlier. However, in its wisdom the Government has decided to make that period 12 months, which makes a farce of the law and the recommendations.

Another area about which I am concerned involves the relationship between the address shown on the declared vote and that shown on the roll, and this matter will be pursued. When the roll closes, it is not possible to change an address and those people who wish to change their address or fall within the 21 day rule could place their new address on the declared vote without realising that their former address for that subdivision is important. The Returning Officer will be allowed to clean the roll when addresses in respect of the same subdivision are incorrect.

The Bill provides that a penalty shall be imposed on people leaving the polling booth with the ballot paper in their pocket, but I should have thought that the Government could help the Electoral Commissioner by providing that it shall be an offence if the paper is not placed in the ballot box. On Saturday, I was at a polling booth and an officer went around the rubbish bins there and succeeded in picking up ballot papers that had not reached the box. So, the offence described here is really misplaced, and I will ask my colleague in another place to take up this matter.

Earlier in my speech I said that the Opposition supported this Bill but that it would move appropriate amendments. I now return to my earlier message: that the Opposition opposes compulsory enrolment and compulsory voting. If the Government intends to pursue the amendment which it obviously intended to pursue before Christmas, it will find itself with a fight on its hands. With those reservations, I commend the general content of the Bill.

Mr DUIGAN (Adelaide): I support the second reading and wish to refer to certain general principles on which the amendments to the Electoral Act and associated Bills are based. The process followed in South Australia by way of an extensive analysis of an election and the conduct of the provisions of the Electoral Act following each State election has proved to be a valuable exercise. Such a review identifies areas where anomalies and uncertainties have been created either in the minds of electors or in the minds of candidates in terms of the way in which an election has been conducted and in which they have been able to participate.

It is important, therefore, that this process of review be acknowledged and that the consequences of the review be reflected in amendments to the Electoral Act. The value of that review is highlighted in an associated Bill at present before Parliament. To a large extent many amendments are caretaking amendments that pick up relatively minor administrative and other matters but which, although minor in themselves, may create concern and anguish to an individual voter or an individual candidate.

The amendments before us are inspired by valuable principles which govern elections and of which we in South Australia can be proud. The first of these principles guarantees the freedom of the conduct of elections and also the efficiency of the administration of such elections. Our electoral system guarantees satisfaction to those participating as candidates or as electors. That is important, because all the candidates must believe that all the obstacles to their participating in the electoral process in this State are removed. In this regard, the 13 or so administrative arrangements enunciated in the Minister's second reading explanation remove the obstacles to the full and open participation by candidates in an election.

It is also important to ensure that electors themselves can easily effect their enrolment and turn out to vote knowing what they are doing at the polling booth. That is a general principle that has guided the framing of the legislation as well as the review and the amendments now before us. It is important that we, as a Parliament, endorse those principles because they guarantee the efficacy of the system of parliamentary democracy that we have in this State.

One of the general principles that has always guided the operation of the electoral system in South Australia has been the cooperation between the State and Commonwealth Governments, and one of the amendments in the Bill clarifies this issue in respect of the compulsion on individuals to enrol, as well as their responsibility to vote once they are enrolled. The issue of compulsion, as opposed to voluntariness, as regards the electoral system has been addressed by this House on a number of occasions. Indeed, it was addressed by this House and by the other place in the extensive debate that took place when the original amending Bill came before Parliament in 1985. It has also been addressed by both Houses on a number of occasions since then and, when it has been addressed, the whole issue of a voluntary electoral system has been dismissed and the notion of full, formal, and compulsory participation in the electoral system has been endorsed by Parliament, and so it should be. I do not wish to go over all the arguments in favour of compulsoriness in the electoral system because they have been dealt with previously.

The whole issue of electoral reform has been a continuing interest of members on this side. In Australia, and especially in South Australia, we have now achieved, by means of some of the systems that we have developed for lodging and registering voting tickets with the Electoral Commission, a unique and fair electoral system which is open to public scrutiny and which guarantees to electors and candidates alike their full and open participation and that the result will be a total recognition of the wishes of the electorate.

Having said that, I wish to put paid to suggestions that have been made that it is the *modus operandi* of any political Party to become involved in extensive roll stacking. In this regard the points made by the member for Mitcham about enrolments tend very much to consider the negative side. It is important to remind ourselves of the statement in the Minister's second reading explanation: to ensure that those people who are entitled to register and to a vote in an election can do so, and that all obstacles to the enfranchisement of people created by anomalies as to their address and their memory to ensure that their current address is the address at which they are registered for electoral purposes do not prevent their participating in an election. We must remove such obstacles to enfranchisement and we must ensure that the bias of the system is on electors and their ability to participate rather than the emphasis being on exclusion.

The other point referred to in the Minister's second reading explanation relates to the principle of conclusiveness of the rolls. We have to ensure that people do have the right to participate and that we overcome any attempt to erode the effectiveness of that principle of the rolls being evidence of the conclusiveness of the right to participate. I support the principles behind the Bill, involving the three categories of amendments that we have before us. I reject any suggestion that providing for a particular category of voter, namely, prisoners, whose circumstances change from time to time, is an attempt at manipulation. Rather, it is an attempt to ensure that those people who are in prison are not disfranchised and that a system exists to ensure that their voting entitlement stays active, depending on the nature of their imprisonment.

Similarly, those voters whose residency arrangements might change should have the system biased in their favour in terms of their participation in an election. The third category of amendments, those dealing with administrative arrangements, are designed to ensure that candidates can participate without any obstacles being placed in their way. They are very necessary provisions that have become evident as a result of the review. I have much pleasure in supporting the Bill.

Mr LEWIS (Murray-Mallee): The general thrust of the Bill is something with which the Opposition has no quarrel. That has already been indicated by the spokesman on our behalf. My interest in parliamentary democracy, not only as a member of this place but also as a member of the Australasian Study of Parliament Group, is probably well known to those members of this place who are also interested in parliamentary democracy as an institution, quite apart from their political duties as member of this place.

It was interesting to consider the differing views put to the conference in New Zealand last year about polling and matters associated with this Bill. I will not attempt to describe them all: they are contained in the literature to be found in the Parliamentary Library for any member who is not familiar with them. For any member who may not know, the Australasian Study of Parliament Group consists of those people who have an interest in Parliament, not necessarily being servants or members of it but who wish to participate in discussions on the way in which Parliament functions and the way in which changes might be made to improve its function and ensure its retention by society as the means by which the direction we take tomorrow will be decided, where no scientific evidence is available to support that decision.

I hold the view that we ought not to distribute how-to-vote cards on polling days and that political Parties should desist from that practice. It should be banned by law. I think it is uncivilised to harangue or harass people as they go to vote. Some may enjoy it, but that is their subjective view. Certainly, without question, many do not enjoy it, and it causes distress. I am sure that some people deliberately do not go to the poll and give all kinds of reasons why they do not go when the real reason is fear of being confronted outside the polling booth by one or more individuals, or just the plethora of individuals standing there handing out how-to-vote cards, often in an aggressive way. Some of the behaviour that I have seen outside polling booths is in no way civilised.

I believe it should be mandatory in the legislation for the returning officer for the booth to be responsible for erecting in the cubicles and maintaining the how-to-vote cards lodged with the Electoral Commissioner prior to the deadline, but that there be no offence committed by staff in the unfortunate circumstances where the how-to-vote card is ripped down, mutilated or defaced by some irate voter. I do not see any difficulty in protecting that card behind a piece of perspex in the cubicle and placing it at eye level to enable people with poor vision to see it easily and transpose that information to the ballot paper. I have given considerable thought to this matter and believe that the informal vote could be substantially reduced where it involves voting by people with defective eyesight.

We should encourage people to participate in the democratic process of electing a person to represent them, to whom they give their delegated authority and power, and this should been done in such a way, as far as possible, as to be civilised and to enhance the dignity of that process.

Given that the Bill canvasses the way in which electoral rolls are to be comprised, I will make some comments about electoral rolls at large. Whilst I believe that it is legitimate for people to determine that they shall not be put on the electoral roll, I would go further than that and say that it should be a requirement of citizens to register if they wish to vote. I know it would create administrative problems for the State Electoral Office, but I still think that democracy's purpose would be better served if people made not only a conscious decision to vote one way or another but, before that, a conscious decision that they wish to participate, and put their name on the roll once an election has been called or for a minimum of three years (in our case, here in South Australia, we have the very fortunate situation of compelling Governments of the day to go for a four-year term).

So, I believe that the roll for any by-election should be as it was at the last election without change, with people indicating whether they wish to participate according to that roll. For any election called in extraordinary circumstances—where, for example, there is a loss of confidence by the Parliament in the Government as demonstrated by a vote in the House compelling the Governor to accept the advice that the matter should be taken to the people—then use the electoral roll as it stood at the last election. In other circumstances where there is a normal general election, I believe that the roll should be established after three years, by people claiming their vote and establishing their identity in the process of doing so.

Those rolls should not be published until after the writs have been issued, so that people cannot attempt to enrol those who are conscientious objectors and do not wish to participate, so that they in turn can deceitfully and deviously vote for those people who have chosen not to be enrolled but have been nefariously enrolled by others who know of their opposition to participation in the democratic process.

They are my personal views about the way the democratic process ought to be constructed, and I believe that they are views that will need to be given greater consideration as time goes by, as many people believe it to be an infringement of their rights as citizens to be compelled to participate in a process in which they consider they have no interest, from which they derive no benefit and which causes them—this may be in addition to the things I have already mentioned—religious offence. It is their right as citizens of this country to desist from doing so.

I know that conscientious religious objectors will be excused if they do not vote, but in my judgment that is not good enough. They should be left to decide whether they want to be on the roll and, having decided to be on the roll, they should be compelled to vote. I make that point because if someone's name is added to the roll and they are not compelled to vote then there is a risk—and indeed it is a real risk that I have seen in other places and it is known to happen in America—that someone other than the enrolled individual will present themselves to a polling booth, claim to be the said person, have their name struck off and vote for that said person knowing that there is very little likelihood that the offence will be detected as it is unlikely that the poll clerk will know anyone from a part of the electorate somewhat distant from the location in which the booth is situated. The clerk will be unable to say, 'You are not the person you are claiming to be; you are someone else, and I know you,' or, alternatively, will know the person whose name appears in front of them and say, 'I know that you are not that person; I know the person you are claiming to be.'

They are the two situations: the first where the poll clerk might identify the voter as being someone who is well known to them other than the person they are claiming to be or, alternatively, the poll clerk may know the person whose name appears on the roll and know that the person claiming to be the person whose name appears on the roll is not that person. I think I have made that clear. Of course, they may get away with it and that has happened in the past. I have checked that situation in State and Federal elections and found it to have happened. It is not a practice that I want to see publicised, but it does occur and there is no way of knowing how the end result may have been affected other than by double checking all names that have been marked off in all polling booths against those names marked off in other polling booths. In this day and age of computers such a check could be easily made. That is why I believe that compulsory voting, once voluntary enrolment has taken place, is legitimate. It stops offences being committed by people voting for others.

That brings me to my next point. I know personally of a number of occasions where dead people have voted. I also know of instances where dead people have been transferred from one address to another. I picked that up in the Norwood campaign in which the Minister at the table rewon his seat in this place. I think that is a terrible practice. I do not ascribe to the Minister or his supporters or any other individual the responsibility for that, but it did happen. In this day and age of computerised electoral rolls I hope that it will be impossible for dead people to be transferred from one electorate to another and to vote, because quite clearly that is a nonsense and an abuse of the process of democracy.

An honourable member: A fraud.

Mr LEWIS: It is a fraud, having effectively transferred a dead person from an outside electorate onto the roll in which the by-election is being held. It is an abuse of process.

The next matter to which I shall refer is something that I have been concerned about for some time. I think that we spend a lot of money on election day that might otherwise be saved. I am aware that in some metropolitan electorates there is a large number of polling booths. This is a subjective opinion on my part. I think there are over 40 polling places in some electorates. I believe I am right in this assertion and I ask the Minister to check and procure a table of the names of the 47 electorates of this Parliament and the number of polling places in each of those electorates which were used at the last election.

I would be grateful to the Minister if he would give the House that information because, as far as I am aware, some electorates of less than 15 square kilometres have 30, or even over 40, polling booths. I would be very surprised if that is not the case, and if the Minister can procure a table with the name of the electorate, the number of polling places in it and its relative area, I would be grateful if he would incorporate that in the record when he replies to the second reading debate or at some later time. Where that occurs it is a waste of money; I do not think any member in this place would quarrel with that. Some of the outer metropolitan electorates which are slightly larger than the inner seats and have greater numbers of electors make do with as few as six or eight polling booths. In my judgment that is all that is necessary.

I think consideration should be given to having the facility of declaration voters further extended in South Australia in the isolated communities, where it is terribly expensive to provide a place to which people can go to vote. I am sure those people would be adequately served by the kind of procedure which was adopted in the member for Eyre's electorate during the last State election. If some rationalisation of polling places along such lines can be established I state here and now that as a matter of principle I will support an examination of that approach.

If that is not done we will go on wasting money on the process which could be put towards those programs which are presently being starved of funds and which we heard so much about earlier today. It might be better to use the funds made available to do other work which is sadly behind in the Commissioner's office, through no fault of his or her staff. I think he has been squeezed a bit. We would all be better served if a redeployment of resources was possible by an examination and improvement of efficiency.

The last matter to which I wish to refer in the course of my second reading contribution relates to ballot papers and their purpose. In my judgment it should be made mandatory in the statute that a ballot paper is informal if it bears anything other than the voter's stated preference of the candidates offering themselves for election at that election. I was appalled at the campaign waged by people from the Wilderness Society to write 'No mines' on the ballot paper. That was not what the by-election in Adelaide was all about. To my certain knowledge at the place where I was scrutinising the vote, the people who counted it were double counting the number of ballot papers. They saw where they were being sorted and kept tally when 'No mines' appeared. They would then go to the candidates' table where they were counted after being sorted and tally them again as being ballot papers that had 'No mines' on them.

What they failed to do was mention the number of ballot papers on which had been written 'More mines' by people who had not been prompted to do so. That was not publicised in the least bit. I saw more than one ballot paper on which an elector had written 'More mines'.

If we allow this kind of defacing of the ballot paper and permit scrutineers to take information from them and publicise it, it detracts from the process that we are engaged in in electing representatives on that day. That is what should be the option of policies in determining who gets elected, not an exercise that is spurious and peripheral to it. We

will get into great difficulty and go down the slippery slope if we continue to tolerate the defacing of ballot papers with slogans and comments of any kind.

The Hon. G.J. CRAFTER (Minister of Education): I thank members who have contributed to this debate. I know that all members have a keen interest in electoral laws, and that is a good thing. I thank members for their indication of support for this measure, albeit with some indication of amendments being sought by the Opposition. As the member for Adelaide has outlined in some detail, this Bill has come about as a result of the regular review that occurs after each State election and also takes benefit of the joint select committee of the Commonwealth Parliament on electoral reform. For the interest of members, I point out that the full title of that Commonwealth parliamentary report by the Joint Select Committee on Electoral Reform is 'The Operation During the 1984 General Election of 1983-84 Amendments to the Commonwealth Electoral Legislation'. It reported to the Commonwealth Parliament in December 1986. In an attempt to improve the operation of the electoral laws in this State, this series of relatively minor amendments comes before the Chamber. It is also to bring South Australia, where possible, into line with Commonwealth administration in this area where that is seen to be appropriate.

The member for Mitcham and one of his colleagues unfortunately referred to and made allegations about malpractice with respect to the operation of elections some years ago. I point out to those members that there was a thorough investigation of the allegations at that time. Most unfortunate allegations were made, but it was proven not to be the case. The member for Murray-Mallee raised an issue of one instance in which a deceased person was allegedly declared to be a voter, and he referred to my own electorate. I was not apprised of that allegation and the Electoral Commissioner advised me that he was not aware of any allegation at that time. I have not heard allegations of that malpractice in this State. Certainly one hears stories of it in other jurisdictions, but it is not a practice that has any credence in South Australia.

The concerns of members in this respect could be allayed by the changes that have occurred to legislation that will minimise the unfortunate behaviour of any person or elector with respect to the conduct of elections and by the techniques used by the Electoral Commissioner for the maintenance and upgrading of the rolls, the cross-referencing of the rolls and the checking of the actual votes. An assurance can be given to all members that the chances of malpractice are minimal. One can never eliminate fraud in the community, particularly with respect to electoral matters, but it can be said that there is a vigilant administration within the Electoral Commission in this regard and the law has been amended in a number of ways in recent years to minimise this practice in the community. We must make sure that we have the most proper and efficient expression of the will of the people through the ballot box so that our democracy is alive and well. The electors of South Australia can rest assured that we have the proper conduct of elections, and they can have every confidence in our system.

I hope that the comments made by some members opposite will not be taken by the overall community to mean that there is a lack of confidence in the Electoral Commission or in the conduct of elections in this State, because that would be most unfortunate indeed. Every elector can have confidence in the proper conduct of elections. That is a most important factor for the overall well-being of our community. We all know that we respect and abide by the results of general elections and by-elections at the end of the day, and that is a very important factor in the well-being of any democratic community.

I foreshadow that I will also move two amendments, of a very minor nature, which have occurred as a result of a perusal of the legislation by the Solicitor-General since it was introduced into this House. They have been made so that the law can be better expressed, and I have distributed those amendments to all members. I commend these measures to the House.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Entitlement to enrolment.'

Mr S.J. BAKER: I move:

Page 2, lines 14 to 29—Leave out paragraph *(c)*.

Paragraph *(c)* deals with the right of prisoners to change their enrolment once within the prison system. At the outset, I find it very strange that the Electoral Act demands that people alter their address on the electoral roll within 21 days of changing address. Yet this strange rule within the Electoral Act of this State provides that prisoners are covered by a special set of rules.

That is not appropriate. Prisoners should be treated like any other citizen. When they go out and take up residence somewhere they can change their address. Whilst in gaol for a period of more than 21 days, they should change their address, and it should be the address of the prison. However, we have seen the Government attempt to come part way towards making a prisoner belong and to recognise that the permanent place of residence stated on the electoral roll should be that of the prisoner's family. The whole question has become convoluted and strained because we keep changing the rules as there might be some circumstance which the Government says is not being catered for.

I spent some time last night trying to work out what the Government was trying to achieve in this regard. After reading the opinion of the Electoral Commissioner and the Crown Solicitor, I came to the conclusion that the provision before us has as little worth as the existing provision. Therefore, I am in no mood to accept either but, since I am not about to change the existing provision, the best I can do is contest the provision in the Bill. New sets of problems arise as a result of the provision. Under the Bill, if we were talking about a prisoner who resided by himself and if he at some time during the period of his incarceration acquired some other premises by whatever means and intended to live at those premises, he could change his address on the roll. The rub was that he had to own the previous set of premises. The Government has thought long and hard about the matter and considered that it is all a bit difficult, so it decided to change the rules. In so doing it will cut out the ownership criteria. That releases a whole new set of problems in relation to the ability of the Electoral Commissioner to do his or her given job.

What does 'acquire' mean? Under the description that we have been given by our legal brethren, 'acquire' can mean purchase or some form of tenancy. Does it include the case where a person goes into gaol and his mates go along and clean out his flat and store his furniture somewhere so that he can say, 'When I get out of here I will live in and be a tenant in these premises'? What does it mean in terms of the ability of the Electoral Commissioner to determine whether it is a person's permanent place of residence? As I said previously, if the legislation was applied across the board, after 21 days a prisoner would be resident in the

prison. We have bent over backwards to accommodate prisoners.

I question the validity of going as far as we have and in tying up the valuable time of the Electoral Commissioner or his staff in deciding whether there is a valid reason to change the residence of a prisoner. We are getting into a difficult and time-consuming area. How in the hell does the Electoral Commissioner know whether a person has bodily changed their address and is therefore eligible for a change of address on the electoral roll? I will not talk about vote stacking as there is such a limited potential. One must question the ability of any Government which spends a lot of time trying to sort out a very complicated set of rules and saying, 'The ownership criteria is a bit hard, so we will take it off.' Another opinion is that, if the family living with the prisoner at the time moves house, the prisoner can then designate that house to which the family or one member of that family has moved as his permanent place of residence, provided he can say that that is where he will reside when he leaves the prison.

Referring again to the situation of his mates grabbing his swag or locker and carting it off elsewhere, the same principle applies. The Government has not thought through the amendment. The rules should be made simpler and we should not get into this ridiculous argument about residential qualifications. I am not too fussed about members of the family who are living with a person at the time and who move residence. I will not get into that argument. But when we try to pin down residence according to where a prisoner thinks he will have future tenancy for whatever reason, the Government is wasting the time of this House. I oppose the provision and commend the Government for amending the other matter relating to British citizenship.

The Hon. G.J. CRAFTER: The Government opposes the Opposition's attempt to delete this provision from the Bill before us. It does boil down to one's perception of the importance of the right of a prisoner to vote in an election as a citizen of the State. The situation until recently was that prisoners did not have a vote at all. They do now and this is an attempt to ensure that they have an entitlement to vote and that, as they are residents of the State (whether for a short or long term), they do belong to the overall community of the State rather than simply being lumped together in an institution in that sense. It is an important matter of principle. The attempt here is to try to more accurately present the situation of their residency.

The second reading explanation spells out that point and obviously the Opposition rejects the attempt in this case, on the advice of law officers, to widen the definition of 'ownership'. It has been seen to have a restrictive meaning in the terms in which it is currently written. That has been broadened and it will make it easier for the administration of this Act and for the exercise of the voting rights of prisoners in our gaols.

Mr D.S. BAKER: I support the comments made by the member for Mitcham. What I call the pecuniary interest clause goes too far in looking after prisoners' needs. I am one of those people who think that voting should be non-compulsory, although that is not being debated at this stage. One of the penalties of one being incarcerated in this State for transgressing should always be that they be disfranchised whilst incarcerated. The amendment makes it far too easy for these people. What is the position with interstate people in our prisons? Will he find a convenient address for them to take up while in prison in South Australia and allow them to vote in our elections and will the Minister allow them to vote by postal vote in elections in their own State? If any provision leaves itself open to vote stacking, this is it. However, as the member for Mitcham said, that issue is not being discussed now. We recall that in the District of Millicent at one election the margin was one vote. Any person who has a vote and should by right have a vote is relevant in a democracy, albeit that I believe that it should not be compulsory. Will the Minister explain what will happen with interstate prisoners, what will be the criteria and how will we organise the correct addresses for them while they are serving at Her Majesty's pleasure in this State? I ask the Minister to explain.

The Hon. G.J. CRAFTER: I thought it probably would not be long before the suggestion was made that prisoners be denied their right to vote and now that proposition has been put to the Committee. I think there are huge differences in the views of members on either side of the Chamber about the fundamental rights of residents of this State, whether or not they be imprisoned, and whether or not people should be further punished for their crimes by denying them what is a fundamental right in our society and that is the right to vote. As I have said, this is an attempt to overcome administrative and legal difficulties with respect to the definition of the ability of a prisoner to exercise the right to vote.

Interstate prisoners would be known to have been domiciled in another State although imprisoned in this State and therefore they would exercise their right to vote in State elections in accordance with the laws that apply in the State where they were domiciled. Obviously, a person who is a resident of another State is not entitled to register as a resident of this State.

Mr D.S. BAKER: As I see it, under this clause the prisoner has the right to change his address in relation to where he may live when he comes out of prison, or to change his address to this State. Will that be strictly adhered to and will people be allowed to vote in this State, or will they be forced to vote in the State of their previous residential address?

The Hon. G.J. CRAFTER: Section 29 (4) stipulates that that person would need to have been an enrolled elector in this State prior to being imprisoned and, therefore, would have had to meet the residency requirements in this State. Therefore, they would then be entitled to vote in the election if they satisfied the requirements. I think that is a different case to the person to whom the honourable member refers—a person domiciled interstate but who is imprisoned in this State.

Mr S.J. BAKER: First, will the Minister admit that prisoners have more rights than every other South Australian in terms of changing their enrolment, because obviously that is what this Bill provides? More importantly, this will complicate matters even more. Amendments are on file to the effect that the Electoral Commissioner can take an objection when he believes that the address in the subdivision is incorrect—he has a right to change it. In one area one principle applies but in another area the door is left open for a voter to specify any address, because the Electoral Commissioner does not have any hope of checking where that person has a right to reside and, as a result, a right to enrol.

In this regard, we are making an absolute farce of the law. The Electoral Commissioner says, 'I am going to cleanse the roll.' People can say, 'No, Joe is in prison.' The electoral staff may go to a house where they know Joe is supposed to be residing. How is the Electoral Commissioner supposed to satisfy himself or herself that that person has a right to be enrolled at that residence? I find that this provision makes the legislation even more unworkable than was the

case previously, because the Electoral Commissioner cannot ask whether or not that person has acquired the right to be at certain premises. If he spends a lot of money, he may be able to determine whether there is a spouse, father, mother or child who is related to that person living at that address. Except with a lot more money being spent, I doubt very much whether he would be able to satisfy himself or herself that that person was residing with the prisoner prior to incarceration. We are making a fool of the law. In the other area the law states that everybody else in the State must comply with the 21 day rule. This Bill makes it more complicated—and not less complicated. I know that the Minister will not agree to removing this provision, but the Opposition opposes it.

Mr LEWIS: I support the position put by the member for Victoria. If people have flouted the law, I do not think that they should be entitled to vote while they are in prison. They have demonstrated that they do not respect the processes by which the laws are made or the laws themselves. It is not a double punishment to remove their right to vote while they are in prison, but rather, by removing that right, we let them know that, if they want to participate in society to the full extent as citizens, they need to behave responsibly and then they will have those rights. Secondly, if we give them the vote, it should be in the electorate in which the institution in which they are incarcerated is located. Of course, that would mean that the 150 or 160 prisoners in the Mobilong Prison would become my constituents.

Mr Meier interjecting:

Mr LEWIS: I do not mind whether that is good news or bad news. I now spend some time there talking to anyone who wishes to speak to a member of Parliament, because they are in the electorate. I do not know whether or not they would vote for or against me. With the kinds of requests that they make, I am not able to help many prisoners. On the off-chance that there is something legitimate that I can do, I will do it, and have done so. If they have been imprisoned for the requisite period, they should be required to enrol in that electorate in which the prison is located and they should not make an arbitrary selection of an address from the range of options provided to them in this provision. It would be fairer to follow what happens in the case of old people who are placed in nursing home care and who may be there for some months or two or three years before they can return to their previous address or live with members of their family. Through circumstances beyond their control and due to no fault of their own, people who are living in those nursing homes have to re-enrol in the location in which the nursing home is situated. They do not have these options.

Somebody who is studying and who leaves what they call 'home' to study has to re-enrol in the electorate in which they are domiciled for the duration of their study. They cannot remain enrolled at the place which they regard as being 'home'. Why therefore should a prisoner be allowed not only to enrol but also to select the electorate in which they choose to enrol? It seems rather peculiar to give them greater rather than fewer options.

The Hon. G.J. CRAFTER: In reality, very few prisoners vote. I think that about 80 per cent of inmates of prisons are there for some economic related offence, so therefore many prisoners are people without a permanent place of domicile. Under the current requirements of the Electoral Act they must be in prison for two years before they are entitled to vote in that prison. Indeed, none of the prisoners at Mobilong can vote for the honourable member until they have fulfilled that requirement, and very few will fulfil it.

Mr Lewis: They will not be eligible at the next election even if this Parliament runs its full term.

The Hon. G.J. CRAFTER: That is correct. Many prisoners do not vote in elections, although they have a right if they are enrolled prior to their being incarcerated in a correctional institution. Therefore, it is in that context that this amendment comes before the Committee. If it is argued that as part of the penal system we should deny prisoners the right to vote, one must look at the history of the debates about the fundamental rights of subjects to vote in an election and what has been said previously about the well-being of democracy in our society and the equity of limiting the right to vote to persons who are currently incarcerated, because many persons who have committed heinous crimes and who have been released are still subject to the correctional system because they are on parole. Does one include those persons in that category? The right to vote and the administration of the system that allows a person to exercise that right are fundamental to our society.

Amendment negatived; clause passed.

Clauses 5 to 9 passed.

New clause 9a—'Printing of Legislative Council ballot papers.'

Mr M.J. EVANS: I move to insert the following new clause:

9a. Section 59 of the principal Act is amended:
(a) by striking out from paragraph *(b)* of subsection (1) 'by lot' and substituting 'by the Electoral Commissioner in accordance with section 60a'; and
(b) by striking out from paragraph *(c)* of subsection (1) 'by lot' and substituting 'by the Electoral Commissioner in accordance with section 60a'.

My amendments cover three typewritten pages, and I have moved the first of my new clauses as a test case. Originally, under this legislation candidates in an election were listed alphabetically on the ballot paper. However, this simple process was open to wrong interpretation and sometimes a candidate would be selected merely because the initial of his surname was a letter occurring early in the alphabet. Then the procedure was changed so that the order of candidates on a ballot paper would be determined by lot. The legislation merely specified that the order on the ballot paper was to be determined by a random process and it was left to the regulations to specify the process.

The process specified by the regulations was as follows: the name of each candidate was placed in an envelope of a uniform size, and the envelopes were then sealed and placed in a cardboard box. The cardboard box was shuffled and the envelopes were drawn out, thus determining the order in which the candidates' names were to appear on the ballot paper. However, it has been found that the placing of the names in a cardboard box and then agitating the box does not result in randomising. Indeed, in many cases the envelopes were withdrawn from the box in exactly the reverse order to that in which they were placed in the box.

The Commonwealth Act provides for the determination of the order of candidates' names on the ballot paper by a random process which I consider superior to that which is at present practised in the State sphere. The Commonwealth system uses a mini cross lotto or bingo machine from which numbered balls are drawn in a random order. This is a far more satisfactory random process than is the present State system of placing envelopes in a box, agitating the box, and withdrawing the envelopes. Anyone who sees the Commonwealth process realises that it is truly random which, unfortunately, is not the case with the present State system. After all, justice must be seen to be done and needs to be done, and that is the case with the Commonwealth's truly random process. As the wording of my amendment is almost iden-

tical with the wording of the Commonwealth provision, I ask the Committee to support it.

The Hon. G.J. CRAFTER: I thank the honourable member for explaining his amendment. However, the Government does not believe that it is the best approach to determining the order of candidates on a ballot paper. Indeed, reservations have been expressed about the Commonwealth system on which the honourable member has based his amendment. The Commonwealth process does not mean that the first withdrawal of numbered balls from the machine determines the order of candidates. In fact, a second ballot is taken to determine the order in which the names appear. Therefore, there is concern about the interpretation of the selection process using that methodology.

The matter of the size of the envelopes used in the State process has been referred to by the member for Elizabeth. However, there are generally fewer candidates in State elections than there are in Commonwealth elections and one can be reasonably assured that the three or four envelopes are suitably shuffled in the cardboard box at a central location, usually the office of the returning officer. That is a uniform method for all electorates and, if the honourable member believes that there is some unfairness in that methodology, he should advance an explanation. However, the Government believes that we should not adopt the Commonwealth practice, because it is the subject of some criticism and may be changed in future.

Mr LEWIS: I was not aware of the process that has been outlined by the member for Elizabeth. I am amazed that anyone with any scientific training in random selection could believe that, if a number of flat envelopes were dropped into a flat box, the dimensions of the envelopes being a fraction of the total area of the box, and then the box was rotated across the corners so that the envelopes would be spun in the box, a random result would not be achieved. If envelopes are merely placed in the box and then thrown up and down, one could complain because they would not be shuffled in a random way.

It would largely depend upon the sequence in which the envelopes were dropped into the box as to the sequence in which they would come out if they were picked out by hand. I think that the member for Elizabeth's attempt to properly randomise the process is far better than the process he witnessed based on the order of candidates' names on the ballot paper. I do not accept the Minister's assurance that that is either a valid or sensible way to conduct the proceeding to determine the order in which the candidates' names should appear. I am very disturbed, and I want to see some improvement on the proposal. I have very few reservations about the suggestions made by the member for Elizabeth in the process that he has described here in the short time that I have had to look at it. It is better than the process he described regarding the last election.

The Hon. G.J. CRAFTER: As I may not have explained myself clearly, I would like to allay the concerns of the member for Murray-Mallee. First of all, there are some 30 or 40 people, including a number of members of Parliament, officers of political Parties and others, who actually witnessed this process. Perhaps at the next election, the honourable member ought to go along to first ensure that the envelopes are very small and, secondly, that they are agitated, shaken or turned upside down so that there could be no suggestion that they are not sorted out properly. One can be assured that with the eagle eyes of the scrutineers present that simply is not a possibility. However, I can only invite the honourable member to go along and witness one of those processes for himself.

The Hon. M.J. EVANS: As I understand it, it is done in each regional office—in the clerk of court or returning officer's office. In my own case, I witnessed it not at the central office; it took place in the local clerk of the court's office at Elizabeth. He was the returning officer for the electorate of Elizabeth. He conducted that process, and that is where this comes from. I am sure that if the process were conducted in the head office it might well be as the Minister describes it, and one could have much more confidence in it. However, I understand that the process does not take place in head office except for the Legislative Council. For the House of Assembly, it takes place in the office of the local district returning officer. I ask the Minister to review the process in future. In the case of the last election, that process was enacted in each separate location, in each separate House of Assembly district as far as I am aware.

Mr S.J. BAKER: I support the member for Elizabeth. I must admit that my returning officer took great care to ensure that the envelopes were airborne on more than about 10 occasions. He did apply himself to the job very diligently, and I still came out on top randomly. I believe that in this day and age we should be as professional as possible in conducting elections, and this is just a small addition to the electoral paraphernalia which would assist the cause of democracy.

The Hon. G.J. CRAFTER: For the House of Assembly, there are delegations under this two district returning officers provisions. Indeed, I should clarify for the member for Murray-Mallee's benefit that the process I was referring to was in fact the Legislative Council ballot paper drawing, with two scrutineers present, although, as the member for Mitcham has said, obviously they are present in the other situations as well. The position of there being not a fair shuffling of those envelopes and there being some unfair advantage gained one way or another I am assured is not possible. The Electoral Commissioner will obviously look at that situation very carefully indeed, and the appropriate administrative instructions that are issued will also be reviewed. However, it is not seen as appropriate or it may not satisfy everyone to go to the more elaborate Commonwealth style process with the series of drawing balls from the machine.

New clause negatived.

Clause 10—'Printing of the names of political Parties in ballot papers.'

Mr S.J. BAKER: I move:

Page 4—Line 9—Leave out 'paragraph' and insert 'paragraphs'.
After line 6—Insert new paragraph as follows:
(ba) in the case of an application signed by a registered officer on behalf of a candidate—must be accompanied by the appropriate written authorisation signed by the candidate:.

I alluded to this problem of the responsibility of candidates in my second reading speech. I did not believe that it was appropriate for us to hold their hands so that they could comply with the law. However, the Government has seen fit to do so. As the amendments stand, however, it is possible for a person to say that he has authorised a registered officer of a political Party to act on his behalf. The Electoral Commissioner has no proof that that has actually taken place. After the event, it could lead to the situation under contest where a pre-dated letter would suddenly have to be found authorising the registered officer to act on the candidate's behalf. I believe that this is a protection for all concerned with this amendment.

There should also be a consequential amendment, but I could not dream up the words in relation to joint Party tickets for the Legislative Council, because that was a little difficult. In principle, I believe that this is an improvement

to the Act, and it is important that the authorisation should be seen by the Electoral Commissioner.

The Hon. G.J. CRAFTER: The Government accepts this amendment for the reasons outlined by the honourable member. It does put this matter, it is hoped, beyond question.

Amendments carried; clause as amended passed.

Clauses 11 and 12 passed.

Clause 13—'Entitlement to vote.'

Mr S.J. BAKER: The Opposition opposes this clause. I outlined in the debate the reasons for the Opposition's reservations about this measure.

The CHAIRMAN: I remind the honourable member that he is entitled to speak only three times to this matter.

Mr S.J. BAKER: I do not intend to take up the time of the Committee. I believe that I more than adequately explained the Opposition's position during the second reading debate. However, I will reiterate the main points. The Electoral Commissioner always has difficulty cleansing the roll prior to an election. There have been some largely unsubstantiated but fully appreciated incidents where we believe that electoral rolls have increased in size beyond the appropriate population for particular electorates. So, the Opposition believes that the Electoral Commission should be given every opportunity to cleanse those rolls properly.

We know that the Electoral Commissioner, unless there is a snap election, generally organises his or her troops at an appropriate time of the year to go through the process in each area and check the residential status of all addresses. The commission does an enormous job in that process. In fact, it is probably one of the most outstanding jobs anywhere in the world given that this State does not have the same electronic or computer facilities that may be found in other countries. However, in terms of on-the-ground manpower the Electoral Commission does a sterling job. Every endeavour is made to ensure that the electoral rolls are as clean as possible.

I know the argument put forward is that there is a conflict between this provision and the desire that the Electoral Commissioner has a clean roll which is not in any way contestable in terms of the election or its result. I understand that difficulty, but it relates to a number of other matters, including residential status. I suppose the Electoral Commissioner would like to say that the roll represents the total number of people who are truly eligible to vote and that this should be not contested.

The three month rule raises a question about whether a person is eligible to vote. That question is different from the question about eligibility to enrol. Despite the conflict, I believe that the Commissioner has lived with the situation for a number of years. In fact, if we went back 20 or 30 years, we would find the three month criterion, that people must be permanent residents in an area for three months preceding an election to be entitled to vote. We do not want the situation that could arise of people shuffling in and out of an electorate according to their electoral desires.

The matter has been resolved in the Commonwealth area by deleting the residential criteria, but that is a little different from the State arena. State electorates are much smaller, approximately one-third the size of Federal electorates. Federal electorates are far more difficult to organise in relation to increasing the number of electors on the roll in a nefarious fashion. It is far simpler to do so in the State arena and it can be done with far more surety because, particularly in South Australia, there are at least six or seven seats at risk of change in any election. Therefore, it is quite easy to target those electorates and move people in and out at will unless proper balances and checks are placed within the Electoral Act. I believe that by removing this subsection we will encourage people to defy the law. The law says that a person shall notify a change of address within 21 days. However, we know that that law has been broken on a number of occasions, and of course it is difficult to check. So, the Liberal Opposition vehemently opposes the removal of any protection within the Electoral Act and intends to contest this clause.

The Hon. G.J. CRAFTER: The member for Mitcham may be under a misunderstanding with respect to the maintenance of rolls. There are common rolls and the Commonwealth Government is the authority vested under a joint State/Commonwealth agreement with responsibility for the maintenance of the rolls. Therefore, the size of the electorate does not matter because one authority—the Commonwealth—maintains the correctness of the rolls.

Further, computer equipment now makes it possible to accurately maintain the rolls to an extent that has never before been achievable. That is an important point because, if the honourable member's reasoning was to be followed, that would in fact hinder rather than help the Electoral Commission to maintain the rolls. The honourable member may be briefed on that subject by the Electoral Commissioner if he so desires.

I think it is important to look at the recommendation of the Commonwealth Parliamentary Joint Select Committee on Electoral Reform in this regard. As I have said, it was a joint committee and it looked at this problem very carefully and recommended the deletion of that provision, as follows:

> It can be seen that the three month rule is therefore in practical terms incapable of across-the-board enforcement. More seriously, however, its operation is anomalous in that it only works to disenfranchise those electors who have not correctly maintained their enrolments, but are honest enough to admit it. This clearly raises the general question of whether the rule tends to serve any useful purpose.
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> The committee believes that the regular maintenance of the rolls by annual habitation reviews should ensure improved accuracy and reliability. The three months real place of living requirement has been needed because the accuracy of the rolls at any given election could not be guaranteed. It might be reasonable to suppose that, if the rolls could approximate better to the ideal, the significance of the three months rule would be diminished.
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> It is also notable that the Court of Disputed Returns is specifically denied by subsection 361 (1) the power to 'inquire into the correctness of any roll', the reason for this being that it is recognised by the legislature that rolls of their very nature will contain defects. The three months rule as it stands, however, could give rise to challenges in the court to the correctness of the admission of individual votes which, depending as they would on the question of where a person had resided, would be of very similar nature to a challenge to the roll itself—since in each case the assertion would be that the voter really should not still have been on the roll. On this basis also, it could be argued, the three months rule should be abandoned.

So, there are a number of reasons why the Commonwealth parliamentary joint committee came down on the side of deletion, and I would add a fourth reason: the increased computerisation which, nowadays, allows for the concerns expressed by the honourable member to be minimised.

Mr D.S. BAKER: I support the comments made by the member for Mitcham and I strongly oppose the deletion of section 69 (3). I disagree with the report that the Minister read. I do not think it disenfranchises the honest person; I think the deletion of this subsection franchises the dishonest. There is no question that, if it is deleted, there will be an ability to stack rolls. As an example, if a person shifts from an electorate (whether or not it is marginal is another matter) and breaks the law by not notifying his change of address, at the next election he can claim a declaration vote—and that can go on and on. Admittedly he is breaking the law, but he is being franchised. I think that to tighten

up this subsection there is only one answer, and that is to make those people who seek a declaration vote sign a form attesting to the fact that the address on the electoral roll is their place of residence. This may alleviate the problem, but there is no question in my mind or in the minds of members on this side that the deletion of subsection (3) can—and will—cause roll stacking by dishonest people or dishonest groups of people.

The Hon. G.J. CRAFTER: The member for Victoria also appears to be under some misunderstanding about what I have said about administrative arrangements. He seems to have a distrustful view of the ability of the electoral office to maintain proper rolls and to use correctly the equipment it has. There have been some practical difficulties with respect to the disenfranchisement of people who move within subdivisions. Those difficulties are tidied up in these amendments. It appears that in the past many people went to vote but found that they had been ruled off the roll because they were no longer residing at an address, even though they may have simply moved down the street within the same subdivision. In any event, they have not been entitled to vote.

Not only will it eliminate people who have fraudulently claimed to be resident in a particular area but it will franchise people who are legitimately resident in an area but who have not been able to vote because of a disability in the operation of the current provisions of the legislation. All round, this should provide circumstances to overcome the fears that the honourable member has expressed.

Mr S.J. BAKER: I disagree with the Minister's analysis. Residential criteria was associated with a person's ability to vote within a particular subdivision. It causes conflicts, which we freely admit, but what the Minister forgot to mention when he said that the Court of Disputed Returns will not contest the validity of the roll is that the court may rule on the election if it believes that certain people have not fulfilled the residential criteria. If the Court of Disputed Returns believed that people were not eligible to cast a vote in an election, it would look seriously at the result of that election. If the Minister tells me that that is incorrect, we might as well all go home because that fact is fundamental. If somebody cheats the system, the result should not stand. We have that principle in criminal law and common law—if someone is cheating, he should not profit by it.

My understanding is that the Court of Disputed Returns will not look at the validity of the roll but, if it believes that a person or persons have deliberately entered themselves on the roll for a particular purpose which subverts the will of the people by increasing the vote of one particular Party, the court can deem a close fought election to be invalid; and it may determine to declare such an election invalid if multi-cultural literature containing unfortunate references is distributed, as happened in the Norwood by-election. The court may also declare an election invalid if someone is found bribing people, as may happen at barbecues (although I am not certain of the result in that case).

In a number of ways the Court of Disputed Returns is competent to rule and, if it believes that an election has been affected by an offence of some nature and the offence is so grave as to have affected the result of that election, it can call for a fresh election. Therefore, I contend that it is very important that offences such as roll stacking be foremost in people's minds so that, if an election is close fought and somebody has increased the number on his side of the political fence by this means, they will face the consequences. It is important that we provide this protection in the Bill so that persons do not cheat but comply with the law enacted by Parliament, that is, that people vote for the subdivision in which they are a permanent resident. A number of rules can be made to take account of various situations which might arise, such as people moving or being confined to hospital.

Mr D.S. Baker: In prison.

Mr S.J. BAKER: Yes, or in prison. The fundamental principle must remain. We are opposed to any watering down of the provisions and, therefore, we oppose the amendment.

The Hon. G.J. CRAFTER: I do not want to continue the debate *ad infinitum* but I point out that an all Party Federal parliamentary committee looked at this very carefully and recommended other than the argument advanced by the member for Mitcham. Presumably that committee included some of the honourable member's Federal colleagues, but I am not quite sure whether it involved members from South Australia. This was also recommended by the Electoral Commissioner following a routine review of the last election. Obviously the honourable member and his colleagues do not want to take into account the veracity of the argument that I am advancing, that the best expression of the will of the people is through having the most accurate roll that one can have at the time of the election.

The provisions in the Electoral Act that apply with respect to the Court of Disputed Returns and its inability to take into account a defect in a roll or certified list of electors or an irregularity affecting the conduct of an election is the premise on which that is based. This amendment attempts to make sure that the most accurate roll possible is in place at the time of an election. That is the argument and intention of the Government in advancing this measure.

The Committee divided on the clause:

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

Noes (16)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker (teller), Becker, Blacker, Chapman, Eastick, Goldsworthy, Gunn, Ingerson, Lewis, Meier, Olsen, Oswald, and Wotton.

Pairs—Ayes—Messrs Hopgood and Mayes. Noes—Ms Cashmore and Mr S.G. Evans.

Majority of 10 for the Ayes.

Clause thus passed.

Clause 14—'Manner of voting.'

Mr S.J. BAKER: I refer to the way in which the clause will operate. The Bill provides that the people who are working throughout the hours of opening of polling booths have the ability to obtain a declared vote. The way that the amendment is worded will indeed cause problems for the very people that it is trying to assist. The Opposition supports the proposition. If people are working to such an extent that they are incapable of making it to a polling booth (which can happen in many country areas as they may be away for the whole day on contract), the provision may not release them from their obligation.

Members interjecting:

The CHAIRMAN: I ask members to come to attention as it is difficult to hear the member for Mitcham. I ask that the level of conversation be lowered.

Mr S.J. BAKER: I raise the question as the clause refers to a person who 'will be working in his or her employment throughout the hours of polling'. That is very tight. It means that the person has to be working from 8 a.m. to 6 p.m. without a break at lunchtime. If they are starting at 8 a.m.

and finishing at 5 p.m. and it takes an hour to reach the polling booth, the provision will effectively disfranchise them. If this provision is to be put into the Act, with which the Opposition agrees, a more accommodating form of words could be used.

The Hon. G.J. CRAFTER: A form of words has been looked at fairly carefully and the interpretation that will be placed on it would be a practical one and not the strict and narrow interpretation that the honourable member is suggesting. I would not think that the problems to which the honourable member has alluded will arise, given the interpretation of the meaning of the clause.

Clause passed.

Clause 15—'Issue of declaration voting papers by post.'

Mr LEWIS: Will the Minister provide the Committee with a table listing electorates and the number of polling places in each electorate and, if possible, the area of the electorates so that in the *Hansard* record we have an indication of how many places there are in each electorate? We will then see any disparity there may be between the electorates of similar size in regard to the number of places at which polling booths are located. Will he also tell the Committee whether the Government is presently considering ways by which it can improve the efficiency with which the poll is conducted by rationalising the locations of polling booths?

I make this inquiry based on my interest in the matter in general in the past, and, in particular, on Saturday I found polling places on Prospect Road barely 300 metres apart. There was one in the Town Hall and one 300 metres north of that in the Uniting Church hall on the same side of Prospect Road. It is not as though one can use the argument that old people are having trouble crossing the road to get to one or the other booth. It is an incredible situation. Frankly, I thought it was a waste of rent in the premises at least, if not indeed running up the wages of additional polling clerks and two presiding officers for the day. It will not detract from democracy to close down some booths if they are as close as that.

Will the Minister tell the Committee, if he has that information available, whether the Government is presently considering ways in which it might improve the efficiency of conducting a poll? Will he also consider my other remark about extending the provisions of declaration voting such as is referred to in this clause to a greater number of people in rural situations? The provision of mobile polling for them as an adjunct or complementary measure to that proposal would probably further improve efficiency, but I would want to look into that matter. Will the Minister tell the Committee what he knows and provide a table if he has one?

The Hon. G.J. CRAFTER: On the latter point first, if there is to be a substantial reduction in the number of polling places, for example, in the honourable member's own electorate, obviously alternative arrangements will have to be made. Provisions exist within the legislation to adequately provide for alternative measures to be adopted for the taking of the vote where polling places are not near by. I will be pleased to obtain the information that the honourable member has sought. Such information is available in the daily newspapers at the time of elections in any case, but hopefully it can be provided in tabulated form to make it easier for the honourable member to peruse. If he wants to make submissions on the reduction of polling places, he is welcome to do so. If the honourable member wants to table it in the House himself or to make suggestions, he is also welcome to do so. I will undertake to provide the information that he seeks.

Mr S.J. BAKER: I seek the Minister's assurance in relation to paragraph *(c)* which deals with a separate register for those in a religious order or with religious beliefs that preclude them from indulging in the practice of voting. A number of religious orders dictate that their members cannot involve themselves in the process of government. My concern in reading this provision in conjunction with the compulsory enrolment provision was that there would be the horrific possibility of all people in particular religious orders being listed on a file somewhere. In the current situation those people who do not wish to enrol do not have to do so, but those already on the roll and who become a member of a particular religious order which precludes them from involving themselves in voting must write to the Commissioner and ask that they be relieved of voting. Such people will be on the register. Can I be assured that, if this list is kept for the practical working purposes of the Commission, no record will be kept of the religion or order in which people are involved, and that it will be purely a matter for the Electoral Commissioner to judge on the basis of the application and that that application will be destroyed?

The Hon. G.J. CRAFTER: I can assure the honourable member that religious affiliation or other grounds for seeking a declaration status will not be divulged.

Clause passed.

Clause 16 passed.

Clause 17—'Declaration vote, how made.'

Mr S.J. BAKER: I express some reservations about this clause. I noted the problems that arose and the Electoral Commissioner made reference to somebody who had failed to get a vote in on time when they were in a declared vote situation. Notwithstanding that, I have some reservations that, seven days after a poll, anybody can wander into the Electoral Commissioner and deliver their vote to him and they can say, 'I am sorry that it is late.' In principle, traditionally we have said that, unless the person has made an attempt to vote before the end of the poll, then that vote shall not be counted. I know that there are some provisions about authorised witnesses but, as everybody realises, some of those witnesses come from far and wide and they can comprise a long list of people.

I have reservations, because I believe it waters down the obligations and responsibilities of people involved in voting. The responsibility of those people is to ensure that, if they have the capacity to vote and if they are absent from the State, that voting is done on the Friday night or on the Saturday. I believe that this clause will somehow dissipate that intent. It is realised that a person who posts a letter may not have it postmarked until the following Monday, but I think that in those circumstances the Commissioner can exercise a little leeway.

Under this clause anybody could walk into the Electoral Commissioner's office seven days after the event and say, 'Here we are. Here is my declared vote. I have decided to influence the election which is pretty close. I ask you to accept it.' In principle, we should be saying that everyone must exercise that vote before the close of the polls and, as far as is humanly possible, that principle should be adhered to. Nobody should be able to walk into the Commissioner's office 6½ or seven days after the event and say, 'Well, it was pretty close. Here is my vote and it will tip it over the edge.' I do not believe that that is appropriate. I understand that there are some checks and balances in terms of authorising witnesses but, being a cynic from way back, I do not believe that that will necessarily be sufficient.

The Hon. G.J. CRAFTER: The prescribed period of seven days is not altered by this clause—that is the current situation. The only amendment is that the declaration vote can

actually be delivered by hand rather than by post. One would have thought that that was a more accurate way even than by post. I fail to see the grave concerns held by the honourable member.

Mr LEWIS: Once the principal quantity of votes cast through the normal polling procedure on polling day are counted and, if it is known that the result is close, this amendment will enable people, who have obtained postal votes or declaration votes but who have not bothered to return them, to be discovered as not having their names struck off the roll and to be approached by a candidate or his or her representative and to be coerced to present their ballot paper. That is the very problem that arose and caused contention in the electorate of Millicent about 16 years ago.

In the case of these votes in the postal system, the rule was that the envelope had to be franked on or before the day and the time that the poll closed. In that case, the decision to vote and the actual decision made by the elector in the vote had been determined prior to the knowledge of the likely result.

This clause enables someone to come in after the polls have closed and to round up a few ballot papers from the outside. I believe that exposes the system to the prospect of abuse, because it may be possible to uncover some ballot papers which were not returned and to get those persons to cast their vote by putting their ballot papers into the envelopes and to hand deliver them to the returning officer for that electorate. It would then be public knowledge as to how that person voted if the vote changed the tally, as it most certainly would. It would change either the tally of the votes for any of the candidates, or the informal tally. I think that that procedure is quite wrong.

I think that we should stick to the system whereby, if you do not have your vote in the envelope provided and you do not have it franked by the postal system on or before the time and day of the close of poll, then it should not be valid. Otherwise, one could be put in the invidious position of having your vote made public and the result determined, if not overturned, on the basis of the voter being influenced by factors other than those that influenced every other elector, one of the principal factors being the likely outcome of the vote if you do not cast your vote in the way suggested. That is why I am offended by the proposal to make it possible to hand deliver a ballot paper up to seven days after the poll has closed.

The Hon. G.J. CRAFTER: The honourable member's thesis is this: a person is entitled to vote; they apply for an absentee vote; they receive a ballot paper; and, under the provisions of the Act, they are required to cast a vote in accordance with the provisions pertaining to the sealing of the envelope and the like. The honourable member is saying that that person will withhold their casting of the vote until after the election, that is, the same vote which they would have cast prior to the closing of the poll; and that that vote will influence the outcome of the election. First, in that scenario they would commit an offence against the Act. Secondly, they or someone on their behalf will actually take the vote to the returning officer to continue the perpetration of that fraud.

I would have thought that that was a safeguard in relation to the fears the honourable member has that someone has to take it and explain to the returning officer that he is bringing a ballot paper in these circumstances. The honourable member is claiming that that person, the perpetrator of the fraud, is continuing in that way. First, I do not think that the circustances would occur in that way. If a person is going to perpetrate a fraud, one would presume they would want to do it prior to the election, having only one vote which will not change the outcome of the election in that way. If the person is supporting a particular candidate, one would think they would want to vote validly prior to the election. That is how one influences the outcome of an election, not by withholding that vote and denying the poll of that vote until afterwards. I do not see the logic of that fear.

Mr S.J. BAKER: It is not subject to amendment, but I am just saying that in an even contest at the end of the day—and by the Wednesday of a particular week everyone would be well aware of the count—one vote becomes very valuable. That could decide the outcome, even though we have all the other postal votes to count. It becomes a very valuable item on a hungry market. I am not taking it from that point of view. I just think that it is detracting from the responsibilities of electors. They should have that vote.

Once upon a time, not that long ago, the Electoral Commissioner was required to satisfy himself or herself that the ballot had actually been made prior to the close of poll. That was only possible by looking at the franking on the envelope. That is no longer the case. The seven day provision in the Act is purely to cater for those votes which are coming in from outlying areas or overseas countries. It is not meant to cater for those people who have missed the opportunity to vote and then suddenly say, 'I've got a goldmine here: this is a pretty valuable vote I am holding on to.' I will not press the point. Perhaps wiser minds in the Upper House will have another look at it but, in principle, I have some reservations about watering down people's responsibilities.

Clause passed.

Clause 18—'Compulsory voting.'

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

Page 6, after line 13—Insert new paragraphs as follows:

(aa) by striking out from subsection (5) 'post it so as to reach' and substituting 'return it to';

(aaa) by striking out from subsection (6) 'and post' twice occurring and substituting, in each case, 'and return';

(aab) by striking out from paragraph *(b)* of subsection (7) 'and post' and substituting 'and return';.

As I indicated in the second reading explanation, this is a minor amendment to clarify the matter. In so far as electors are to return the form dealing with failure to vote, this amendment will allow greater flexibility. The Act presently allows only return by post, and there may be the danger of electors being out of time if the post is used. A return in person can often overcome such difficulties.

Amendment carried.

Mr S.J. BAKER: I move:

Page 6, lines 20 to 24—Leave out paragraph *(b)*.

Paragraph *(b)* deals with the ability of the Electoral Commissioner to prosecute for offences or, more importantly, failing to vote. It says here that the prosecution for an offence under this amendment may be commenced at any time within 12 months of polling day. I am a little confused, because I have consulted two experts. I consulted the report by the Electoral Commissioner, who says that we need to have all prosecutions under way within six months of the poll, and I say 'Hear, hear'. We do not really want these things to wander on for a long time. I am also told that under the Summary Offences Act offences of this nature, if not prosecuted within six months, become invalid. I therefore do not understand why the Electoral Commissioner was making this point about six months. If it was longer than six months he would have no right to summons the perpetrators of these evils, for example, people who have failed to vote.

Being in somewhat of a quandary, I then read the provision in this legislation which says that we want to extend

it to 12 months. The Opposition opposes the 12 months and says that it should remain at six months, and that is why we have opposed the clause, presuming that the Summary Offences Act indeed ensures that the Electoral Commissioner proceeds within six months. Can someone satisfy my difficulty with this clause?

The Hon. G.J. CRAFTER: As I understand the statutory interpretation, the prior Act applies unless there is a specific Act which provides for a longer term in which prosecutions can be brought. In this case, the Electoral Commissioner has sought that there be a provision whereby prosecutions can be initiated within a period of 12 months. In normal circumstances, they are brought within six months and that has been the case, except in 1982 when there were some problems associated with the administration of that office because of the need to provide assistance information to the Boundaries Commission which was sitting at that time. So, it is only in those relatively rare situations where the period of 12 months is sought. However, in the normal circumstances, six months is sufficient time.

Mr S.J. BAKER: Given that I can depend only on the word of the Electoral Commissioner, and the Electoral Commissioner stated that they shall be taken within six months, I must oppose the clause, both because the expert said it should be done within six months and because I believe that justice should be done as speedily as possible. I do not believe that anybody should be let off the hook through allowing notices to be sent out some 12 months after an offence has been committed, for whatever reason. We have taken up a lot of time in this Parliament talking about the rights of individuals, and one of the things mentioned time after time is the delays in which offences have been processed, whether those delays be caused by the police, the courts or the judiciary, who must share the blame, as must the legal profession. Speedy justice is good justice, as long as we make the right decision. In this regard, the Opposition opposes the clause, because we cannot see any good reason why the period should be extended to 12 months.

Amendment negatived.

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

Page 6—After line 13—Insert new paragrpahs as follows:

(aa) by striking out from subsection (5) 'post it so as to reach' and substituting 'return it to';

(aaa) by striking out from subsection (6) 'and post' twice occuring and substituting, in each case, 'and return';

(aab) by striking out from paragraph *(b)* of subsection (7) 'and post' and substituting 'and return';.

Line 44—After 'elector,' insert 'on a date specified in the certificate'.

Line 47—After 'elector' insert 'on that date'.

After line 47—Insert new subparagraph as follows:

(ia) that the notice complied with the requirement of this Act;

Page 7, after line 4—Insert new paragraph as follows:

(d) a certificate apparently signed by an officer certifying that the defendant failed to return a form under this section to the Electoral Commissioner within the time allowed under subsection (4) will be accepted, in the absence of proof to the contrary, as proof of the failure to return the form within that time.

These amendments are intended to pick up concerns expressed by the Solicitor-General in a review he undertook of the provisions. Presently it may not be possible to prove beyond reasonable doubt that a form complying with section 85 (4) was in fact sent. The requirement to specify a date on the form is of great importance and there is the present potential of experiencing difficulty in determining the time allowed under section 85 (4) for the posting of the form. These amendments tighten up the section 85 proof provisions.

Amendments carried; clause as amended passed.

Clause 19—'Preliminary scrutiny of declaration ballot papers.'

Mr S.J. BAKER: This clause actually extends the ability of an objector or the Commissioner to determine matters relating to postal addresses.

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

Mr S.J. BAKER: Before the dinner adjournment I was delving through the Bill, trying to get the full import of section 91. My question to the Minister relates to the right of the Electoral Commissioner, when he is poring through the declared votes, to declare a vote invalid. The new subparagraph to be inserted provides:

That the address in respect of which the voter claims to be entitled to vote corresponds to the address in respect of which the voter is enrolled.

The question obviously on everyone's lips is that, if indeed a person has actually moved from the address that he gave at the time he enrolled—an election may have intervened or the person might not have provided a new address for the roll because of the 20 day rule for the closing of rolls—and has put in a form with the new address, how does the Electoral Commissioner satisfy himself that the vote is still valid?

The Hon. G.J. CRAFTER: The honourable member has raised a very good question. It appears that the Electoral Commissioner would rule that the person would not be entitled to a vote because, in fact, the person is entitled to vote in the wrong district. So, it is that confusion that needs to be removed.

Mr S.J. BAKER: If the people went to the polling booth on the day of the poll and checked their name off the roll and explained that they were living at a new address but that their previous address was on the roll, that would be sorted out at the polling booth and their vote would be valid. However, in this situation the vote would be invalidated because those persons would have given their existing address. They might still be acting within the terms of the Electoral Act and have made a conscious decision to vote for a particular person, and yet the vote would be ruled invalid. Does this add a further complication, or is this in fact the practice of the Electoral Commission?

The Hon. G.J. CRAFTER: I understand that this proposal overcomes the difficulties to which the honourable member refers. The difficulty with the present situation is that the person receives a ballot paper for the wrong electorate, and that is why it is ruled an invalid vote.

Clause passed.

Clause 20—'Recount.'

Mr S.J. BAKER: I wish to have confirmed that it is the normal practice of the Electoral Commission to recount votes, anyway. I know that even in a seat like Mitcham, which is very strongly Liberal, the policy has been that on Sunday there is a recount of all the votes counted at the booths so that when the declared votes come through there is no possibility of error. I am just ensuring that that is the normal procedure.

The Hon. G.J. CRAFTER: There is a procedure at present, but it is not as efficient as it could be. This will ensure that there is a proper and thorough recount of each electorate.

Mr S.J. BAKER: Does that mean that votes will be counted three times? This proposed subsection provides:

A district returning officer must before the declaration of the result of a House of Assembly election have a recount made of the relevant ballot papers.

Because the full count is not made until all the ballots are in the hands of the returning officer—which is seven days after the event—does that mean that he counts them three

times, because he has extra votes? Would that mean that he counts them three times because he has the extra votes to count?

The Hon. G.J. CRAFTER: There is the initial count; then there is the aggregation of all the ballot papers; and then there is this formal count. So, in fact there are two counts *in toto*.

Clause passed.

Clause 21 passed.

Clause 22—'Other offences relating to ballot papers, etc.'

Mr S.J. BAKER: I move:

Page 7, lines 23 and 24—Leave out 'not remove the ballot paper from the booth' and insert ',unless the ballot paper is delivered up to an officer as a spoiled ballot paper, deposit the ballot paper in a ballot box before leaving the booth'.

As it stands, the current amendment provides that a person shall have committed an offence if he walks out of a polling booth with a voting slip in his pocket. I know that there are more offences committed by people who deposit the voting slip in the bin rather than take it out of a booth. On one occasion I happened to be a scrutineer on a booth. The bins were being searched, and by the time the ballot was at an end a number of votes were missing. We did another search of the bins and found that someone had managed quite judiciously to roll some ballot papers up with the political Parties' how-to-vote cards so that they would never be found. We found two ballot papers in that way. It is obvious that those people who deposit their voting slips in the bin wish to avoid their responsibilities. They are committing the same offence as if they walked out of a booth with the ballot paper in their pocket; it has the same effect. Some of them screw up the papers and throw them in the bin.

I am a bit worried about the penalty of $500; I would prefer it to be lower. However, I believe that, if we are going to fine people for walking out of a booth with a ballot paper, they should be fined for not depositing it in the ballot box because more people put the ballot paper in the bin than walk out of a polling booth with it.

The Hon. G.J. CRAFTER: The Government opposes this amendment, although I can see some merit in the honourable member's proposition. I undertake to have this matter further considered by my colleague in another place who is responsible for this Bill, and I will ensure that the Electoral Commissioner also gives the matter further consideration so that it can be further considered in another place.

Mr LEWIS: I will not delay the Committee for any great length of time over the matter. I simply want to put on record that I think this is a ridiculous penalty and that it is ridiculous to turn it into such a serious offence. For the life of me I cannot understand the Government's concern, or anyone else's for that matter. The fact that these people have presented themselves to the poll clerk and had their names struck off the roll and, in response to that, been given a ballot paper indicates that they have been prepared to do their duty in relation to attendance at the poll. Very often they are simple people who do not understand that there is anything serious involved in their disposing of the ballot paper, in some way, not wanting to be a part of the whole electoral process. They do not do it out of protest, they do it out of fear.

Another set of circumstances is also involved. Some people who may have begun to display the symptoms of mild or chronic Alzheimer's disease in later life will go into a polling both knowing that they must do so and get their names struck off. As honourable members who have studied the condition of Alzheimer's disease would know, if one provokes any stress whatsoever in a person who is prone to the kind of effects of that disorder on their brain, the pituitary gland is immediately stimulated to produce the higher level of adrenalin which triggers a degree of memory lapse forthwith.

They do not know where they are or what they are doing, and they are not rational. While the adrenalin level remains out of balance they do not remember people who have been known to them all their lives. They are no longer rational, and it is not their fault. I speak with some feeling about this because of the involvement that I have had over the past 16 years with some old people, particularly my involvement at the last election, where I accompanied an older person who was very well known to me and who is now suffering from chronic Alzheimer's disease.

If unprovoked, these people are capable of looking after themselves and of living independently. However, once they are provoked their entire equanimity falls to pieces, they are quite irrational and their memory is lost. To find them guilty of this kind of an offence is, to my mind, the grossest form of bureaucratic intervention in their lives.

On the other hand, I can sympathise with the poll clerk who would have noticed the behaviour of someone—be it a man or a woman—putting a ballot paper in their pocket, taking out a tissue, fidgeting in their handbag or whatever, and losing track of what they have done with a ballot paper. These people are under enormous stress. Yet we now make it an offence for them to walk out of the polling booth, having put the 'how-to-vote' card in the ballot box and having screwed up the ballot paper with a tissue or put it in a handbag or wallet with their money because they thought it was valuable. Their mind is not working functionally. The poll clerk, having seen that action, decides to report the matter. Later, when that person is interviewed by someone from, say, the Electoral Office, when they are rational and before the stimulus of the sudden broach of the subject has had time to generate the production of adrenalin from their pituitary gland to cause them to freak out, they sound reasonable; yet they can give no reasonable explanation for their behaviour. The officer from the Electoral Department is justified in the circumstances in thinking that they wilfully broke the law, and they end up being fined for doing so.

On their behalf, if on no-one else's, I plead with the Minister to reconsider the position. I think that if anything deserves compassion that does. I do not plead on behalf of a handful of people. Hundreds, if not thousands, of South Australians would be afflicted in that way, especially if they were to go into old age knowing that this was an offence. It will become stuck in their psyche and then it comes undone. I plead for compassion in those circumstances.

The Hon. G.J. CRAFTER: The situation to which the honourable member refers will certainly be covered by administrative practice. Where a person has diminished capacity and does not have the ability to form an intention to offend, they will not be prosecuted in this way. I cannot add anything further to the comments I made previously about the amendments proposed by the Opposition on which the honourable member is in conflict with his colleague.

Amendment negatived; clause passed.

Clause 23 and title passed.

Bill read a third time and passed.

JUSTICES ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 3 December. Page 2500.)

Mr S.J. BAKER (Mitcham): This Bill, which amends the Justices Act, is consequential on and in keeping with the

changes being made to the Electoral Act. It extends the period in which summonses can be issued by post from four months to six months. The Opposition believes that this will add some efficiencies to the very expensive requirement for officers and court bailiffs to deliver summonses to people's addresses. As I understand the law as it stands today, if a summons is processed after four months has expired, it is required to be delivered personally to the offender. This Bill increases the term from four months to six months. It is a suitable amendment to the Act and is supported by the Opposition.

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for its support of this measure, which, it is hoped, will provide some efficiencies and a more appropriate use of resources in this area.

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

CONSTITUTION ACT AMENDMENT BILL (No. 3)

Adjourned debate on second reading.

(Continued from 3 December. Page 2504.)

Mr S.J. BAKER (Mitcham): The Opposition opposes the Bill. I note that parts of it—not all—were recommended by the Electoral Commissioner. Some parts of the Bill result from the summary of the 1985 election. I will go back to the first principle but, in so doing, I will not delay the House, because this really is a black and white situation as far as the Liberal Opposition is concerned (we could wax all night and all day and still come up with the same conclusion). It is inappropriate to take out the very start of our being, if you like, the very Constitution upon which this country and the State are founded. To take out the criteria for voting and the criteria to be members of Parliament I believe is fundamentally wrong, and all my colleagues happen to agree with me.

The principle is that the Constitution Act is regarded as somewhat of a holy document. We do amend this document from time to time to take into account variations in terms of office and increases in the size of Parliament, but when we start to fiddle with the Constitution and start to take out the very essence of what democracy is about—namely, the right to vote and qualifications for enrolment and to be a parliamentarian—then, I believe, we are doing this State a grave disservice.

The amendments are very simple, and four parts of the Act are repealed. I refer members to the principal Act because, in their wisdom, the State's forefathers said that a number of sections were freely open to amendment. Section 10a of the Act 1934-1985, with which the House is dealing in principle, provides:

(1) Except as provided in this section—
(a) the House of Assembly shall not be abolished;
(b) the Legislative Council shall not be abolished—

I hope that members opposite have noted that—

(c) the powers of the Legislative Council shall not be altered;
(d) sections 8 and 41 of this Act shall not be repealed or amended;

and

(e) any provision of this section shall not be repealed or amended.

Section 10a (6) provides a list of the sections in the Act that our forefathers believed could be subject to amendment to reflect the needs of the day. The list includes sections 11, 12, 16, 17, 18, 19, 20, 20a, 21, 22, etc. The people who drafted the Constitution Act believed that it was appropriate that a large number of sections be designated as areas that could be changed as the requirements of a more modern day society became apparent. Members will note that, while section 12 is on that list, sections 29 and 33 do not appear.

Other sections of the Act have been amended, as members would know, so the Constitution Act does not state that a referendum must be held every time it is amended. However, it says that some important matters are contained in the Constitution which, generally, should be regarded as inviolate unless there is a very good reason for changing them. Matters that are regarded as inviolate are included in the amendments to this Bill. It is important that the Constitution Act delves into the rights of people in a democracy—whether it be the right to vote or to be a member of Parliament—and these particular amendments cover those things. I do not believe that it is appropriate for the Labor Government of this State to fiddle around with those rights. Nor is it appropriate to say that, because they are in the Electoral Act, that will suffice. It is a matter of principle and it should be sustained in this House. I believe that it is important and, as a person who has a strong feeling for the Constitution, I believe that it does not have some of the impediments and inadequacies of the Commonwealth Constitution. We do not spend man years debating the various provisions of the Constitution Act as is done in the Commonwealth arena because the Act works here in South Australia—it is fundamentally sound.

The Labor Government and the Minister have said to this Parliament that it is no longer appropriate to have in the Constitution Act provisions regarding the eligibility to vote or the eligibility to enrol and the eligibility for a person to stand as a member of Parliament for either the Upper or the Lower House. The Opposition opposes all the amendments contained in this Bill but will substitute other amendments to bring the Constitution Act into line with the Electoral Act, so to that extent Opposition members realise that there are anomalies. We believe that those anomalies should be cleared up and agree with the criterion that is being applied in the Electoral Act. So, in keeping with that and to be consistent, we also seek to amend the Constitution Act. It is quite inappropriate that the State has two different Acts which apply a different set of rules but it is important that, as our forefathers determined, the rights of people to enrol and for people to be members of Parliament should remain within the Constitution Act.

The Hon. G.J. CRAFTER (Minister of Education): I can appreciate the Opposition's argument in this matter, but I disagree with it. As the honourable member suggests, it is a matter of a black and white approach to the role that one believes the Constitution Act should play in explaining and stating to the people of South Australia the law with respect to a variety of matters.

I guess that the logical conclusion of what the honourable member is arguing is to place the whole of the Electoral Act in the Constitution Act or to have pieces of it spread around in several pieces of legislation. There is no greater authority vested by the Parliament in the Constitution Act than in any other piece of legislation. One may place more importance on it for historical or other reasons. One which I think must be advanced is the sentimental reason, the role which the Constitution Act has played in the history of this State.

For those reasons I can understand the argument advanced by the Opposition. In fact, it is the same argument with respect to all of the proposed amendments, but it is an argument that the Government rejects.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Repeal of s.12.'

Mr S.J. BAKER: I move:

Page 1, line 15—Leave out 'is repealed' and insert 'is amended—
(a) by striking from paragraph *(a)* "is entitled to vote at an election" and substituting "is an elector"; and
(b) by striking out paragraph *(c)* and the word "and" immediatley preceding that paragraph'.

Section 12 of the Constitution Act provides:

No person shall be capable of being elected a member of the Legislative Council unless—
(a) he is of the age at which he is entitled to vote at an election for a member or members of the House of Assembly; and
(b) he is a British subject or legally made a denizen of this State; and
(c) he has resided in the State for at least three years.

That section may well have been subsequently amended but, if that is the case, I have not caught up with the amendment and I presume the provision still stands. The section prescribes the qualifications for the right of a person to be elected as a member of the Legislative Council. We propose that that provision be amended to bring it into line with the Electoral Act, which is the process followed in my amendment. The Opposition opposes the Government's amendment and seeks to substitute my amendment which will bring the existing section into line with the provision in the Electoral Act. This is a matter of principle, and we will be calling for a division on this amendment as a test case and we will be opposing the Bill on the third reading. In commending the amendment to the Committee, I emphasise that it is a matter of principle and ask members to vote in favour of it.

The Hon. G.J. CRAFTER: I have explained the Government's reasons for opposing the philosophy behind this and the other amendments that will be before the Committee. Put simply, it behoves more than simple sentimentality or the advancement of that historic philosophy attached to the Constitution Act to advance an argument that would require there to be a duplication of measures in both the Constitution Act and the Electoral Act. It is much more appropriate that these provisions be contained within the one piece of legislation that can be understood by those who are responsible for administering it throughout the State and by electors. It must be a piece of legislation which is obtainable and readable to as wide a cross-section of the community as possible. That is the thrust of what the Government is attempting here and, once again, it is upon the recommendation of the Electoral Commissioner following the review of our most recent election.

Mr LEWIS: My contribution is to simply state that, whilst those views expressed by the Minister may be his own and indeed may reflect the views held by the Electoral Commissioner put freely in the recommendation made by him to the Government of the day, I do not accept them. The Labor Party at large has more devious motives in removing from the Constitution Act the provisions it contains presently. Those motives are based in the Labor Party's stated policy, in the first instance, in abolishing the Legislative Council and, in the second instance, in abolishing the State Parliaments altogether. It makes the procedure so much simpler if, in the process of passing the necessary legislation to abolish that Chamber, no amendment to the Constitution Act of this order is required.

Whilst we have spelt out in the State Constitution, as is the case presently, what the rights of the individual citizens will be and must be in terms of their eligibility to vote in elections for the two chambers involved, we are in a situation where we do not need a bill of rights in relation to that matter. However, once they are abolished in the Constitution it is also easy to argue that because they do not exist anywhere else but in the Electoral Act they ought to be included in a compact statement of what are the rights of the individual and that therefore we need a national bill of rights. That is not drawing a very long bow, really.

I have heard the protagonists of the bill of rights, as the Labor Party seeks to have established by the national Parliament (the term it would use to describe the Commonwealth Parliament of Australia), call this an essential amendment to remove the measure of emotive response that could otherwise be felt by members of the community who would see a consequence of having to amend the Constitution in so many ways—this being one of the ways—as undesirable, unnecessary and, indeed, dangerous. It makes the job further down the track that much simpler for the Labor Party if it is ever trusted to the extent that it does the things it has stated. I do not support the proposal to repeal this section or, indeed, any other section for those reasons.

The Hon. G.J. CRAFTER: I must correct the record; the South Australian games are being held at Olympic Sportsfield this evening and the honourable member has just performed Olympian feats in terms of his logic in understanding the purport of what I understand the member for Mitcham is advancing in terms of his argument. His is not one of taking out of this Bill the provisions which entrench certain clauses of the Constitution Act, and that is that they cannot in fact be altered other than by a set of procedures, including a referendum. This certainly does not affect any of those now or in the future and it is not an issue at all. It is not affected in any way by what is happening. To purport those motives to the Government is quite erroneous.

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, Goldsworthy, Gunn, Lewis, Meier, Olsen, Oswald, and Wotton.

Noes (24)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Crafter (teller), De Laine, Duigan, and M.J. Evans, Ms Gayler, Messrs Gregory, Groom, Hamilton, Hemmings, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Payne, Peterson, Plunkett, Rann, Robertson, Slater, Trainer, and Tyler.

Pairs—Ayes—Messrs S.G. Evans and Ingerson. Noes—Messrs Hopgood and Mayes.

Majority of 8 for the Noes.

Amendment thus negatived; clause passed.

Clause 4—'Repeal of s. 20.'

Mr S.J. BAKER: This clause deals with the repeal of section 20 of the Constitution Act and encompasses the right of a person on the roll entitled to vote for the House of Assembly having the same right for the Legislative Council. We oppose the repeal of that section, for obvious reasons.

The Hon. G.J. CRAFTER: We oppose the section for the same reasons.

Clause passed.

Clause 5—'Repeal of s. 29.'

Mr S.J. BAKER: I move:

Page 1, line 17—Leave out 'is repealed' and insert 'is amended by striking out "person qualified and entitled to be registered as an".'

Section 29 of the Constitution Act deals with a person's right to be elected to the House of Assembly. I would have thought it a pretty important matter which should be in the Constitution Act. It merely says here 'any person qualified and entitled to be registered as an elector'. We have sug-

gested that the 'qualified and entitled to be registered' be struck out, so that any person who is an elector can qualify to be a member of the House of Assembly. That brings it into line with the Electoral Act. It is then totally consistent with the Electoral Act.

It is important that it remains within the Constitution because it defines the right of a person to become a member of this House of Parliament. I would have thought that that is a matter of such import that it should not ever be taken out of the Constitution. I have already been through the debate on this matter, and I commend the amendment to the House.

The Hon. G.J. CRAFTER: We believe that the appropriate place for this is in the Electoral Act and not in two Acts of Parliament where it is duplicated.

Amendment negatived; clause passed.

Clause 6—'Repeal of s. 33.'

Mr S.J. BAKER: I move:

Page 1, line 18—Leave out 'is repealed' and insert 'is amended by striking out paragraphs *(b)* and *(c)* of subsection (1) and substituting the following paragraphs:

(b) (i) is an Australian citizen;

or

(ii) is a person who by virtue of his or her status as a British subject was, at some time within the period of three months commencing on 26 October 1983, enrolled under the Electoral Act 1929, as an Assembly elector or enrolled on an electoral roll maintained under a law of the Commonwealth or a Territory of the Commonwealth;

(c) has his or her principal place or residence in the subdivision and has lived at that place of residence for a continuous period of at least one month immediately preceding the date of the claim for enrolment'.

Clause 6 deals with section 33 of the Act, which describes the qualification to vote at an election. It is important for all the various reasons I have previously explained. I do not intend to reiterate the argument. It is fundamental to the Constitution Act that it remain here. The paragraphs in my amendment are taken from the Electoral Act and thus make this legislation totally consistent with that Act. I commend this amendment to the Committee for the reasons I have previously explained.

The Hon. G.J. CRAFTER: Once again, the Government opposes this amendment.

Amendment negatived; clause passed.

Title passed.

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

That this Bill be now read a third time.

The House divided on the third reading:

Ayes—(24)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Crafter (teller), De Laine, Duigan, M.J. Evans, and Ferguson, Ms Gayler, Messrs Gregory, Groom, Hamilton, Hemmings, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Payne, Peterson, Plunkett, Rann, Robertson, Slater, and Tyler.

Noes—(15)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker (teller), Becker, and Blacker, Ms Cashmore, Messrs Eastick, Goldsworthy, Gunn, Lewis, Meier, Olsen, Oswald, and Wotton.

Pairs—Ayes—Messrs Bannon, Hopgood, and Mayes. Noes—Messrs Chapman, S.G. Evans, and Ingerson.

Majority of 9 for the Ayes.

Third reading thus carried.

ACTS INTERPRETATION ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 3 December. Page 2507.)

Mr S.J. BAKER (Mitcham): This will be the last Bill for tonight, I am pleased to say. It amends the Acts Interpretation Act 1915. Actually, it is quite fascinating to reflect on some of the old legislation, and in this instance sections 33b and 33c of the Act are to be repealed. As most members of this House have probably not delved into this Act a great deal, I shall read out section 33b, which provides:

All Acts in force on 26 January 1949 shall continue to have effect in relation to Irish citizens who are not British subjects in like manner as they have effect in relation to British subjects.

So, we sorted out the Irish problem back in 1949—which I am actually delighted about. I know that they are still having problems over in Northern Ireland.

The more important provision is section 33c, relating to citizenship and the right of British subjects. The Australian Citizenship Act—which is a Commonwealth Act—has changed. The provisions are now more simply defined under Commonwealth legislation, and it is no longer appropriate that section 33c remain on the statutes, although it is worth looking back in history and seeing—

The Hon. H. Allison: And the Irish are no longer British.

Mr S.J. BAKER: Yes, because we are going to repeal that! But on a serious note, the legislation relates to the situation that prevailed before the new Commonwealth Australian Citizenship Act of 1984 came into force. These sections are no longer appropriate, and the Opposition supports their repeal.

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for its indication of support for this measure, which is consequential upon the amendments, which we have already passed, to the Electoral Act, and also consequential upon some changes to Commonwealth legislation in respect of certain definitions in this area. This matter is now clarified, and the appropriate provisions are embodied in the amendments to the Electoral Act.

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

ADJOURNMENT

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

That the House do now adjourn.

Mr GREGORY (Florey): Some time ago in this House members of the Opposition criticised the design of the *Island Seaway*. I found it rather intriguing to listen to their criticisms. I refer particularly to a criticism made by the Leader of the Opposition, when he referred to the flat stern of the *Island Seaway* and said how, with a following sea, that flat stern would become like a surfboard and surf down the waves.

He portrayed to this House the implication that this fault in the design of the *Island Seaway* would make the vessel unseaworthy. I find that statement rather intriguing, because one of the contentions that I have held about Opposition members' criticism of the *Island Seaway* is that every time they have opened their mouths they have demonstrated an amazing lack of knowledge of the building and operation of ships.

I want to refer to the flat bottomed stern of the *Island Seaway*. Remember that on many occasions members opposite have extolled the virtues of the *Troubridge*. I refer to an interview between Captain Gibson and Philip Satchell, I think on 7 December 1987. Satchell said:

Captain, I suppose the most heavy criticism has been because of the flat bottom at the back. It might be possible for the sea to

get under it and tip it over. If that is so do you have any worries about that?

Gibson's response was:

Not at all.

I find that rather amazing because, if these people who criticise this flat bottom had a look at the *Troubridge*, they would find exactly the same thing. The *Troubridge* did not tip over in 26 years of operation. Before a ship is even allowed to go on the sea they have to do what is called an inclining experiment. Weights are put on each side of the ship and by calculation the stability of the ship is worked out. The International Maritime Organisation has a minimum set of standards for stability, and every commercial ship must fall within these parameters. So, there is no fear of the ship tipping or turning over, or anything like that. That puts paid to that criticism.

The other criticism made by the Leader of the Opposition, the member for Custance, was in relation to the so-called 38 defects. I remember being in this House when the member for Custance read out those 38 defects and made a great fuss about them. Again, that illustrated a lack of understanding of the building of a major mechanical device that is rather complex and very expensive.

On 10 December, Jim Duncan, the Deputy Director of the Department of State Development and Technology, wrote a letter to a paper—I think it was the *Advertiser*—and referred to those comments. He said:

Any seaman, or anyone with knowledge of shipbuilding and refitting, will tell you that launching a new ship with just 38 deficiencies is a real achievement. Deficiencies usually number in the hundreds.

I wonder whether you have talked to the *Island Seaway's* designers—Doherty, not Eglo engineering as you incorrectly state—and attempted to verify the so-called facts.

Apart from being the Deputy Director of the Department of State Development and Technology, Duncan knew a little bit about ships because he was a commander in the Australian Royal Navy and knows what happens when ships are refitted in the naval dockyards. He knows that each time ships go on trial work has to be done to rectify things that are not quite right. The whole reason for sea trials is to find out what is not working so that it can be corrected. That is very much like when someone buys a new motor vehicle or a new home: there is always a list of work to be done. Indeed, in this State we have gone to great lengths to ensure that people have redress if those things are not done in a new home. It is part of the contract that sea trials are conducted. Indeed, on some occasions shipyard trials go on for days at a time until that ship is spot on.

I want to comment further. The member for Chaffey has always believed that somehow or other the *Island Seaway* is under powered. Every time something happens with the *Island Seaway* he says that it is under powered and that it needs more power. I was really astounded when the newspapers, on about 4 January, reported a huge gash in the side of the *Island Seaway*, which was later reported as requiring a one square metre piece of plate at a cost of $550 to effect the repair. A newspaper report states:

'It's a tragedy for South Australia and the people of Kangaroo Island that $20 million went on a vessel not up to the job,' Mr Arnold said. The crash showed the vessel was dangerous. The ship was underpowered and its bow thrust used in docking was inadequate. 'This proves our fears', Mr Arnold said. 'Where the wind and tide are greater than the ship's power, then control is taken from the master and handed over to the elements.'

The member for Chaffey must have been talking after a bad dream because he did not realise that the damage caused to the *Island Seaway* was because of the construction of the Kingscote jetty and the manoeuvring that went on when trying to berth the *Island Seaway*. In that manoeuvring the bow of the vessel was placed against a portion of the jetty and the stern thrust with the Z style propulsion unit was used to force the vessel around; the concrete basin on the pier was used as a leverage, and consequently the vessel was damaged. Following that damage the berthing dolphin, which was constructed of concrete and steel, was altered so that it would no longer damage the vessel. This is a vessel that was supposed to be underpowered!

I wondered what the member for Chaffey was going on about. In Captain Gibson's discussion with Philip Satchell on 7 December, he made it clear that this vessel was more manoeuvrable than the *Troubridge*, and not only that it could go backwards and forwards and the stern or bow could be put in but also that it could be operated bodily.

An honourable member interjecting:

Mr GREGORY: I recall the member for Alexandra going a bit butcher's hook about the sheep dying on the *Island Seaway* and complaining to this House that nobody went and looked. At the time I thought that that was perhaps not very caring. I also thought that Gibson's response to this was rather heartless, but when I thought about it it made a lot of sense. He said:

We've carried them in the *Troubridge* for a number of years and we've never looked at them, and there was nothing we could possibly do if we did look at them, apart from give them mouth-to-mouth resuscitation or something.

He implied that because of the design in deficiency that had only become apparent on that occasion there was nothing one could do. One could not stop a ship in the middle of Gulf St Vincent and rearrange the load. One had to put up with it until one berthed, and that is precisely what he said; and after they found that deficiency they fixed it up.

The whole exercise in relation to the *Island Seaway* has been to denigrate South Australia's manufacturing industries. This is similar to the Tonkin Government's effort prior to the 1979 election, when Liberal Party members travelled the Eastern States denigrating South Australian manufacturing industries and imploring organisations not to invest in this State. This saw an investment drought in South Australia. Jobs dried up and thousands of people were put out of work. Their actions in relation to the *Island Seaway*, and indeed with the ASER and submarine projects, are all designed in a perverse sort of way to avoid investment in this State, in the hope that unemployment may get them back in office. It will be a Pyrrhic victory, because no phoenix is rising out of the ashes, as members opposite found out in 1979, because investment dried up and there were no jobs for people to go to.

The Hon. D.C. WOTTON (Heysen): Earlier today the Leader of the Opposition moved an urgency motion which read:

That in view of the resounding message from the Adelaide by-election that the average family can no longer cope with excessive rises in taxes and charges, this House, in the interests of social justice, calls for an immediate and unequivocal commitment from the Premier that any rise in revenue generated by State taxation next financial year and any rises in State charges, particularly public transport fares, Housing Trust rents, electricity tariffs, the price of water and public hospital fees be kept with the CPI.

Members on this side of the House strongly support that urgency motion. I do not think that there is any doubt at all that the results of the by-election on Saturday point out very clearly that the Premier in this State should adopt the policy put forward in that urgency motion.

I refer to matters that are brought to my attention by people in my electorate who are suffering as a result of the increased costs, charges and taxes that have been brought down in recent times by the Bannon Government. I cannot think of a better example to bring before the House than

one that was brought to my notice last week by a constituent, a person who has been running a very successful enterprise in Hahndorf, a person who has been able to capture much interest as far as the public consumers are concerned and one who I believe needs a considerable amount of support. He is one of the many small business people in this State who are looking to this Government—and particularly to future governments—to make their goals a little easier and obtainable.

I do not believe that there is any doubt about the initiative and incentive that this particular person has shown. He is keen, he is a hard worker and he recognises the need to satisfy those who would be his customers. However, he has run into many problems, and I will read to the House a letter that he sent me setting out some of those concerns, as follows:

Dear Sir,

Four and a half years ago I spent my social security cheque on a shop lease to start my own business. I was unable to acquire work in South Australia as a welfare officer. My previous employment was with the Smith Family, where we taught adult unemployed work skills, life skills, to motivate them back into the work force and society. My total capital at that time was $600, and having a family to support it was a gamble that any Aussie would take. My wife and I have worked seven days a week with one 10 day holiday for this period of time. This has shown positive results and our shop is a highlight in Hahndorf—a tourist town with great potential.

We knew we were on our way to success when the bank granted us an overdraft. Then it happens—staff, wages, insurance, and still we maintain progression. Our leasehold which states we must pay rates and taxes. OK, fair enough, until the land tax hit us in the face—$700 the first lot and this year $971 just before Christmas. I asked the other traders to find out more on this and discovered that it is a wealth tax, that is, the amount of property owned by my landlords judges the amount of land tax we should pay on our shop. They own 30-odd properties, and the overall tax on these is around $250 000—hence my share of $971.

A property leased in the same street four times the size inside, three times the size outside and having turnover 10 times as much as ours but owned by a landlord that doesn't have other properties to rent pays $20 land tax. Is this a Bicentenary re-enactment of the Tudor System (Bob Hawke, the Sheriff of Nottingham)? Documentation on all of the above can be shown and other small business people who have the same landlord as us are also suffering from this tax. HELP PLEASE—or I will look at reverting to social security as a way of getting in front in my financial state.

Medical, dental, schooling for my two children, rent relief—travel allowance; to name a few benefits, would save me five to six thousand dollars—something is unfair. I work six days in our shop and one day teaching in a prison to help pay for all the above, and help Australia be self-productive, but find it just isn't working with the bureaucratic waste and the new taxes—for the poor.

PHONES UP,
STAMPS UP,
THUMBS DOWN TO THE SMALL BLOKE.

FAIR GO AUSTRALIA—don't force my family and I to play the loopholes in social security as a business game to survive.

I support very strongly the concept contained in that letter. As I said, I know that constituent personally and I know of the business for which he is responsible. He is an extremely energetic person and I consider him to be an excellent citizen. It is my intention to forward that letter to the Premier of this State in an attempt to get some reaction from him. I doubt very much that I will receive a lot back that will satisfy my constituent, but the Premier should be made aware that probably thousands of people in small business in South Australia are in similar situations. I felt that it was important that I brought that letter to the attention of the House, and I look forward to the Premier providing some response to that particular piece of correspondence.

Another matter to which I refer in the little time that I have this evening is the ease with which, these days, people appear to be able to bankrupt themselves. Recently I had a most interesting discussion with a local bank manager who, for obvious reasons, does not wish to be named. It is a concern that he brought to my attention and it has been raised by a number of other people in my electorate. In his capacity as a bank manager, he is particularly concerned about the number of people who seem to be able to declare themselves bankrupt when their financial situation seems to be okay. In explaining that, I indicate to the House that this particular bank manager referred to a number of cases where people had been able to bankrupt themselves prior to any discussion with the bank for which he is responsible or with him as bank manager. When he checked it through, he found that the people were up to date with any outstanding loans, and they conducted their business and their financial situation very well. Their payments were up to date and, as far as he could understand, there was no reason why these people should move towards bankruptcy.

He has done quite a study on this matter and, when he provides me with more information at a later stage, it is my intention to come back to the House and give some examples of the ease with which people find themselves able to take out bankruptcy. It is of particular concern to me. I realise that this has become the bankruptcy capital of Australia, and reference was made to that.

Mr Groom interjecting:

The Hon. D.C. WOTTON: It is all right for the member on the other side of the House to laugh. It is a fact, and this afternoon reference was made to it by the Leader of the Opposition. Statistics were made available to the House on the number of bankruptcies that have occurred in South Australia and it is a very grave situation in which we find ourselves, but that is very different from the one to which I am referring tonight. I do not have the time to go into any more detail on that particular matter but at a later stage I will certainly bring to the attention of the House more detail that will back up my concern in this particular issue.

Mr FERGUSON (Henley Beach): On 12 December 1987 I represented the Minister of Emergency Services at the launch of the Surf Life Saving Association summer beach patrol, which is operated by way of the State Rescue 1 helicopter service. That helicopter is also used in bushfire control, traffic control, fire spotting and miscellaneous community services. The helicopter in use is paid for partially by the Westpac Banking Corporation, which provides something of the order of $70 000 a year for the running and servicing of that machine. Westpac has a similar role in other States, especially in and around Sydney. It is unfortunate that, apart from the logo painted on the aircraft, the Westpac banking organisation gets little by way of advertising from its donation. For some reason that is hard to fathom, the rescue craft is never referred to in the media as the 'Westpac rescue craft' and is generally known as 'Rescue 1 helicopter'.

Media organisations so far have failed to give recognition to the large donation that the Westpac banking organisation puts into this community effort. The media fails to give due recognition to that organisation. This is a great pity, because I believe that any organisation that is prepared to invest that much money on an annual basis in order to be of assistance to the community in general should receive due and proper recognition.

Apparently the circumstances prevailing in South Australia in regard to media recognition are unique to South Australia, because Westpac in its efforts to assist the community in other States has not had the same degree of difficulty. Media representatives in the other States have had no problems in referring to the aircraft as being the

'Westpac rescue helicopter'. Of course, there is little one can do in a case like this, except to appeal to those people in authority in the South Australian media to give due recognition to the work that Westpac has done by way of donation towards rescue work. Undoubtedly, there is some advantage to Westpac in having its logo painted on the side of the aircraft where it is visible to people who see it from Adelaide beaches and the other areas where it travels, but it would be much more significant if there was recognition of the aircraft by reference to it as the 'Westpac rescue operation'. I can say no more than that. I merely draw the attention of the House to this matter in the hope that in the future there may be a better understanding of the work that the Westpac banking organisation is prepared to do for the community.

I now turn briefly to the burden that has been and that continues to be imposed on seaside councils concerning their need to maintain and look after metropolitan beaches. From the outset, I indicate that I have a vested interest in this subject because I represent one of the most popular beaches in the metropolitan area—the beaches of Henley and Grange.

The beach users survey conducted in the 12 months to May 1986 by the Australian Bureau of Statistics stated that 70 per cent of all residents in the Adelaide statistical division, including Gawler, Bridgewater and Willunga, aged 15 years and over visited at least one metropolitan beach. During that year there were 519 000 beach users and 235 000 non-beach users, that is, people who merely came down to drive and park in the area. Of these, 39 800 visited Henley Beach and 32 800 visited Grange beach. Henley Beach was the third most popular beach, according to the metropolitan survey.

The Hon. D.C. Wotton interjecting:

Mr FERGUSON: Yes, the area has a very good local member. Glenelg was the most popular by far and Grange was the fifth most popular beach in the metropolitan area. These numbers have since been exceeded: for example, I recently had the pleasure of seeing the Great Australian Sandcastle Competition at Grange beach, part of our bicentennial celebrations, and according to my own estimate there were more than 30 000 day trippers on just that one day.

It is unfortunate that a large portion of the maintenance of beach areas falls on Henley and Grange ratepayers. A large number of people in the total metropolitan area use the beach for recreational purposes and the vast majority of them contribute nothing to the maintenance and upkeep of the area. A Henley and Grange public opinion study undertaken in March 1986 indicated that only 6 per cent of Henley and Grange residents use the foreshore amenities, frequent toilets and so on and 74 per cent of Henley and Grange residents have the attitude that more people should be encouraged to visit the Henley and Grange foreshore.

It is undoubtedly true that the residents of Henley and Grange are having to put a disproportionate amount of council resources into the area of recreation for other people. The recreation area is available for the whole of the metropolitan area and it should be, but the burden of the cost is falling onto too few people.

The Hon. D.C. Wotton: What about the Hills—

Mr FERGUSON: The people in the Hills ought to look to their representatives to support their area. I represent the area of Henley and Grange, and it is my duty to look after those people.

It is unfortunate that many of the cuts in the recent State budget have occurred in areas related to coast protection. The Coast Protection Board was established initially to be of assistance to beachside councils and to overcome the disproportionate amount of money that people in the seaside areas were investing in those areas to provide a playground for people throughout metropolitan area. In recent months and due to the rather hot spell of weather that we have had we have seen an unfortunate spate of vandalism in the Henley and Grange area and the amount of money originally put aside in this year's budget to take care of replacing and looking after vandalised facilities has already been used. It is most unfortunate that people who come from other areas take the opportunity to vandalise the beachside by pulling down fence posts, starting fires, destroying bathing sheds and so on. I appeal to the House to take notice of the burden that is falling on beachside councils with a view to looking at future State budgets with the idea of putting more money into the coast protection area so that it can be of assistance to people in my district.

One or two other matters need to be raised in regard to the beachside; for example, expiation fees for dog control have not been adjusted for many years. It is time that that matter was addressed. Illegal parking of vehicles on the beach is another major problem in relation to which the expiation fees have not been adjusted for many years. The expiation fee for illegal parking on the beach is only $8—the amount that a motorist would be prepared to pay these days for parking all day in a parking station. Dry areas have recently been proclaimed, and I will take up this matter at another time.

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

Motion carried.

At 8.55 p.m. the House adjourned until Wednesday 10 February at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 9 February 1988

QUESTIONS ON NOTICE

MAGILL CAE

224. **Mr BECKER** (on notice) asked the Minister of Employment and Further Education:

1. Have the St Bernards Road sports ground and tennis courts been considered surplus to the requirements of the SACAE Magill campus and, if so, why?

2. What is the value of the property and the SACAE recommendation for its future use?

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

1. College Finance Committee at its 19 March 1987 meeting identified these properties as being surplus to college teaching, administrative and research requirements.

2. These properties are in the name of the Minister of Education and thus cannot be sold by the college. A valuation of the properties has not been obtained. Campbelltown council has indicated that no application for redevelopment will be considered. The future use of these properties will be pursued.

DEPARTMENTAL PROPERTY

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

1. What was the total amount of all items of stock lost, stolen or missing from each department and authority under the Minister's control for the years ended 30 June 1986 and 1987?

2. What value of goods, and which, were recovered during each period?

3. Have internal auditing and improved stock controls helped reduce stock deficiencies and theft and, if not, why not?

4. What amounts of cash and/or cheques have been lost or stolen in the same periods?

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

Department of Tourism

1. Nil
2. Nil
3. Not applicable
4. $1 417.30

Department of Local Government

1. Nil
2. Nil
3. Not applicable
4. Period ending 30 June 1986: $50
   Period ending 30 June 1987: Nil

Youth Bureau

1. Nil
2. Nil
3. Not applicable
4. Nil

South Australian Waste Management Commission

1. Nil
2. Nil
3. Not applicable
4. Nil

West Beach Trust

1. Nil
2. Nil
3. Not applicable
4. Nil

Parks Community Centre

1. For the year ended 30 June 1986: $1 698. For the year ended 30 June 1987: $5 281.66
2. The value of the goods as quoted above was recovered through insurance claim.
3. Internal auditing and improved stock controls have helped control stock deficiencies and theft.
4. Amounts of cash totalling approximately $100 over the last two years have been lost or stolen.

Enfield General Cemetery Trust

1. Nil
2. Nil
3. Not applicable
4. Nil

INTRASTATE AIR FARES

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

1. Has the impact on local tourism of any intrastate air fare increases since deregulation been assessed and, if so, what are the results?

2. Will the Minister monitor intrastate air fares with a view to encouraging tourist use of local airlines?

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

1. It is not correct to refer to the 'deregulation' of South Australia's airline market. The 1979 Domestic Air Transport Policy Review recognised that in relation to the economic regulation of air services the Commonwealth's powers are limited constitutionally to regulation of services within a Territory, or between a Territory and a State. Unlike in most States where regulatory controls already existed, in the absence of any regulations covering airline routes in South Australia, existing policies did not change.

Since 1979 a much greater range of intrastate air fares have become available (off-peak, advance-purchase, same-day returns, etc), suggesting a consequent reduction in average fares paid. In addition, the total number of scheduled intrastate flights has increased with some centres being provided with services for the first time.

This combination of reduced average fares and increased services has provided extra incentives for tourist use of local airlines.

2. Intrastate air fares are monitored regularly. In relation to 'local airlines', present policies regard all airlines operating in South Australia as 'local'. As airline companies based in other States have the opportunity to operate in South Australia, it is up to local operators (in the restricted sense) to compete on terms that attract tourists to their operations.

ASER PROJECT

290. **Mr OLSEN** (on notice) asked the Premier: Following the revelations by the Auditor-General on page 396 of his 1987 report that the Chairman of the South Australian Superannuation Fund Investment Trust has provided him with a report on reasons for the escalation in cost of the ASER project, will the Premier seek a copy of that report and table it?

The Hon. J.C. BANNON: The report is essentially a set of capital and income projections of the commercial operations of the ASER Property Trust, a body in which the South Australian Government has no financial interest. The information was provided to the Auditor-General as being subject to commercial confidentiality, and the Auditor-General has apparently perceived no grounds of public interest

which would lead him to break that confidentiality. I certainly have no intention of asking him to do so.

Members interested in the size of SASFIT's investment in ASER, and of the rate of return which is now anticipated from that investment, are referred to statements of the Chairman of SASFIT to Estimates Committee A on 15 September during the examination of Treasury Department, or to the report of SASFIT for the year ended 30 June 1987.

EMERGENCY HOUSING OFFICE

298. **Mr OLSEN** (on notice) asked the Minister of Housing and Construction: Following the revelation by the Auditor-General on page (xi) of his 1987 report that on 28 August 1987 he referred to the Minister certain matters relating to the financial management of the Emergency Housing Office, will the Minister table the correspondence from the Auditor-General and any reply he has made?

The Hon. T.H. HEMMINGS: As requested, copies of correspondence between the Auditor-General and myself, concerning the recent audit of the Emergency Housing Office, are attached.

TO THE AUDITOR-GENERAL

I appreciate your advice of 28 August, 1987 in regard to the auditing of the Emergency Housing Office.

I will be giving consideration to the matters you have referred to me in the current financial year.

TERRY HEMMINGS, M.P.,
MINISTER OF HOUSING AND CONSTRUCTION
30 September 1987

TO THE MINISTER OF HOUSING AND CONSTRUCTION

During the recent audit of the final accounts of the Emergency Housing Office, my officers drew to my attention:

- the substantial increase in the administration costs of the Office. In 1986-87, those costs amounted to $2 million and absorbed 39 per cent of the total funds available to the Office.
- the low rate of bond recoveries. Assistance with security bonds over the four year period to June 1987 amounted to $6.3 million, against recoveries of $2.2 million for the same period.

A recent review of the operations of the Emergency Housing Office by the Internal Audit Branch of the South Australian Housing Trust points to an unsettled and poorly structured staffing situation, incomplete financial control procedures, delays in attending to client requests and no effective monitoring of staff attendances. I understand that the Trust has sought and received comment from the Manager of the Emergency Housing Office on their report.

Emergency housing services are to a large extent administered autonomously in separate accommodation from the Trust's operations. The demand on services has increased significantly over the years.

In view of the Trust's considerable experience and expertise in the provision of welfare housing, a closer integration of emergency housing services with the Trust's operations could:

- lead to a reduction in administration costs;
- strengthen control over activities, particularly security bonds and recoveries.

The matter is referred for your consideration.

T.A. SHERIDAN
AUDITOR-GENERAL
28 August 1987

REVENUE AND EXPENDITURE INITIATIVES

299. **Mr OLSEN** (on notice) asked the Treasurer: Following the recommendation by the Auditor-General on page (iv) of the 1987 report that budget documents should show both the part and the full year effect of each new major revenue and expenditure initiative, as is the practice with the Victorian budget documents, does the Government intend to take up this matter and, if so, when and, if not, why not?

The Hon. J.C. BANNON: The budget documents have generally provided information on the part and the full year effect of each new major revenue and expenditure initiative. For example, the full year cost of the measures taken with respect to the business franchise tax on petroleum are provided in this year's budget speech. The Government intends to continue this practice.

ELIZABETH COLLEGE OF TAFE SECURITY

303. **Mr OLSEN** (on notice) asked the Minister of Employment and Further Education: Following the revelation by the Auditor-General on page 68 of his 1987 report that photographic equipment valued at $36 000 was stolen from the Elizabeth College of TAFE after entry had been gained 'via a security weakness which had been identified some two months previously but not corrected':

(a) what was the nature of the security weakness identified; and

(b) why was it not corrected between the time it was identified and the theft?

The Hon. LYNN ARNOLD: The security weakness identified by the college was specifically faulty window catches. The college raised a maintenance requisition dated 4.6.86 to repair broken window mechanisms to two windows in the electrical section. Within a week this was attended by a tradesman from the South Australian Department of Housing and Construction and the college leading general hand. A further 28 window catches were found to be deficient, in that they had a tendency to work themselves free when the windows were rattled vigorously. Another maintenance requisition was raised on 5.8.86 for the replacement of all window catches and the work was carried out on 12.8.86.

Although it is acknowledged that security weaknesses were identified prior to the break-in on 31.7.86, a robbery of this nature could have been carried out by simply breaking a pane of glass in any one of the windows.

ETSA SUPPLY LINES

364. **The Hon. D.C. WOTTON** (on notice) asked the Minister of Mines and Energy: Is it Government policy to make landowners responsible for the maintenance of ETSA supply lines on their properties and, if so, is it intended to introduce legislation to enforce this policy and, if not, what other procedures are to be introduced to enforce this policy?

The Hon. R.G. PAYNE: The matters raised are being addressed in the Electricity Trust of South Australia Act Amendment Bill.

NULLARBOR PLAIN

369. **Hon. E.R. GOLDSWORTHY** (on notice) asked the Minister of Mines and Energy:

1. What is the Department of Mines and Energy's assessment of the mineral and petroleum potential of the area of the Nullarbor Plain which the Australian Heritage Commission wants placed on the World Heritage List?

2. In each of the past ten financial years, how many mineral and petroleum permits have been granted in this area?

3. How many mineral and petroleum permits are current in this area?

4. Before completing its report, did the Australian Heritage Commission consult the Minister or the Department of Mines and Energy?

5. What is the Department's attitude to the proposal of the commission?

The Hon. R.G. PAYNE: The replies are as follows:

1. The resource potential of the Nullarbor Plain region is best explained by reference to three major geological subdivisions known to be present, but whose limits on the surface and at depth remain largely unmapped:

(a) The Wilson Bluff and Nullarbor limestones whose aggregate thickness rarely exceeds 200 metres. These are the units which give rise to the karst topography with its associated caves. Aside from the limestones themselves, which may be considered a non-metallic resource, there is no petroleum or metallic mineral potential.

(b) Beneath the tertiary limestones there are Cretaceous, Permian, Cambrian and Precambrian sediments, up to 1 500 metres thick in two major depressions beneath the Eucla Basin. The Cretaceous sediments, together with tertiary non-limestone units have lignite, oil shale, uranium and heavy mineral potential. The Cambrian and late Precambrian sediments at depth have oil and gas potential. This has been enhanced by recent oil shows in rocks of this age to the north (Officer Basin) and in a well drilled on the Nullarbor Plain near Denman railway siding.

(c) Igneous and metamorphic rocks stratigraphically underlie the units described in *(a)* and *(b)*, but on the eastern and western margins of the Nullarbor Plain region in South Australia, they occur either at shallow depths or in outcrops. These are potentially host rocks for gold, silver-lead-zinc, platinoids, molybdenum, magnetite and copper.

2. Since 1977 one petroleum exploration licence and 27 exploration licences have been granted in the area.

3. One petroleum exploration licence is current, and one application for an exploration licence is presently being considered.

4. No.

5. The Government's policy has not yet been determined; however, the member will be aware of recent amendments to the National Parks and Wildlife Act creating regional reserves which allow for multipurpose use.

VEGETATION CLEARANCE

424. **The Hon. JENNIFER CASHMORE** (on notice) asked the Minister for Environment and Planning:

1. Did the owners of lot 3, part section 616 hundred of Kongorong (C.T. 4298 folio 44) have the right to clear native coastal vegetation on this land?

2. Was such clearance in conflict with the South-East Coast Protection Draft Management Plan 1985?

3. What steps, if any, were or can be taken by the Coast Protection Board to protect the remaining vegetation?

4. Was the Port MacDonnell council's decision to permit development on lot 3 in conflict with the South-East Coast Protection Draft Management Plan and, if so, what action does the Department of Environment and Planning intend to take regarding this development?

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

1. No. The Native Vegetation Authority, which is responsible for approving clearance of native vegetation throughout the State, has received no application to clear the land in question.

2. No. For information the South-East Coast Protection District Management Plan was approved on 27 November 1986.

3. The Coast Protection Board has purchased lot 5, a major part of the coastal frontage of part section 616 and section 392 hundred of Kongorong, for conservation purposes. It is further the intention of the board to place the land under the care, control and management of the District Council of Port MacDonnell, believing that these actions will protect native vegetation, coastal landforms and any Aboriginal sites that may be present on lot 5. The Minister of Marine also purchased some coastal frontage land (lot 4).

Lot 3, part section 616 hundred of Kongorong remains in private ownership and as such its clearance and development do not require approval of the Coast Protection Board. However, the controls over clearance of native vegetation are exercised by the Native Vegetation Authority, under the Native Vegetation Management Act 1985. The authority has not received an application to clear lot 3 and is presently awaiting a report from its investigating officer before deciding whether further action should be taken over the clearance.

4. No. The Coast Protection Board has no control over the development of privately owned land under the Coast Protection Act 1972.

The board relies upon the development control provisions of the Planning Act 1982 to implement its policies. In this particular case the Coastal Management Branch of the Department of Environment and Planning, on behalf of the board, advised the South Australian Planning Commission that it had no objection to the creation of the coastal frontage allotments from a coastal engineering viewpoint.

HOUSING TRUST

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

1. What amount has been provided in the 1987-88 South Australian Housing Trust budget for income from the sale of vacant land for industrial or commercial purposes and how does this compare with the Valuer-General's valuation for the same land?

2. What amount has been provided in the 1987-88 trust budget for income from the sale of rented houses under the Shared Ownership Scheme and what is the total number and value of sales to date?

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

1. The budgeted income from the sale of industrial and commercial land for the year 1987-88 is $1.1 million and $850 000 respectively. These figures are based on valuations provided by the Valuer-General.

2. The budgeted income from the sale of houses to tenants under the Shared Ownership Scheme for 1987-88 is $810 000. To date, 22 houses have been sold at a total value of $353 398.

428. **Mr M.J. EVANS** (on notice) asked the Minister of Housing and Construction: Will the Minister table for the consideration of the relevant Estimates Committee in all future years a copy of the proposed budget for the South Australian Housing Trust to allow the Committee to examine the detail of the proposed expenditure contained therein?

The Hon. T.H. HEMMINGS: Details on the general level of trust funds are set out in the budget papers prepared for Estimates Committee. While specific budget details for the trust are not publicly available, neither are those for other statutory authorities. The operations of the trust are audited annually and details are contained in the Auditor-General's Report. Since sufficient information is already publicly available for scrutiny, I am not prepared to accede to the member's request.

DEPARTMENT OF HOUSING AND CONSTRUCTION

430. **Mr BECKER** (on notice) asked the Minister of Housing and Construction: What is the proposed timetable for the regionalisation program of the Department of Housing and Construction?

The Hon. T.H. HEMMINGS: Two regional offices of the South Australian Department of Housing and Construction have already been established, viz.:

Northern Regional Office at Port Augusta in 1986.

Central Northern Regional Office at Elizabeth in November 1987. The regional office depot is scheduled for relocation from Greenacres to Elizabeth in the early part of January 1988.

The remaining two regional offices will be commissioned in March 1988 at the following locations:

Central Regional Office at the Netley complex. Staff from the Carrington Street and Ethelton depots will also be based at Netley.

Southern Regional Office at the Marion Depot.

TRUST ACCOMMODATION

454. **Mr BECKER** (on notice) asked the Minister of Housing and Construction:

1. When refurbishing South Australian Housing Trust accommodation, are front fences being removed and, if so, why?

2. Are battens on walls and ceilings and prefabricated walls being replaced in refurbishing trust rental accommodation and, if so, why?

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

1. Front fencing is assessed along with other aspects of the fabric of rental properties, when any maintenance refurbishment programs are undertaken. The trust aims to maintain a secure environment for tenants and their children. The trust continues to maintain existing front fencing which is in a reasonable condition. However, when it is uneconomical to continue maintenance, replacement is arranged and tenants consulted to determine the preferred fencing material.

When a property is vacated and the front fencing is assessed as having a useful life of less than five years, the front fencing will be removed and adequate security provided by installing wing fencing and gates or other appropriate arrangements, except in the following circumstances:

Rental properties located on corner allotments or other like situations where tenants would be likely to be inconvenienced by unwanted pedestrian traffic will continue to be provided with an appropriate front fence.

Rental properties fronting onto major roadways, railway lines or in other situations where there is an obvious hazard to children will continue to be provided with an appropriate front fence.

2. Any repairs or alterations to walls and ceilings that are initiated as part of the refurbishment of any trust rental property are first determined by an experienced qualified trust Technical Officer. The overriding influence is the health, safety and security of the tenant. Removal of battens to walls and ceilings is not standard trust practice or policy.

MORTGAGE RELIEF

457. **Mr BECKER** (on notice) asked the Minister of Housing and Construction: How much money is now outstanding and what action will be taken by the South Australian Housing Trust to recover outstanding mortgage relief assistance and when?

The Hon. T.H. HEMMINGS: Since the inception of the Mortgage Relief Scheme, the trust has assisted 2 218 people to meet their mortgage repayments. Currently, 407 home purchasers are in receipt of assistance, and the amount of money outstanding under the scheme totals $2.4 million.

Assistance provided under the scheme becomes a debt once mortgage relief is terminated. Ex-recipients are contacted by letter immediately after termination, advised of the amount of the loan to be repaid and requested to contact the trust within one month to discuss repayment arrangements. Repayment levels are tailored to suit individual circumstances. In the event that the person is unable to make repayments due to financial difficulty, the situation is reviewed on a six monthly basis. In the past, where recipients were assessed as being unlikely to be in a position to make repayments until such time as the property was sold, the debt was protected by a caveat which was registered on the title of the property.

Since August 1987, all recipients have a caveat placed on their title at the time assistance is provided to secure any money paid out under the scheme.

HOUSING TRUST ACQUISITIONS

459. **Mr BECKER** (on notice) asked the Minister of Housing and Construction: Of the 2 100 houses to be acquired by the South Australian Housing Trust this financial year for rental accommodation, how many will be acquired under the design and construct scheme, from the established market, and by tender, respectively?

The Hon. T.H. HEMMINGS: The South Australian Housing Trust plans to add 2 100 houses to its stock for rental accommodation during the 1987-88 financial year in the following manner:

Design and construct	520
Design and tender	1 445
Purchases and Conversions	135
Total	2 100

CONSULTATIVE COMMITTEE ON GOVERNMENT HOUSING

463. **Mr BECKER** (on notice) asked the Minister of Housing and Construction:

1. Who are the members of the Consultative Committee on Government Housing, what are their qualifications and/or category requirements for membership, and what are the aims and objectives of the committee?

2. Will the members be paid and, if so, how much?

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

1. The members of the Public Employees Housing Advisory Committee are:

Mr Jim Crichton—Chairman

Mr Brendon McGee—Rep. Police Association

Mr Brian Hennig—Rep. United Trades and Labor Council

Mr David Moir—Rep. Public Service Association

Mr Herb Moraw—Rep. Institute of Teachers

Mr John Humphries—Rep. S.A. Police Department

Mr Ron Duance—Rep. Engineering & Water Supply Department

Dr Keith Were—Rep. Minister of Education

Director, Division—Rep. Minister of Housing and Construction (vacant)

Mr Barry Griffin—Executive Officer.

The objective of the committee is to provide a forum for consultation to take place with unions and user departments on a range of policy issues affecting government employee housing.

2. Only the Chairman (Mr Jim Crichton) will be paid. In accordance with the fees set by the Department of Personnel and Industrial Relations, Mr Crichton will be paid at the rate of $111 per session.

HOUSING TRUST EXPERIMENTAL HOUSE

465. **Mr BECKER** (on notice) asked the Minister of Housing and Construction:

1. What have been the findings of the two matched families who volunteered to help the South Australian Housing Trust evaluate a new type of experimental energy saving dwelling for hot arid climates at Port Augusta?

2. How much did the earth home cost to erect?

3. What were annual maintenance costs and how did such costs compare with other residents?

4. Have any further energy saving houses been built by the trust and, if so, where, when and at what cost and, if not, why not?

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

1. The results of the experiment between the earth bermed experimental dwelling and a dwelling of similar plan, but of insulated brick veneer construction, built on an adjoining allotment in Freeman Court, Port Augusta West, are summarised as follows:

(a) The earth bermed house achieved superior comfort conditions in both summer and winter, although supplementary heating and cooling were required. The potential air-conditioning energy saving of the earth bermed house in a 12 month period has been established as 1 700 KWhr. (i.e. $119/annum at 1983 tariff figures). Using the discounting method of comparison, over a 25 year period the present value cost of the air-conditioning in the standard house was less than the additional tendered cost of the earth bermed house ($7 520 compared with $10 000).

(b) The solar hot water unit in the earth bermed house saved an average of 1 770 KWhr per annum (i.e. $67 at 1983 tariff figures).

(c) The tenants of the earth bermed house experienced very quiet and comfortable living conditions with the exception that they required higher ventilation rates. The entry of insects to the house from the berms seemed to create some minor problems.

2. The construction cost of the earth bermed house at 1981 prices was $44 000, bringing it to around $10 000 more to erect than its standard counterpart.

3. The annual maintenance costs of the earth bermed house, since its occupation in 1983, have been on average $93/annum. This compares with the average maintenance costs of standard housing (completed at the same time in the same street) of $198/annum.

4. An insulated masonry experimental house is currently under construction in Hurcombe Crescent, Port Augusta West. This house is due to be completed in June 1988 and its thermal performance will be compared over a 12 month period with an adjoining house of identical plan and orientation but of traditional insulated brick veneer construction. The dwelling construction comprises concrete raft slab, external walls of 140 mm concrete blockwork lined externally with foam insulation batts which are rendered to give the appearance of rendered masonry. The roof is insulated colorbond steel. It is anticipated that the greater internal thermal mass created by the wall construction will make the house more comfortable and save on air-conditioning electrical consumption. It is anticipated that the cost of constructing this house would be slightly higher than its brick veneer counterpart.

STATE DEVELOPMENT AND TECHNOLOGY REPORTS

469. **Mr S.J. BAKER** (on notice) asked the Minister of State Development and Technology: Will the Minister provide under separate cover the reports produced by the Department of State Development and Technology on:

(a) Adelaide-Darwin rail link;

(b) Australian Customs Service changes; and

(c) Eastern Standard Time?

The Hon. LYNN ARNOLD: The study on the potential economic impact of an Alice Springs to Darwin railway link on the South Australian economy was completed in January 1987. Since that time, various newspaper reports have indicated that a consortium of private companies including a number of large Japanese and Australian companies may be formed to undertake a new feasibility study of the project. The proposed project now includes development of the Port of Darwin and various agricultural and mining projects. While the results of the January 1987 study may be of an historical interest, the results of that study are no longer consistent with the revised nature of the project. A copy of the Australian Customs Service Changes report and the Eastern Standard Time report will be forwarded under separate cover.

WOMEN'S ADVISER

472. **Mr OLSEN** (on notice) asked the Premier: Is the position of Women's Adviser to the Premier to become vacant shortly and, if so, is the position to be advertised?

The Hon. J.C. BANNON: The position of Women's Adviser to the Premier is not anticipated to become vacant shortly, as suggested by the Leader. I should add, however, that if past experience is any guide the nature of the position is such that occupants usually elect to spend three to four years in the job before moving on to other roles either in the public sector or outside although, of course, there is no obligation to do so.

HIRE CAR LICENCES

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

1. What action has the Minister or the Metropolitan Taxi-Cab Board taken to ensure that Hughes Chauffeured Limousines (S.A.) Pty Ltd will not include the five non-transferrable hire car licences given to the company in any sale of assets or undertaking of the company and, if none, why not?

2. Can the board prevent the sale or take over by other persons or companies of Hughes Chauffeured Limousines (S.A.) Pty Ltd.

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

1. A condition endorsed on each licence provides that 'Should any other licence/s in possession of Hughes Chauffeured Limousines (S.A.) Pty Ltd attempt the sale of assets the Metropolitan Taxi-Cab Board would consider this to be a transfer and rescind the five (5) hire care licences.' It would then be up to that company to contest the board's action through a court of law. This, the board is willing to contest.

2. The board cannot prevent the take over or sale by other persons or companies of Hughes Chauffeured Limousines (S.A.) Pty Ltd. Should Hughes Chauffeured Limousines (S.A.) Pty Ltd be taken over or sold to other persons or companies, the board would consider it a transfer and would rescind the licences.

STAMP DUTY

476. **The Hon. E.R. GOLDSWORTHY** (on notice) asked the Premier:

1. Are all Government departments and instrumentalities registered to pay stamp duty on articles hired to the public?

2. Is furniture hired from the convention centre and, if so, is stamp duty paid on those dealings?

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

1. No. Most Government departments and instrumentalities are not engaged in rental business and are therefore not required to register.

2. It is unlikely that any furniture provided as part of the fee charged for the use of convention facilities is liable for rental duty. The liability of the convention centre for payment of stamp duty will be examined.

AIDS PROGRAM

479. **Mr BECKER** (on notice) asked the Minister of Correctional Services:

1. Is the AIDS Education Officer from the AIDS program of the South Australian Health Commission still seconded to the Correctional Services Department and, if so, for how much longer and, if not, why not?

2. What benefits have been achieved by this person's secondment?

3. How many cases of AIDS have been discovered within the prison system?

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

1. The AIDS Education Officer, who was seconded to the Department of Correctional Services from the South Australian Health Commission for a six month period in the 1986-87 financial year, has since returned to that department's AIDS program. Initial funding only provided for this secondment for the financial year ending June 1986. However, the Department of Correctional Services has now gained approval to employ a Prison Health Project Officer on a temporary basis.

2. The principal achievements of the AIDS Education Officer in conjunction with the Principal Clinical Psychologist of the Department of Correctional Services who was responsible for supervision of this work where:

1. The drafting and printing of an information booklet on AIDS for prison officers, that was distributed to all officers as part of the AIDS Education Officer's tour of all institutions. This booklet has now been used in other States. Prison officers have been required to sign for the booklet so that the officer's responsibility in informing themselves about HIV infection is recognised. This booklet is still being distributed to all new officers.
2. Regular input into officer training courses at all levels.
3. Advice to the Department of Correctional Services on the purchase of suitable video tapes for officer and prisoner education on HIV infection. The recommended tapes have now been purchased and distributed to institutions.
4. A large poster containing simple information on the modes of transmission of HIV infection was designed and distributed throughout departmental institutions to be displayed in positions accessible to both staff and prisoners.
5. A pamphlet and matchbook designed to convey basic and essential information on methods for preventing the spread of HIV infection within correctional institutions have been distributed to institutions for prisoners.
6. Educational information and sessions were conducted with community corrections staff as required, and support for staff re individual cases provided.
7. Advice to departmental executive was provided on a range of issues as required.

Since the AIDS educator has returned to the AIDS program, South Australian Health Commission, the AIDS program, South Australian Health Commission has made available to social workers in the Department of Correctional Services a training workshop entitled an 'AIDS Counselling and Training Workshop'. This will allow some of the counselling work undertaken by the educator to be done by Department of Correctional Services staff.

In addition to the specific accomplishments of the AIDS educator as listed it is believed that the secondment has provided the South Australian Health Commission AIDS program with a greater understanding of the correctional institutions as well as benefitting the staff and prisoners/clients of the Department of Correctional Services through the provision of essential education material on HIV infection. The framework which has been established will assist the Prison Health Project Officer in continuing and developing further the efforts of the Department of Correctional Services to prevent transmission of the disease, and to ensure that both staff and prisoners are well educated regarding the risks of HIV infection.

3. There have been five HIV antibody positives cases detected by the Prison Medical Services.

REAL PROPERTY ACT

487. **Mr S.J. BAKER** (on notice) asked the Minister of Education, representing the Attorney-General: When did Parliamentary Counsel commence work on redrafting the Real Property Act in relation to strata titles and what are the reasons for the delay in its redrafting?

The Hon. G.J. CRAFTER: The Strata Titles Bill was introduced in the House of Assembly on 3 December 1987.

SECOND TIER WAGE RISES

488. **Mr S.J. BAKER** (on notice) asked the Minister of Labour: Further to the answer to Question on Notice No. 419, what trade-offs were negotiated for the second tier wage rises granted or being granted to:

(a) timber workers (SAG);

(b) Osborne bulk handling workers;

(c) Painters and decorators;
(d) Lotteries Commission of South Australia employees;
(e) Pipeline Authority of South Australia employees; and
(f) South Australian Film Corporation employees?

The Hon. FRANK BLEVINS: The offsets negotiated for second tier increases for employees listed by the honourable member included general offsets and specific offsets relevant to the employees concerned. Details of all offsets were presented to the Industrial Commission when ratification was sought of the agreements negotiated. These extensive lists are available in the Industrial Commission.

INTELLECTUALLY DISABLED

489. **The Hon. JENNIFER CASHMORE** (on notice) asked the Minister of Transport, representing the Minister of Health:

1. How many residents have been moved from institutions for the intellectually disabled into community based domestic style accommodation with supervisory care since 1982?

2. How many residents are in:
(a) Strathmont;
(b) Minda;
(c) Ru Rua,
and how many beds are currently available in each of these institutions?

3. What plans does the Government have for expanding the amount of residential care and respite care for the intellectually disabled and what is the time span for implementation of these plans?

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

1. 215 persons.

2.

	Residents	Available Beds
Strathmont	510	0
Minda (inc. Tassie House)	470	7
Ru Rua	90	0

3. Residential Accommodation: The Intellectually Disabled Services Council plans residential accommodation in each of its regions. IDSC has proposed two group homes for people requiring high level supervision in association with Barkuma in the northern region. They plan to provide group homes in the community for severely disabled including current residents of Ru Rua.

Respite Care: Respite services are being developed by IDSC to cater for clients in various locations across the State. During 1986-87, $400 000 was provided for respite services for adults. These included a centre based respite service to cover the Kadina/Wallaroo/Port Pirie area; a holiday-based respite service in the southern region; supported holidays; and other services. A respite services package is being developed for the Riverland. The 'Stepping Out' program will commence in early 1988. This program is based on an in-home/brokerage respite model in which IDSC acts as an intermediary between the client and appropriate agencies.

STATE BANK

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

1. How much did the State Bank of South Australia fully owned subsidiary Executor Trustee and Agency Company Limited pay for the 50 'B' class units of $1 to give it 50 per cent ownership of Myles Pearce & Co. Pty Ltd for 50 'B' class units of $1 in Myles Pearce Real Estate Unit Trust.

2. How much profit has Executor Trustee and Agency Company Limited received from each purchase to date and, if none, why not?

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

1. The total amount of payment to be made for the 50 'B' class units of $1 in Myles Pearce & Co. Pty Ltd and 50 'B' class units of $1 in the Myles Pearce Real Estate Trust has not yet been determined. It will be determined over the next three years depending on the profit performance of the Myles Pearce Real Estate Trust.

2. The Executor Trustee & Agency Company has to date received no income from either Myles Pearce & Co. Pty Ltd or the Myles Pearce Real Estate Trust. The trust began trading on 1 April 1987. It is the intention of management that dividends will be paid after the end of the financial year when the profit performance has been determined. The trust is currently trading profitably.

UNDERDALE METAL PROCESSORS

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

1. What and how many complaints has the Department of Environment and Planning received concerning emission of lead and metal particles and or dust from the premises of Underdale Metal Processors in Ashleigh Street, Underdale over the past two years and what action has the Department taken and when?

2. Has a Mr Winter of the Department written a report on his findings and has such a report been given to residents and, if not, why not?

3. What health danger and property damage has occurred?

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

1. *(a)* The Department of Environment and Planning has received four complaints of particle fallout relating to Underdale Metal Processors Pty Ltd in the past two years.

(b) The earliest, in May 1987, concerned soot deposition at night. Following surveillance during evenings and interviews with residents the complaint could not be verified.

(c) The other three complaints were made by telephone on 21 August 1987, 28 August 1987 and 7 September 1987. On 1 September 1987 investigation officers of the department took samples of particle deposits and found them to be consistent with paint powder used by Underdale Metal Processors.

(d) It was established that the failure of air pollution control equipment on 20 or 21 August caused discharge of paint powder into the atmosphere. The problem had been rectified when the officer inspected the plant.

(e) Following investigation of the complaint on 7 September 1987 a letter was issued to the company drawing attention to the need to maintain pollution control equipment in an effective condition.

2. *(a)* A departmental report summarising the investigation has been sent to a solicitor representing a Mr Stephenson following a written request from the solicitor.

(b) Normal procedure of the Air Quality Branch of the Department, which administers the Clean Air Act, is that people who complain by telephone are given an oral report of the investigation. Complaints received in writing receive a written reply from the branch manager.

3. *(a)* In terms of any health danger and property damage, information from the suppliers of the paint powder confirmed that one of the eight colours contains lead. The

rate of use of that powder is 70 kg/month compared with a total powder use of about 2.5 tonnes/month.

(b) Air pollution control equipment used by the company reduces the emission of lead to about 5 grams/month, which is not significant in comparison with the motor vehicle lead emission from busy roads such as nearby Tapleys Hill Road.

(c) Analysis by the Engineering and Water Supply Department of samples of water from 20 rainwater tanks serving houses in the vicinity of the company, showed all tanks except Mr Stephenson's to have lead concentrations in the range 2-15 micrograms (μg)/litre. Mr Stephenson's tank which was originally 730 μg/L reduced to 29 μg/L in subsequent tests.

(d) While the level of lead in water is now below the World Health Organisation recommended investigation level of 50 μg/L, the South Australian Health Commission will continue to establish why this tank is significantly higher than those serving neighbouring properties.

(e) The water analysis results indicate that the water is safe to drink and no decontamination program is required.

(f) No property damage occurred from the powder deposition.

STATE RESOURCES

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

1. What was the reason for the increase in expenditure from $19.8 million to $31.5 million in May and June 1987, respectively, for development and maintenance of State resources and where were the increased funds expended?

2. Were all payments made in May and June 1987 in line with budget estimates and, if not, why not?

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

1. The level of monthly payments varies according to the timing and nature of specific payments. The more significant payments which resulted in an increased level of payments for June were:

The final transfer to the Highways Fund under Special Acts payments was $3.2 million more than in May as a result of a variation in the timing of payments.

Payments by the Department of State Development and Technology for incentives to industry were $1 million more reflecting the slower than expected claims during the year.

The Department of Environment and Planning incurred expenditure of $0.8 million higher in June, primarily due to the purchase of land ($630 000) and ($180 000) relating to quarterly operating accounts and salary costs for ministerial assistants which had initially been paid by other agencies.

The level of payments by the Office of Employment and Training was $1.6 million more in June, primarily as a result of slower than anticipated claims during the year for various employment and employee incentive schemes.

Payments by the Highways Department were $3.2 million more in June, due primarily to lower payments in May as a result of a transfer of $3.4 million, relating to Commonwealth funded projects, to the Highways Fund.

Department of Agriculture payments were $1.3 million more in June due mainly to the quarterly transfer to the SAMCOR Deficit Fund ($810 000) and the processing of payments relating to the Vine Pull Scheme ($380 000).

2. The result for recurrent payments in 1986-87 was $3 214.9 million against a budget of $3 212.6 million. A variation of only $2.3 million. A detailed list of variations for the year, both above and below budget, is shown in the Financial Statement of the Premier and Treasurer, refer to Table 2. In regard to the Statement of Consolidated Account for the month of June and the category of Development and Maintenance of State Resources, the projected cash flow information is not available in a format suitable for comparison of all payments. However, after taking into account that the allowance for increased wage and salary rates and other contingencies is reflected in the actual payments, but not in the relevant budgeted figure, the more significant variations which had an impact on the budget were:

A $5 million budgeted payment by the Department of Agriculture under the Natural Disaster Relief Agreement was not made in June, due to the simplification of debt relationships, with SAFA servicing the debt to the Commonwealth as from 1 July 1986, and

An additional payment of $0.4 million by the Department of Environment and Planning to purchase land, brought forward from 1987-88.

COMMUNITY WELFARE EXPENDITURE INCREASE

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

1. What was the reason for the increase in expenditure from $3 million to $9.9 million in May and June 1987, respectively, for the Minister's Department and where were the increased funds expended?

2. Were all payments made in May and June 1987 in line with budget estimates and, if not, why not?

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

1. The Department for Community Welfare's expenditure in May and June 1987 was $4 million and $8.2 million respectively. Average monthly expenditure during 1986-87 was $7.6 million. Higher expenditure in June compared with May was largely the result of time-phased payments made for water and sewerage rates ($2.6m), transport concessions ($0.9 m), family support grants ($0.3 m), administration and operating costs ($0.2 m) and Supported Accommodation Assistance Program ($0.2 m).

2. Payments made in May and June were in line with budget estimates.

STATE FINANCE EXPENDITURE INCREASE

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

1. What was the reason for the increase in expenditure from $7.5 million to $26.2 million in May and June 1987, respectively, for the line 'Legislation and Administration not included elsewhere', as detailed in the Recurrent Monthly Statement of State Finances and where were the increased funds expended?

2. Were all payments made in May and June 1987 in line with budget estimates and, if not, why not?

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

1. The more significant payments which resulted in an increased level of payments for June were:

$7.8 million—Quarterly debt servicing payments to SAFA in respect to housing agreements, against Minister of Housing and Construction, Miscellaneous;

$9 million—Contribution to South Australian Housing Trust towards rental rebates, against Minister of Housing and Construction, Miscellaneous; and

$0.8 million—Various payments made by the Department of the Premier and Cabinet, including a payment for office automation equipment ($283 000), grants for projects relating to the 150th Anniversary (1986) ($330 000), quart-

erly contribution to Australian Bicentennial Authority ($56 000) and quarterly rent and a delay in payments relating to the Agent-General's operations ($66 000).

2. The projected cash flow information is not available in a format suitable for comparison of all payments under the line 'Legislation and Administration, not included elsewhere'. However, after taking into account that the allowance for increased wage and salary rates and other contingencies is reflected in the actual payments, but not in the relevant budgeted figure, the more significant variations which were not in line with budget estimates were:

A $9 million payment to the South Australian Housing Trust following a decision to make a contribution towards the cost of rental rebates;

A payment of $0.8 million under Treasurer Miscellaneous in respect of fire insurance claims being more than anticipated; and

As a result of a change in accounting arrangements for the Department of Housing and Construction, an additional pay of about $200 000 was brought to account in 1986-87 rather than in 1987-88.

SACAE CANTEEN

495. **Mr BECKER** (on notice) asked the Minister of Employment and Further Education:

1. Who operates the canteen at Magill Campus of South Australian College of Advanced Education, and what is the financial result for its operation this year compared to the previous financial year?

2. What action is being taken to improve the financial result?

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

1. The canteen facility at the Magill Campus of the South Australian College of Advanced Education is managed and operated by the college. It is the last such facility managed in this way. The excess of receipts over payments was $18 556 for the year ended 31 December 1986 and $17 002 for the 10 months to 31 October 1987. However, this does not take into account hidden subsidies such as power and telephone.

2. The college's experience is that better financial results can be obtained through the use of a contractor. This is proposed for Magill and tenders are to be evaluated shortly. In addition consideration is being given to extension of the facility.

CORRECTIONAL SERVICES AUDITS

497. **Mr BECKER** (on notice) asked the Minister of Correctional Services: What were the findings and recommendations of Correctional Services Department management audits into the:

(a) Departmental Horse Program;

(b) Country Fire Service Operations; and

(c) Community Service Order Program,

which recommendations have been implemented and what benefits will be achieved and when?

The Hon. FRANK BLEVINS: The reply is as follows:

(a) Management Audit—Departmental Horse Program

Major Findings

The horse program was not meeting the objectives of training for future employment and operational cost savings. However, it did have some benefit for some prisoners.

Major Recommendations

—Allow program to continue at Port Augusta on a 12 month trial basis.

—Cancel program at Cadell Training Centre.

—Sell surplus horses.

—Cost of program to be identified specifically.

Implementation

All recommendations have been implemented.

Benefits Achieved

It is estimated that $12 000 of recurrent costs have been redeployed into more effective prisoner programs over the full financial year.

(b) Management Audit—Country Fire Service Operations

Major Findings

The CFS program at Cadell Training Centre is worthwhile from both a prisoner involvement and community service point of view. However, the program at Northfield is not viable due to the turnover of prisoners at Northfield Prison Complex.

Major Recommendations

—A Holden one tonne fire appliance to be transferred from Northfield CFS to Port Lincoln Prison.

—A Mercedes pumper to be transferred from Northfield CFS to Cadell Training Centre.

—Closure of Northfield CFS with alternative uses for the Yatala fire station to be investigated.

Implementation

Recommendations are currently in the process of implementation with Port Lincoln Prison already having received the transfer vehicle.

Benefits

Port Lincoln Prison—improved capacity to prevent damage to Government property and to assist community in case of fire.

Cadell Training Centre—reduce cost to public in replacement of obsolete fire fighting equipment. An effective saving of approximately $70 000 in 1987-88.

(c) Management Audit—Community Service Order Program

Major Findings

The CSO scheme, whilst providing a cost effective alternative to imprisonment and valuable community service, can now be developed to have a higher level of community involvement in supervision. This arises from the fact that a high level of control was maintained during the initial phases so that incidents did not occur which would result in the non-acceptance of the scheme by the community.

Major Recommendations

— Legislative requirement for an offender to work one day per week be altered to a minimum of eight hours and a maximum of 16 hours.

— More emphasis be placed on cost effective week day work.

— More responsibility be placed on offenders to attend work and arrange appropriate transportation.

— The department to work towards achieving a higher offender to supervisor ratio.

— The workload levels for CSO officers and clerks, as calculated in the review, be used as the basis for staffing.

Implementation

All recommendations have been accepted and implementation is being achieved through working parties formed in the Community Corrections Division.

Benefits

The major benefits relate to cost savings on supervisor salaries as a result of higher offender to supervisor ratios.

As the number of offenders on the scheme is increasing (particularly with the fine default legislation) it is impossible to give a quantitative figure other than to say that the review suggested that the minimum cost reductions for operating the program would be $129 000 pa (based on 1986-87 numbers).

INSTITUTIONAL CATERING SERVICES

498. **Mr BECKER** (on notice) asked the Minister of Correctional Services: What were the findings and recommendations of the review of institutional catering services?

The Hon. FRANK BLEVINS: The review of institutional catering services comprehensively examined existing practices relating to the use, cost, production and distribution of vegetable, fruit, dairy and meat products which are produced for either consumption within the department or external sale. The department is still considering the findings and recommendations as submitted by the review team.

PAROLE IN SOUTH AUSTRALIA

499. **Mr BECKER** (on notice) asked the Minister of Correctional Services: How many copies of the booklet *Parole in South Australia* were printed, what was the total cost and to whom have copies been distributed?

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

1. 1 500 copies of the booklet *Parole in South Australia* have been printed.
2. The total cost of printing the booklet was $625.25.
3. Distribution of the booklet is as follows:
   (a) Social Workers at institutions to distribute to prisoners.
   (b) Parole Officers at district offices to distribute to parolees.
   (c) Students and public as requested.

PRISONER CANTEENS

500. **Mr BECKER** (on notice) asked the Minister of Correctional Services:

1. How was the Prisoner Canteens profit of $73 950 allocated to various institutions and what was purchased with such allocations in the past financial year?
2. Who decided the priority of equipment required for each institution and what input did offenders from each institution have?

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

1. The Prisoner Canteens profit is allocated to institutions in the following manner:
   (1.1) The autonomous canteens at the Adelaide Remand Centre, Mount Gambier Gaol, Northfield Prison Complex and Mobilong Medium Security Prison retain their own profits.
   (1.2) The remaining canteens receive a percentage of the profits which compares directly with its sales.

Items that were purchased from canteen profits included football and cricket equipment, games, darts, tennis racquets, television sets and also repairs to existing sporting and leisure equipment.

2. The priority of equipment required for each institution is determined by the management of each institution. Offenders are able to make suggestions to management re the purchase of equipment; however, factors such as security and budget constraints need to be considered before any items are purchased.

NORTHFIELD SECURITY HOSPITAL

501. **Mr BECKER** (on notice) asked the Minister of Housing and Construction:

1. Is work on the upgrading of the Northfield Security Hospital (E Division) on schedule and, if not, why not?
2. What is the estimated cost of conversion and is such cost in line with budget estimates and, if not, why not?
3. When will the hospital be handed over to accept offenders and is there any delay in the original estimated date and, if so, why?

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

1. Work on the upgrading of the Northfield Security Hospital (E Division) is on schedule. However, some electronics equipment is being imported and may not be available at the time of practical completion on 18 December 1987. It is anticipated that this equipment will be available and installed during the commissioning period and prior to handover on 18 January 1988.
2. The estimated cost on completion is $2 950 000, and it is anticipated that the project will be completed within budget.
3. The project will be handed over to the Department of Correctional Services from 18 December 1987 for commissioning purposes, and transfer of offenders from Adelaide Gaol will commence from 18 January 1988.

The original construction completion date was planned for February 1988, and was brought forward to 18 December 1987 to assist the accommodation requirements of the Department of Correctional Services.

PRISON ESCAPEES

502. **Mr BECKER** (on notice) asked the Minister of Correctional Services: In relation to the 16 prisoners who escaped in the past financial year—

(a) when did each escape and from where;
(b) what were their security ratings; and
(c) which remain at large and what action has and is still being taken for their recapture?

The Hon. FRANK BLEVINS: A total of 16 prisoners escaped in 1986-87, and the following details of these escapes are provided.

(a) Time and location of escape. (Chronological Order)

Date	Approx. Time	Institution	Site of Escape	Prisoners Security Rating	No. Prisoners
16.12.86	3.00 p.m.	Pt Augusta	Workshop	Medium Inside	3
24.12.86	3.40 p.m.	Pt Augusta	Adminis. Area	Medium Inside	1
30.12.86	10.10 p.m.	Cadell	Open Institution	Low	1
2.1.87	2.50 p.m.	Pt Augusta	Outside Garden	Medium Outside	1
27.2.87	3.00 p.m.	ARC	Cell	High	1
7.4.87	7.15 a.m.	Cadell	Open Institution	Low	1
27.4.87	3.00 a.m.	Cadell	Open Institution	Low	1
2.6.87	12.10 p.m.	Pt Lincoln	Exercise Yard Wall Within the Prison	Medium Inside	1
7.6.87	11.15 p.m.	Cadell	Open Institution	Low	1
14.6.87	9.50 p.m.	Cadell	Open Institution	Low	1
25.6.87	8.40 p.m.	YLP	Weights area G. Middle Wing. Breached wall at No. 4 Post	High	3
28.6.87	3.30 p.m.	Cadell	Open Institution	Low	1

In summary, there were 12 escape incidents involving 16 prisoners. Three of the escape incidents occurred at Port Augusta, six at Cadell, and one each at Port Lincoln, Yatala and Adelaide Remand Centre.

(b) Security Ratings of Escapees:

High Security	4
Medium Inside	5
Medium Outside*	1
Low	6
	16

* Medium Outside—prisoners are allowed to work outside the secure walls of the institution under the supervision of custodial staff.

(c) Prisoners at Large:

As at the time of the Question on Notice (8.12.87) only one of the 16 prisoners who escaped during 1986-87 remained at large.

The police are notified immediately an escape occurs from a Department of Correctional Services institution. Department of Correctional Services provides information in regard to known acquaintances, accomplices, addresses of next of kin etc. to assist the police in their efforts to recapture prisoners. In most instances prisoners are recaptured within 24 hours of the escape.

ALCOHOL AND DRUG INCIDENTS

503. **Mr BECKER** (on notice) asked the Minister of Correctional Services:

1. How many drug and alcohol related incidents have been detected in each institution to date this financial year and how do these statistics compare with the same period in the past year?

2. What action is being taken to reduce such incidents?

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

1. The alcohol and drug incidents that have been detected to date this financial year and those for the same period in the past financial year are:

		1986	1987
Adelaide Gaol	Drugs	19	4
	Alcohol	1	—
Adelaide Remand Centre	Drugs	1	3
Cadell Training Centre	Drugs	11	—
	Alcohol	3	—
Mount Gambier Gaol	Drugs	4	1
	Alcohol	1	1
Northfield Prison Complex	Drugs	4	3
	Alcohol	1	—
Northfield Security Hospital	Drugs	2	—
Port Augusta Gaol	Drugs	2	1
Port Lincoln Prison	Drugs	2	—
	Alcohol	2	—
Yatala Labour Prison	Drugs	5	3
Total	Drugs	50	15
	Alcohol	8	1

2. The following action has been taken to reduce such incidents:

(1) The Department of Correctional Services' Dog Squad has been increased by one additional dog handler and dog;

(2) Compulsory strip searching of prisoners has been implemented after contact visits at high security institutions;

(3) There is close liaison with medical staff at institutions re the issue and identification of drugs.

Mr B. YATES

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

1. When will Mr Bruce Yates and the member for Hanson receive a reply to the letter dated 21 September 1987?

2. Has the Minister of Community Welfare responded to the Premier's request for a report and, if not, why not?

3. Is the Premier aware of the recent judgment for costs against the Minister of Community Welfare in the Children's and Family Courts and, if so, in light of these judgments, will the Premier request the Minister of Community Welfare to advise Mr Yates of all relevant details including the name of the informant of allegations made recently against him?

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

1. Replies were forwarded to both the member and to Mr Bruce Yates on 19 January 1988. I am aware of a subsequent letter on Mr Yates's behalf from the member and this is currently receiving attenion.

2. See 1. above.

3. See 1. above.

SCHOOL BUSES

507. **Mr OLSEN** (on notice) asked the Minister of Education: Further to the Premier's answer to Question on Notice No. 296, will the Minister table the audit reference, the response of the Education Department and any further correspondence between the Auditor-General and the department in relation to the matter?

The Hon. G.J. CRAFTER: The audit reference concerns the matter of charging students for transport on school buses and a suggestion that such a policy should be considered on equity grounds given that students travelling on public transport are required to pay a concessional fare. The Auditor-General wrote to the Education Department on this issue on 12 November 1987 and on 7 December the Director-General of Education made the following response:

I previously advised you in my minute dated 23 June 1987 that the charging of fares for school bus services had been discussed and rejected, although I did indicate that the matter would be taken up again in the context of the 1987-88 budget framework. During the formulation of the budget the issue was raised with the Minister of Education and the Premier but it was resolved not to pursue the charging of fares either as a 1987-88 budget strategy or as an option for a policy change in the future.

The comments in the appendix to your minute suggest that such a policy change warrants consideration on equity grounds given that students travelling on public transport are required to pay a concessional fare. The charging of concession fares for travel on public transport is, of course, an STA matter and is not related to a distance criterion.

In the case of metropolitan students, the department pays the fares of students who live 5 kms or more from the nearest Government school. The same condition applies to country students, except that they must also live 5 kms from the nearest school bus route.

To be eligible for travel on a departmentally provided school bus, students must reside 4.8 kms or more from the nearest Government school. Parents of children residing within 4.8 kms of a Government school are responsible for arranging the transportation of their children to and from school and thus incur an expense. In this way the situation with respect to country children is no different than metropolitan based children and I do not consider that an inequitous situation exists. It is acknowledged, however, that where there is room available on a school bus, children living within 4.8 kms of a school may be carried on the bus, subject to room being available. This is a practical and commonsense approach to the utilisation of school buses.

No further correspondence between the Auditor-General and the Education Department has taken place in this matter.

CORRECTIONAL SERVICES DEPARTMENT

508. **Mr BECKER** (on notice) asked the Minister of Correctional Services: How many staff are there at the head office of the Correctional Services Department and what are their classifications, how do these compare with the numbers and classifications for the years ended 30 June 1982, 1985 and 1986 and what were the reasons for any increase in numbers or classification?

The Hon. FRANK BLEVINS: A breakdown of head office staff by classification for the 1981-82 and 1984-85 financial years is not available. However, the totals have been included in the chart and the 1985-86 financial year included for comparison purposes.

Head Office Staff 1985-86 and 1986-87

Classification	81-82	84-85	85-86	86-87
CO-1	—	—	35	33
CO-2	—	—	5	7
CO-3	—	—	7	7
CO-4	—	—	6	6
CO-5	—	—	9	11
CO-6	—	—	1	—
AO-1	—	—	9	8
AO-2	—	—	—	1
AO-3	—	—	9	8
AO-4	—	—	1	2
EO-1	—	—	4	4
EO-3	—	—	1	1
EO-5	—	—	1	1
SR-5	—	—	1	1
BO-4	—	—	1	—
PSC-5	—	—	1	—
PP-3	—	—	1	1
SO-2	—	—	1	1
PO-1	—	—	1	1
PI-3	—	—	1	—
SWO-1	—	—	3	7
SWO-2	—	—	1	1
SWO-3	—	—	2	2
SWO-6	—	—	1	1
Total	46	97	102	104

Without lengthy research it is not possible to provide detailed reasons for the increase in numbers or classification. However in general terms the increase has been due to:

- Establishment of inspectorate function
- Establishment of an investigations function
- Establishment of Community Service Orders
- Formation of the Research and Planning Unit
- Restructuring of Support Services
- Development of the Public Relations function
- Greater priority to training and staff development
- Additional resources in the Correspondence, Keyboard Services, Pay and Accounts areas
- Restructuring of the Parole function
- Development of the Prisoner Assessment function
- Establishment of administrative support to senior officers
- Improvement of the central supply service
- Establishment of a Prosecutions function
- Establishment of an Occupational Safety and Health function
- Development of the Justice Information System
- Establishment of a Courts Unit
- Establishment of a Housing Property and Transport function
- Monitoring of Departmental Minor Works
- Development of the Capital Works program.

OCCUPATIONAL HEALTH AND SAFETY

509. **Mr BECKER** (on notice) asked the Minister of Correctional Services:

1. Why was there a lack of definite guidelines and understanding of the recently proclaimed legislation concerning occupational health and safety by the Correctional Services Department as noted on page 61 of the department's annual report?

2. What action is being taken by the Minister and the department to address this problem and what 'significant implications' does the legislation have for the department?

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

1. Section 14 (10) of the Occupational Health, Safety and Welfare Act 1986, referring to the South Australian Occupational Health and Safety Functions and Powers of the Commission reads:

> The Commission shall prepare and publish guidelines to assist people who are subject to the operation of this Act and in particular guidelines relating to—
>
> *(a)* the responsibilities of employers, employees, occupiers of work-places and manufacturers under this Act;
>
> *(b)* the formation of work groups;
>
> *(c)* the establishing of health and safety committees;
>
> *(d)* the procedures and functions of health and safety committees; and
>
> *(e)* the resolution of health, safety or welfare issues.
>
> The Commission may engage experts to assist in the performance of its functions or to advise it in relation to any technical matter.

At the time of writing the Department of Correctional Services' Annual Report, the guidelines had not been published. The Act was assented to on 24 December 1986, and that section esablishing the Commission was not brought into effect until April 1987 and the remainder of the Act on 30 November 1987. Guidelines have recently been published.

2. The nature of work performed in dealing on a daily basis with prisoners places significant responsibilities on management to ensure as far as practicable a safe work place. Compared to other Government Departments, Workers Compensation within the Department of Correctional Services the implications of the new legislation are considerable.

Therefore, the Department of Correctional Services moved quickly to give effect to this new legislation. Work groups have been established, Health and Safety representatives appointed, and Health and Safety Committees established at most work locations.

As required by the Act, departmental management is giving a high priority to securing the health, safety and welfare of persons at work, by addressing all issues as they occur.

NURSING SERVICES

510. **Mr BECKER** (on notice) asked the Minister of Correctional Services: Have nursing services been established at Mount Gambier Gaol and Port Lincoln Prison and, if not, why not?

The Hon. FRANK BLEVINS: Sessional positions for a nurse have been established at both institutions.

CADELL TRAINING CENTRE

511. **Mr BECKER** (on notice) asked the Minister of Correctional Services: What was the total cost of vandalism at Cadell Training Centre in the past financial year and what action is being taken to reduce such incidents?

The Hon. FRANK BLEVINS: Approximately $105 000. As a result of the recent staffing review an additional two Senior Correctional Officers and four Correctional Officers have been identified as further requirements to enhance the institutional management structure and security needs. An additional Correctional Officer has also been provided on both first and second watches.

A position of Programs Officer (Assistant Chief Correctional Officer) has also been identified in the staffing review to provide for the development and implementation of prisoner programs covering education, recreation and sport. It is envisaged that this position will be occupied by 1 February 1988. Extra surveillance cameras are to be installed in the activities area of both one and two dormitories.

PORT AUGUSTA GAOL

512. **Mr BECKER** (on notice) asked the Minister of Correctional Services: Have staffing shortages now been overcome to permit increased use of recreation, leisure, education and skill programs at Port Augusta Gaol and, if not, why not?

The Hon. FRANK BLEVINS: The staffing shortages at Port Augusta Gaol have been identified. Additional staff comprising one senior correctional officer and four correctional officers have been approved which will permit the increased use of recreation, leisure, education and staff programs at Port Augusta Gaol.

GRAND PRIX

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

1. Why was the Grand Prix track not officially approved by the appropriate authorities until 5.30 p.m. on Friday, 13 November, after the first full Formula One practice?

2. What alterations had to be made to the track and at what cost?

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

1. The Grand Prix track was ready for inspection at 5 p.m. on Wednesday 11 November 1987. A cursory inspection was carried out by the regulating body which stated that it was happy with the track and would carry out a final inspection in the morning. The track was inspected at 9 a.m. Thursday 12 November 1987 and was officially approved. There would have been no practice if the track had not passed inspection.

2. No alterations were required following the final inspection on Thursday 12 November 1987.

JUBILEE POINT

517. **Mr BECKER** (on notice) asked the Deputy Premier: Have studies been made in monitoring storms at sea this year on the impact of the Jubilee Point proposals and, if so, what estimated property damage would have occurred and, if no studies have been made, why not?

The Hon. D.J. HOPGOOD: No studies have been undertaken in 1987 into the impact of storms on the Jubilee Point proposal. However, a severe storm which occurred on 23 June 1987 was compared with the July 1981 and April 1948 storms with regard to intensity and duration. The impact of 1948, 1981 and other previous storms on the Jubilee Point proposal were considered by the proponent and the

Department of Environment and Planning during the environmental impact assessment process. The comparison showed that the June 1987 storm was more severe than that of July 1981, although it caused less damage because the tide was lower. Onshore winds, and hence wave heights, were greater in the more intense but shorter 1948 storm.

The recent 30 November storm occurred during a period of neap tides, and winds were mainly from the south. Consequently it had very little impact on the Adelaide coast. No storms during the year would have produced sea conditions exceeding either the 2 per cent annual recurrence probability (50 year return period) proposed by Jubilee Point Pty Ltd for breakwater design, nor the 1 per cent probability (100 year return period) recommended in the Department of Environment and Planning's assessment report.

TRANSPORT TIMETABLE ANALYSIS

519. **Mr M.J. EVANS** (on notice) asked the Minister of Transport: What ongoing statistical analysis is undertaken of the arrival and departure times of suburban trains and buses?

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

1. Buses:

Monitoring of bus times is carried out by time recorder clocks at specific locations and inspectorial staff observations. However, the use of recorder clocks is restricted due to clearway operation and bus operator security during the hours of darkness. No statistical analysis of the arrival and departure times of buses is carried out.

2. Trains:

All time of arrival and departure at termini stations of all train movements is transmitted to Train Control where it is recorded on a graph. In accordance with train recording procedures:

(a) for the years 1985-86, 95.2 per cent of train services operated within three minutes of the advertised schedule;

(b) in 1986-87, 93.9 per cent of train services operated within three minutes of the advertised schedule;

(c) to date, in 1987-88, 93.3 per cent of train services have operated within three minutes of the advertised schedule.

CRIMES (CONFISCATION OF PROFITS) ACT

521. **Mr M.J. EVANS** (on notice) asked the Minister of Education, representing the Attorney-General: In how many cases have proceedings been commenced under the Crimes (Confiscation of Profits) Act, 1986 and what was the result of each such case?

The Hon. G.J. CRAFTER: Proceedings for sequestration orders have been commenced in the superior courts in five cases. The relevant matters are Antoniou, Ceruto, Cooper, Leo and Spagnolo. In all but the matter of Spagnolo the order has been obtained. The matter of Spagnolo has been listed for 18 January 1988.

Proceedings seeking forfeiture have been commenced in the superior courts in two cases. The relevant matters are Cooper and Finlay. Neither application has yet been heard.