HOUSE OF ASSEMBLY

Thursday 14 April 1988

The DEPUTY SPEAKER (Mr Ferguson) took the Chair at 11 a.m. and read prayers.

VEHICLE INSPECTION CENTRE

Mr INGERSON (Bragg): I move:

That as a matter of extreme urgency the Minister of Transport should investigate the current procedures applying to the movement of wide loads, issuing of permits for abnormal loads, commercial transport generally and the Vehicle Inspection Centre with the intention of restoring rational and practical procedures which assist rather than impede normal commerce and trade at reasonable cost to all concerned.

In the time that I have been the shadow Minister, or the Minister representing the Opposition in the transport area, the problem of permits, as they relate to wide loads and excess overloading, has been the most consistent problem and brought the most consistent number of queries and concerns. On several occasions I have spoken privately with the Minister, and I have also spoken to him when I took a group from the Earth Moving Contractors Association to see him about this problem. My concern is that consistently the same problems keep coming up. Those problems consist of: an inability to get a permit quickly through the Highways Department; and an inability or difficulty for the Earth Moving Contractors Association, in particular, to obtain permits for the same type of work and the same sort of loading. It seems to me that, after the number of years that this problem has existed, we ought to be able to issue a long-term permit to people doing exactly the same work on a consistent basis.

I find it quite amazing that for two years the same problem is coming up, caused by the same group in the same department. It seems to me that we ought to be able to get something done about it quickly, and I ask the Minister to have a good look at what is going on in this section. A couple of specific areas have been brought to my attention in relation to that permit area. The first relates to wanting to shift an item like a house, which is a one-off situation, and the time frame which it takes to do it. The people who apply for this sort of permit are professional people. They apply reasonably regularly to make large but unusual shifts, and they have all the difficulty in the world getting this sort of permit in less than a week.

I find that quite disgraceful, because that sort of application is made so regularly that the process ought to be streamlined. Comments are regularly made to me about changes in the rules. It seems that one day we are able to go down a certain route, have certain overloads and overwidths then, seemingly the very next day, everything is changed but no one is told. It all seems to happen when one goes along for the permit, and one is suddenly told that there is a change in the rules.

The third point which comes up consistently is the attitude of the staff. I find it amazing that in the two years during which I have had to deal with this sort of problem the same comment in relation to 'the little Hitlers in the permit section' seems to come up time and time again. It seems that in an area where we have concerns—and there were concerns when we were in Government some five years ago—we still have the attitude that the giving of a permit by the department is something to be argued about, that really must be looked at in the finest detail before it can be issued. As I said, it is the same group of people consistently applying for these permits in the overloading or overwidth area who seem to have the difficulties all the time. I ask the Minister to have a look at this staff attitude problem which seems to be prevalent in the area of permits.

I would like to turn briefly to the vehicle inspection area. In the past fortnight there have been three occasions on which carriers have come to me and said, 'We don't mind being picked up by the police if we have difficulties with our vehicle, if there are certain road safety problems. We are quite happy to be picked up and advised on that because we realise that under the law we should have made sure that they were right.' What they are getting sick and tired of is being picked up for having cracked glass in their main window, cracked glass in their rear vision mirror, a couple of cracks in the globes at the back of the vehicle, all things which can be pointed out and which should be fixed up, but vehicles should not be defected for these minor reasons.

There is no argument from any of these people that if there is a major road safety defect they ought to be off the road and penalised for it, but all of these little things which are consistently being picked up by the Vehicle Inspection Centre and by the police are beyond belief. I know that my colleague, the Hon. Mr Goldsworthy, has also had some specific delegations come to him, and I am quite sure that he will take them up. I know that the member for Semaphore has had similar representations. However, I request that these things be looked at urgently, because they are the same problems that have been coming up for the past two years.

Mr PETERSON (Semaphore): I want to contribute to the debate on this motion, because I have received a letter from a road transport operator in my area which pertains to the matter raised by the previous speaker. In the main, this concerns the attitude of officers of the vehicle inspection unit and how they go about their job. I have documents here that I will give to the Minister later. I want to read out a letter that I have and supporting documents to show how that vehicle inspection unit does work, how it is affecting the attitude of people and how a great animosity is growing in the community against that unit. I have a letter, dated 31 March, from a major earthmoving company, which happens to be based in my electorate. It is a report on the vehicle inspection station, and states:

On 3 March 1988 our vehicle, a Kenworth, registered . . . was stopped on Cross Road, Clarence Gardens at 8.20 a.m. by a police constable because a globe on the trailer was not burning. The system is duplicated so at no time was safety a concerning factor. The constable, with considerable arrogance and with a stated intent, proceeded to defect the vehicle on the most spurious grounds, but he achieved his aim—to get us to the VIS at Regency Park. For some reason there is a definite direction from some police to harass truckies. A copy of the notice No.A190968 is attached.

I have that note, and it states that the problem is air tank moisture, air leaks and low air buzzer. The letter continues:

Air tank moisture. This occurs all the time, even on police vehicles. The vehicle, by the way, had a brand new compressor.

Air leaks. There were a couple of minute air leaks, but they in no way affected the safety of the vehicle's operation. When I visited Mr C. Coxon VIS to complain about his officers' behaviour and the department's attitude, he told me an allowance was made for small air leaks—this is not evident in the daily practice.

Regrettably, police use 'I think I can hear an air leak' as a sure fire method of sending a vehicle to VIS where it receives a mauling. We have previously experienced this with other vehicles.

Low air 'buzzer'. This vehicle was never fitted with one of these from new, but did have a 'Low Air' warning arm that dropped down in front of the driver's eyes. What right have police got to insist on modifications outside of vehicle manufacturers?

We sent our truck to . . . to have the 'buzzer' fitted and all electrics, wiring and lights checked. When they had finished, the truck was sent to . . . for a check and fix.

Both of these companies spoke in the most derogatory terms of the VIS and its personnel and attitudes, warning of the most horrendous treatment we could expect.

While . . . had our truck an employee took the vehicle out to 'run the new front brakes in or it would fail the test at VIS', causing damage to the engine because of the manner it was done, all adding to our costs.

When we had fixed what we believed was necessary, we tried to get in to VIS, only to find we had to wait until the following Monday, 14 March 1988—we missed four days working time.

On 14 March 1988, when we finally arrived at 11.00 a.m., the lights, which had been working just before we drove in, failed; driving around 'bob-tailed' and empty is hell on lights. The man who was sent to VIS did not understand that he had to hold the maxi brake button to bleed the air off, and he wasted about five minutes. The officer told him to '. . . off' and fix it. During this visit we had paid our cheque, but our vehicle was not inspected.

This type of behaviour and attitude is most unseemly, and we reject it in the strongest possible terms.

When we next visited the VIS on 16 March 1988 the inspection of VI report 0700 was done—

and I have that here—

not as per the docket on 14 March 1988. Then, and only then, were the 10 extra points added. Some were of the most minor nature and were in no way related to safety.

I have that report, which I will give to the Minister as well. The letter continues:

I will address just two of these points in some detail.

Remove excess movement in right-hand front wheel bearing. When this was taken to the CMV workshop we were informed that it was well within tolerance level—nothing was done to it at all, and it passed inspection on 28 March 1988.

Front Axle Recall. It is a pity that VIS could not get its facts right! The modifications had not even begun to be made in USA when we were expected to carry out the repairs. This has caused me personally and my staff much personal anguish, pain and embarassment, when we have failed to carry out our work.

A copy of the fax from Mr C. Coxon, VIS, is attached.

I have a copy of that report, which states:

The vehicle . . . was the subject of safety recall. We appreciate the action taken by your company to fit the uprated steering arms and your advice that some Kenworths used steering arms for which replacement arms are not readily available at present.

Mr Coxon then says:

As a result I have advised staff that in some cases that parts are not available, then we cannot insist that the vehicle must be updated.

I will also give that report to the Minister. The letter continues:

During the visit on 16 March 1988, inspector No. A292162 at about 10.30 a.m. stated, 'Clean the chassis, my X-ray vision is not working today.' The truck had been steam cleaned before it was sent to VIS. The inspector then said, 'This truck passed me on Victoria Road the other night loaded, it is too quick.'

The inspector then described the driver, and the letter states:

'That truck is far too quick, it's dangerous.' To placate the inspector the driver said he would speak to the driver in question. He then asked the inspector why this inspection had not been carried out on 14 March.

The reply was 'The old bloke who brought the truck in couldn't get the brakes off for about an hour.' That is not true, as he was back in the yard at Osborne at 11.40 a.m. on 14 March 1988. The attitudes of the inspector, as reported to me, appeared belligerent, authoritarian and coarse, and by inference and innuendo, gave a clear and distinct message that he would be as difficult as he liked for as long as he liked and the defect would continue until repairs met with his approval. What has the truck driving down a public road go to do with a VIS inspector?

That is a fair question. The letter continues:

Why did not VIS carry out a full inspection on 14 March 1988? Why has the paper work been allowed to come out inaccurately? Why was the full position of recall parts unavailability not known by VIS, when a national undertaking between manufacturers and the State authorities agreed not to put vehicles off the road if parts were not available? Why does it take so long to get into VIS when obviously they are under utilised at times? Why, when police defect, cannot police take off the defect?

Why does the Government allow an arrogant, authoritarian, over-bearing attitude to prevail at VIS? Why is a minority section of the community harassed by a willing small number of police officers, pushed by a Government hungry for revenue? Is it because VIS needs a certain number of vehicles per month to offset its costs? The lack of professionalism is evident, and I call for the closure of VIS forthwith.

This is as the matter was reported to me. Certainly, I will give this information to the Minister, but it does seem odd that I have heard this complaint from other sources about the attitude down there and I cannot understand why that is so. If one is booked in for an inspection, why will officers not look at it then? Why send the vehicle away? They could clear up the points on the original report at the time of the first visit.

The Hon. G.F. Keneally interjecting:

Mr PETERSON: It seems that if one is booked into the VIS for an inspection, a specified time must be allowed for that inspection. Therefore, if time is allotted—

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr PETERSON: If time is allowed for inspection of that vehicle, why is it not taken up? If people pay the fee and go in, why cannot they clear up what they can and, if other things become apparent obviously they have to be fixed and brought back. Why bring vehicles in only to be told, 'I will not do it. Go away. Come back.' If there is a report, it should be cleared up at the first inspection.

Time must be allotted, the inspector is there and knows that the vehicle is coming in. He has the report that tells him what is supposedly wrong with it. Why does he not clear up those points? There appears to be a problem in attitude at the Vehicle Inspection Centre. I will give the file to the Minister and hope that he can respond to it for the benefit of this constituent.

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): I support the two speakers who have raised this matter. The issue is not of recent origin, nor is it the first time that complaints have been made about the operation of the permit system.

Members interjecting:

The Hon. E.R. GOLDSWORTHY: The problem has become worse in recent months, quite clearly, because we have been getting more complaints with greater frequency and certainly with a fair bit of vehemence. There is a problem with the issuing of these permits. I can recount another example where one of my constituents went to get a permit and was asked, 'Which roads do you intend to use?' He outlined the proposed route and they said, 'You cannot take your low loader and your machine over these roads.' He said, 'What roads can I traverse?' They said, 'It is not for us to say—you go away and work out an alternative route and we will tell you if it is okay.'

An honourable member: You're joking!

The Hon. E.R. GOLDSWORTHY: I am not joking. It is an absurd situation. There is this trial and error business: you go away and have a shot, and, if you are lucky, you might get your permit. In this country we are on about improving productivity. Two of the earthmovers complaining at the moment are my constituents. Both are reputable and have been in their family business for years, trying to earn a dollar by doing something and to keep up a level of productivity that enables them to stay in business. We are on about improving efficiency and productivity in this country and a couple of my constituents, in a decent business, are being hampered, hindered and delayed at every turn when applying for a permit to get their vehicles on the road. Once a vehicle is defected for some reason—sometimes for fairly minor reasons—they can lose a week, 10

days or a fortnight because of the business they have to go through with the Vehicle Inspection Centre.

I am convinced, on the merits of this argument, that some people are being officious. Maybe the terminology used earlier in the debate was not acceptable to the Minister, but some people are not interested in helping these people get on with the job of earning a dollar or two in a very tough and competitive climate and going about their business with the minimum of fuss, delay and humbug. A great deal of humbug exists at the moment in both these areas of operation, first in obtaining permits and, secondly, in the way in which defects are handled.

I can give an another example from another earthmover. I know the earthmover about whom the member for Semaphore was talking. He is one of my constituents and the Minister would know him. Another constituent had a vehicle down in the South-East in Coonalpyn and it was defected by a police constable for air leaks. As the member for Semaphore said, almost all vehicles on the road have minor air leaks, even police vehicles. He was four miles from where he had to pick up his machine. He was told, 'Get back to town, you can't do it'. So, back to town he came from Coonalpyn without the machine. He went through the Vehicle Inspection Centre and inspectors found a whole host of things, many of them minor, such as a cracked side window. I believe that a couple of lights on the top were not working. He said that they were not compulsory and he was told, 'Either make them work or take them off'. How absurd can you get! He took it back to the workshop, had all the repairs done, rang up and said, 'Can I get this thing back on the road—I have already lost a week?' It was the beginning of the Easter week. They said, 'Mate, we are too busy this week. Bring it up the week after Easter.' These operators are busy, they have contracts to fill and they are trying to keep up some level of productivity.

I know that the constituent referred to by the member for Semaphore is a decent operator, honest as the day is long, and he is fed up. He does not like being told, or having his people told, by someone at the Vehicle Inspection Service to eff off when they are making a reasonable effort to negotiate so that they can get the job done and get back on the road. He objects to that, and I do not blame him for objecting to it. I have no hesitation in supporting the thrust of this resolution which means that the Minister, in springing to the defence of his officers, then goes away and has a good hard look at the way this system operates. Let me give another example. Another constituent of mine, who has some large earthmoving equipment, as a result of the changes made I think at the end of last year, now cannot take a D9 on a low loader up the freeway because it is 4 inches too wide. He does some work at Mount Barker. I do not know what the road accident statistics are for moving heavy equipment, but I would think they are negligible because they crawl along the road. They must have an escort. I think the statistics would indicate that there has not been a major accident involving moving heavy equipment—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. E.R. GOLDSWORTHY: Well, I would like to know what accidents they have caused. They must have an escort out the front with a flashing light and a sign 'Wide load following', but because it is said they will slow down the traffic on this wide lane highway, people are not allowed to take a D9 up the freeway to get to Mount Barker. To get from Wingfield, where this person does a bit of work, to Mount Barker, he would have to go to Blanchetown, follow the river down and back. That would cost him about $5 000 as against $200. He is told that he will have to pull it to bits if he wants to go to one of these sites with his D9. He has been told he would have to dismantle it and put it back together again, because it is 4 inches too wide, mark you, for these major roads. Talk about increasing productivity! Just imagine what that would add to the job cost, for the Government or in the private sector. He would need a couple of cranes to take the bucket off and pull the thing to bits. It would involve hours and hours of work with heavy equipment.

I am absolutely convinced, Minister, that this area needs a good hard scrutiny on two counts. First, if we are in the business of increasing productivity and helping people, this area must be investigated. I urge the Minister to look at the accident statistics.

Members interjecting:

The Hon. E.R. GOLDSWORTHY: The Minister says it causes other people to have accidents. I do not believe that for a minute. With the arrangements that are required, they will pay for an escort. They would be proved to be dangerous if they have caused accidents, but I do not believe there is one shred of evidence to indicate that vehicles carrying a wide load and travelling on a country road with an escort have caused accidents. They might cause slight inconvenience, because they slow down the oncoming traffic. So what! Will we be able to move things around this State or not? It is becoming increasingly difficult, and the legislation passed last year in relation to loads and people not using the freeway has made it much more difficult.

I believe that, in the interests of some level of commonsense and productivity remaining in this State, we must look at the way in which the permit system operates. We certainly must look at some of these regulations which we brought in last year and we certainly must look at the operation of the Vehicle Inspection Service to ensure that the thrust is to assist these people to get on with the job of earning a living and doing something for the economy of this State, instead of hampering and hindering them and bringing up a lot of pettifogging objections simply to indicate that the service is in charge of the situation.

I hope that the Minister will have a good hard look at this, because one of my constituents, who is now my neighbour, was so upset that he could hardly get it off his chest. Initially, he did not even want to talk about it. I convinced him to tell me the story and I believe that he has plenty to complain about.

Mr BLACKER (Flinders): Having listened to the debate thus far, I am sure that every member in this Chamber who represents country areas and who has constituents involved in the transport area could refer to this House stories identical to those already related. I notice the Minister's agitation when he heard what was said. Whilst I realise that there are extremes on both sides and that there are irresponsible truck owners who need to be jumped on, we are not talking about that; rather, we are talking about the responsible transport operator who has done the right thing and who has endeavoured to use every available measure to comply with all the restrictions.

We then hear complaints relating to a double system of lights and, because one light is not working (and the double system was put in to overcome these sorts of contingencies), the person involved is in trouble. In recent months I related to this House an incident involving a transport operator carrying sheep being stopped at Port Augusta. He was put off the road, but he objected to me not because something needed to be done on the truck but because his productivity totally ceased.

The Hon. G.F. Keneally interjecting:

Mr BLACKER: Within six months.

The Hon. G.F. Keneally interjecting:

Mr BLACKER: I am not sure about that. The complaint to me—and I will relate it again to the Minister—

The Hon. G.F. Keneally interjecting:

The DEPUTY SPEAKER: Order! I think that negotiations need to take place outside the Chamber.

Mr BLACKER: The triviality of the situation was this: the truck's clutch pedal still had a rubber padding on it, but the tread had been worn on the corner where the driver's foot slid off the clutch. It was a Volvo truck, and no other new rubber padding was available in Australia. As a result, the padding had to come from overseas. The transport operator agreed that it was worn and he was quite happy to replace it, but he asked why he should not be given a fortnight's notice during which he could replace it and continue his business.

The fault had no impact on the safety of that vehicle. This is how ridiculous and petty it can get. I have not brought a folder with me containing various other complaints that I have received. Numerous complaints have been received about heights of vehicles and impracticalities. Incidents have also been related concerning a cracked rear-vision mirror and a cracked or torn seat cover on the driver's seat; apparently that is a safety problem. When such a petty problem does not affect the safety of the vehicle, surely the driver can be given time to rectify the fault so that he can continue to run his business.

I notice the Minister's sensitivity to this issue, but I request that he take the matter seriously, because it is a problem. Whilst he may defend wholeheartedly, without any reservation, the officers of his department (and that is what any Minister would do), perhaps he should look a little deeper and realise that some people are being irresponsible and impractical in enforcing the legislation.

Mr D.S. BAKER (Victoria): I will briefly reiterate some of the problems of a person who moves transportable homes around the South-East. That transporter has constant problems, for the most ridiculous reasons such as having the wrong date on the application, getting permits from the department. As a result, the application was posted back to him and he had to fill it out again.

Mr Lewis interjecting:

Mr D.S. BAKER: That is right. The application is lodged but, for quite trivial matters, it is returned to him. He got to the stage of ringing me and listing a series of complaints about the department and they filled well over a page. I took up this matter with the department, and I must admit that I was less than pleasant to some of the officers there because of their attitude, which was, 'We won't do anything unless everything is right.' When this person made an application to shift a house in the South-East, the department argued that, because one of the roads that he would use belonged to the local authority and was not a Highways Department road, it would not approve the application. We went through it item by item and found that the department was wrong. But that did not matter. This person had to wait a fortnight or three weeks—he is a busy man—to get permission to shift a transportable home on a road that the department claimed was not a Highways Department road when, in fact, it was.

When this person wanted to shift a house in the Adelaide Hills, he applied to the Permits Branch for a permit to shift the house, and the application was refused. I suggested that he go and talk with officers of the department and sort out the problem. The reason for refusal was that a certain corner would be a little tight to get around. On another occasion, he went to the private property owner on that corner and asked whether he could cut across it. It was a commercial allotment and it could be done easily. He was allowed to do that. However, the officer said that he would refuse permission because it was against the department's rules to allow people to cut corners on private property. How ridiculous can it be! That is the sort of thing that stops a decent guy carrying on his business in the way he should be able to do so, all because that officer has no idea of what goes on in the real world.

At Easter 12 months ago, this gentleman had three or four houses to shift so, to make sure that he did not have any of these petty hold-ups that had occurred over the preceding 12 months, he sent his wife to Adelaide on the Tuesday with all the applications to enable the department to go through them and make sure that everything was right so that he could carry on his work for the next 10 days. Not knowing much about it, his wife went into the department and sat down with the permits officer, who went through them. There were two or three minor errors in the applications but, instead of allowing her to ring up her husband to correct those errors, the officer sent the woman home with the applications—all the way back to Bordertown—to get the minor errors fixed so that her husband could shift these houses. Of course, the applications could not be completed in time. It is the height of arrogance for an officer in a Government department to do that.

The shadow Minister gave these officers a serve that seemed to be offensive to the Minister. He should get out in the real world and see what goes on and what the people in his department are doing to stop others carrying on their normal business activities. The Minister knows of the problems with the Licensing Branch with respect to bus operators. The officers in that branch stand in the way of people who want to get on with their business. The department wants a decent clean out, and the Minister should know full well what is going on, because the situation is getting worse. I warn the Minister that some transport operators will take the law into their own hands because of these little Hitlers—to quote the shadow Minister—who are running around trying to stop people carrying on their own business.

Mr LEWIS (Murray-Mallee): My files are replete with examples of the kind that have been referred to by previous speakers, and I am sure that other members could cite to the House a list of complaints about the operations of this division of the Minister's department. I thank the member for Mount Gambier for reminding me of a couple of points and, because the Minister prefers that all members speak before he does, I take this opportunity to knock down in advance one of the arguments that he will put up in opposition to the suggestions that have been made by the member for Kavel about the way in which some measure of tolerance, discretion and understanding should be exercised by these officers to help get the job done, to help get South Australia back on its feet, to keep business going and to increase productivity.

The Minister will say that low loaders carrying earth-moving equipment that are over width must not be allowed on the restricted carriageway of the restricted access highway between Glen Osmond and Stirling and the freeway beyond that point because they cause accidents. The Minister made that remark by interjection. I want him to understand that, if you cannot exercise discretion for four inches, or whatever, and if you cannot use some commonsense to get the job done, we will never get anywhere.

I point out to the Minister that there is already a precedent in the regulations that allows some commonsense to

prevail in this respect. That precedent is that the Minister is responsible for the State Transport Authority, the State Transport Authority operates a fleet of buses, and those buses all happen to be over-width.

Mr Gregory: Not all of them.

Mr LEWIS: The buses to which I am referring happen to be so.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr LEWIS: A whole host of that fleet—

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr LEWIS: Not all of them, but a whole host of that fleet happen to be over width.

Mr Gregory: Do you know the number?

Mr LEWIS: I do not have to know the number. The member for Florey knows full well that the remark I am making is valid and the Minister should be ashamed of himself for contemplating a defence of the behaviour of his officers in failing to exercise some reasonable discretion in this matter by saying that it is over width and we have drawn the line. When he and his Government department have decided to accept that the over-width buses are okay, then why is the odd vehicle that happens to be carrying a load that is slightly over width not equally okay?

That is the point I want to make to the Minister. Use some commonsense! Mr Deputy Speaker, if we do not do that then we, as politicians, will be seen to be incompetent and incapable of representing the best interests of the people and the economy that supports them. This Government and, in particular, this Minister stand condemned for this bloody minded, pig-headed petty indifference and lack of ability to understand that this country was not built in a day and it was not built by people who complied with a whole batch of regulations. It was done by people who made arrangements with others and acted in good faith in the process of doing so. Let us use some commonsense and get on with the job.

The Hon. G.F. KENEALLY (Minister of Transport): I do not think that this debate was improved at all by the contribution of the member for Murray-Mallee.

The Hon. E.R. Goldsworthy: What about the over-width buses? I thought that was a pretty good point.

The Hon. G.F. KENEALLY: I will address the over-width buses? There is control as to the roads on which they are able to operate. They are not allowed into narrow local roads in local council areas or the roads—

Members interjecting:

The Hon. G.F. KENEALLY: See, Sir, they do not want to listen—as always.

Members interjecting:

The DEPUTY SPEAKER: Order! I would ask the honourable Minister to take his seat. I will not tolerate a person who is speaking being drowned out by interjections. The debate so far has been very good. The points that honourable members have been making have been clearly expressed. Now, I believe that the Minister should have the opportunity to answer them with reasonable tolerance being shown by other members.

The Hon. G.F. KENEALLY: Thank you, Mr Deputy Speaker. That is something that I am obviously not going to get. I listen to three quarters of an hour of members of Parliament being ultra-critical of people for whom I have responsibility and then, when given the opportunity to respond, all I get is a whole barrage of interjections and noise trying to drown me out. If that is how they believe these matters should be addressed, then they have a different standard of debate from mine.

I was responding to the allegations of the member for Murray-Mallee about those older buses within our fleet that are over width. For the information of the Deputy Leader, they are controlled as to the roads on which they can operate. Members should also know that buses are controlled as to the speeds and times at which they travel. They are not out on our freeways travelling at 90 km/h. There are many reasons why different modes of transport are controlled in different ways. For the benefit of the Deputy Leader, one of the main reasons why large and high loads are not permitted on the freeway relates to the Mount Barker Road and the difficulty with the bridge at Crafers. The member for Heysen would know that on a number of occasions, although not too frequently, when the appropriate permits and controls have not been applied heavy transports have damaged the bridge at Crafers and in fact at times have been jammed underneath it.

An honourable member interjecting:

The Hon. G.F. KENEALLY: We are talking about permit loads.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. G.F. KENEALLY: I point out to the House that the industry at large has told me that, if our rules in respect to overloading, wide loads, weight, height, volume, and so on, applied on a national basis, it would be delighted. Our rules and regulations in this State are much more in the interest of the industry than is the case elsewhere.

An honourable member: So they should be.

The Hon. G.F. KENEALLY: We have been criticised here today, but I point out that our regulations, which allow the heavy transport industry to go about its business creating wealth for South Australia, are the best of any State of Australia. I make clear that as Minister I have no truck with any employee of the department who in any way works outside the terms of reference that have been laid down, who is uncooperative and who does not try to provide a service to the industry. Whenever a legitimate and sustainable complaint comes to light it is investigated. If members have complaints to bring to my attention, I will have them investigated.

Much has been said about the rudeness of public servants, but the member for Flinders was the only member prepared to concede that employees in the trucking industry are not all gentle angels. In fact, some of them are quite aggressive and do not like being stopped by the police or highways inspectors; and they do not like having their faults brought to their attention. They are in business and they like to get on with what they are doing, so they act aggressively when they are pulled over. All members would be aware of that. No matter how often we change the rules we will always receive complaints from constituents who have been stopped for one traffic offence or another. Members opposite fail to acknowledge that. Instead, members opposite prefer to inform the House—

Mr Lewis interjecting:

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

The Hon. G.F. KENEALLY: —that employees of the Vehicle Inspection Centre are little Hitlers. People say that there has been no change in this area, but that is absolute rubbish. The member for Eyre is probably the most critical of any member of Parliament in this area. I know that he has a large electorate, so he is probably exposed to this problem far more frequently than other members. He has

brought forward many complaints and they have all been dealt with.

What has been achieved in this area? First, I refer to the Commercial Transport Advisory Committee, which represents all the groups that members opposite are supporting today. The officer in charge of the vehicle inspection centre is the Chairman of the committee. He sits on that committee with industry representatives who can tell him about their problems.

They do so if they have these problems. Secondly, who is the officer in charge of the permit system in the Highways Department? He also is a member of CETAC and is in daily contact with industry representatives. It is absolutely outrageous for anybody to suggest that since we have appointed a highways engineer to look at the regulations and how the permit system works that there have not been improvements. There have been improvements; in fact, there has been legislation in this House, which members opposite have supported and pressed, which has improved the whole permit system.

We are improving it. I have never said, publicly or privately, that there have not been problems with the permit system. It has been the most consistent area of difficulty that I have had as a Minister—and I have acknowledged that. Some of the cases that have been voiced today are more historical than current because the laws and regulations have changed. We now enable permits to be given by fax, which is something that industry has wanted and ought to have been able to obtain.

The industry has wanted to be able to get its permits by fax, I point out to the honourable member for Chaffey, and now it is getting them, and so it should. He shakes his head. I do not know why he disagrees with the industry being able to get its permits by fax. That is how it should be.

Mr Ingerson interjecting:

The DEPUTY SPEAKER: The member for Bragg will have an opportunity to reply in due course.

The Hon. G.F. KENEALLY: That is how it should be and I applaud it. I do not know why members opposite disagree. I will look at every legitimate complaint given to me and, if members opposite have legitimate complaints or can cite instances that they want to bring to my attention, I will have them investigated as I have in the past and will in future. As members opposite and the member for Chaffey know, it might take some time but the Government resolves these complaints.

Why do we need permits? There are very good reasons why we need permits. Why is it difficult at times to get permits? There are very good reasons for that, for example, in the case of an extremely wide load. As the member for Eyre would know, we brought a large classroom from the South-East up to Coober Pedy. It took an enormously long time to get this heavy load through the intricate system of roads to Coober Pedy. What the Highways Department will have to do, apart from looking at the traffic situation, is to look at the capacity of bridges to take certain weights.

It must be absolutely certain that there are no emcumbrances on the roads in the way of extremely heavy and wide loads, such as, trees and overhead wires, etc. The department will have to devise a system of roads that will not cause gross inconvenience to traffic. Everyone knows what happens to traffic that is behind heavy loads; there is a back-up of traffic of half a kilometre each way. People tell me that heavy and wide loads are not potentially dangerous and do not cause accidents. It is necessary to have permits, police escorts, lights and all these things because wide loads are potentially dangerous; and it is futile to say otherwise.

I do not think that anybody would suggest that we should let these wide and dangerous loads be on the road without the appropriate permit, police escort, etc. I think that members opposite have gone over the top. If they have problems, the Government will consider them. If industry has a requirement for repeat loads—that is, wide or long loads that are of a consistent nature for the individual business—they should be able to get subsequent permits easier; in fact, they can. I would like to know of instances where this does not happen.

The member for Bragg, when moving this motion, said that he could not understand why it took so long to get permits for large and unusual shifts. That is the very reason why it takes longer: because they are large and unusual shifts. There are professional people out there and in the department as well, and there is no doubt that the Highways Department has spent considerable resources in improving the relationship between it and industry and it has proved its capacity to respond with the permits.

We are changing the rules for the better. Application forms have been changed to get a much quicker response, so that one does not need to fill out a whole series of applications; one application form covers a number of permits. As to the attitude of staff, if anyone has any examples of particular staff members who they believe have been less than helpful in their actions toward the public, I ask them to bring those instances to my attention and give me the names and examples. I have had generalised complaints about public servants all my life. In fact, I was a public servant for 20 years. Members opposite who have been Ministers know as well as I do that when one sees both sides of the story and put things in perspective, it is a completely different matter.

In defence of the people who work in the Vehicle Inspection Centre, the Highways Department and the Police Department who have been criticised, I want to say that they have a very difficult task. They deal with difficult people who do not like any interference with their right to go about their business as they see fit. The rules are there, and if we change the rules, that is okay—people will apply the rules. We are freeing up the rules, but while they are there people have to apply them. If an inspector at the Vehicle Inspection Centre says, 'That is okay, there is no problem,' and the vehicle goes out on the road and is immediately involved in a serious accident, members opposite will point the finger at the Vehicle Inspection Centre and say, 'Why didn't the inspectors stop the potential for this accident to occur?' and they will be responsible.

It will not be members' constituents who will be held responsible: it will be the people who work in the Vehicle Inspection Centre. It is the same thing with the police and the Highways Department inspectors out on the roads when there are people with wide loads, etc. If an accident occurs after a Highways Department officer or police officer has stopped that vehicle and said that it is all right to go on, it will be the Highways Department inspector or the police officer who will be held responsible, not the individual. They have to be careful: they have to ensure that the regulation is not being breached, because they defend your constituents and mine and every other road user in South Australia. It is a heavy responsibility. If they err on the side of caution, that is as it should be.

All the facilities are there for members to use to bring these matters to my attention. Many of them have. I know that the members for Bragg, Chaffey, Light, and Eyre have all individually brought matters to my attention, and I would suggest that they had been dealt with. When there is a problem in the future, we will deal with it. I totally reject

the idea that people within either the Highways Department or the Vehicle Inspection Centre can be categorised as little Hitlers. If there are people in those departments who sometimes act inappropriately, there are many more people who give very good service to the people of South Australia, and that ought to be acknowledged.

If there are people who sometimes go over the top, tell me who they are and we will deal with them, but make absolutely certain that people who work for you and me and for the people of South Australia are not being pilloried by someone who has a grievance because for some reason or other he has been stopped, had the vehicle defected or been told that his load is over the legal height, volume, weight or length and he does not have a permit.

People in those positions are not likely to come to their local members with a fair and open mind. Members opposite know that people who come into our offices and complain put their particular point of view. They are not interested in the Government's point of view, the department's point of view or the point of view of the workers who work within the department. They are just going to put their point of view the strongest way they can, because they believe they have a grievance and they want their local member to deal with it.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. G. F. KENEALLY: That is okay: don't lecture me; I am a local member and I know that, and members opposite know that what I am saying is true. I am just pointing out that there is another side of the story. We have people to whom this Parliament gives very difficult tasks, and that includes the police, Highways Department inspectors and inspectors down at the Vehicle Inspection Centre.

If we do not want a system that will ensure that people on our roads act within sensible regulations, then let members opposite tell me. If we do not want a system of permits at all in South Australia, if we do not want regulations controlling loading and speed in South Australia, if we do not want the police, Highways Department inspectors or people at the Vehicle Inspection Centre to have a regard for sensible and decent standards, then let members opposite tell me that. However, I know that that is not what they want. They want a system that works and they want rules to be applied.

In the application of those rules people are going to be aggrieved and they will complain to their local members. All I am saying is that the members who receive those complaints should acknowledge that there is another side of the story. If the officers for whom I am responsible as Minister go over the top in the course of undertaking their duties, members should let them know about that and the matter will be dealt with. However, what we have here today is a total condemnation of everybody who has a responsibility on the roads or in the Vehicle Inspection Centre, and I reject that. I reject the notion that all these people can be categorised in a broad brush sort of way. When the member for Bragg replies to this I would be pleased if he would acknowledge the point that I make. He is a man who sees himself potentially as a Minister of Transport at some time. If that is ever the case he will need to understand that there is a defence that should be put up for people who do the job that we ask them to do. As to whether people believe that they do that appropriately or not, if they do not believe that that is the case they should let me know, and we will look at the matter. However, members should not criticise people for doing the task that we give them.

I do not need to say any more than that. If there are particular complaints, I will look at them. I would like to be told of one instance where I have not looked at a complaint that a member has raised and that has not been resolved. Whether such a matter was resolved totally to the satisfaction of a member and the constituent concerned is one thing, but the matters that are brought to my attention are taken up and resolved. I think it is facile to say that there has not been an improvement in the past 12 months. That is a total reflection on a very senior officer within the Highways Department and all the work that has been done in the Highways Department to improve the system. It has been improved dramatically. I know that.

Members opposite have their own constituent complaints, whereas I have them all, and I know that the level of complaint has reduced. I know that certain areas of complaint that existed 12 months or two years ago are no longer relevant, because those matters have been taken care of. If there are new areas of concern we will deal with them. But there has been a dramatic improvement and that will continue. I hope that by the time I stop being Minister of Transport, members opposite can direct their attention to something else, because this matter will no longer be of concern.

The Hon. E.R. Goldsworthy interjecting:

The Hon. G.F. KENEALLY: If the Deputy Leader has a complaint and he brings the circumstances to me it will be looked at. It is just not good enough—and I will finish on this point—to say to me that there are problems in the Vehicle Inspection Centre and that I should go and fix them up, without giving me chapter and verse of those, so that we can look at them. The member for Semaphore has given me a letter from an aggrieved person, and I will look at that matter in the sensible and balanced way that I always do in relation to every other complaint. But what we are getting here is not a sensible and balanced debate, and that is why it is necessary for me to intervene in the way that I have.

Mr S.G. EVANS (Davenport): I will be brief. The Minister mentioned the freeway and the Crafers bridge. The Minister was accurate in relation to the height of the bridge. Australian National is now increasing the height of tunnels by taking out a bit at the bottom. For 20 years we have chosen not to touch the Crafers bridge. I criticised Sir Norman Jude at the time when the bridge was built, as he was the person in charge at that time. It was a terrible mistake by the Highways Department.

All the vehicles do to get past that bridge is travel about 430 metres through the little village of Crafers. Drivers who do not do so are not regular ones from this State, who cart wide or high loads; they are from another State and they do not even think of getting permits, or they are farmers shifting equipment who have not read the sign saying that the bridge is a few inches lower than it should be, but it is a problem. I ask the Minister, as he has raised the matter, whether the department could take out a bit from the bottom for about 80 metres each side and underneath the bridge to get to a standard that applies over all South Australia so that we do not have to get heavy vehicles going through a little village.

The Minister made the point about some truck drivers being irresponsible. That is true, but often accidents are caused by irresponsible motorists, which is why we have worried about the law in respect of people working on the roads—employees of the Highways Department and councils—because irresponsible motorists do not abide by the laws and so we have had to tighten them up and have more

policing. There is irresponsibility on both sides of the argument, and members should understand that.

I want to give an example. The Education Department wanted to take a school building to Heathfield. True, this was before the last 12 months, but the same provisions applied. The department was told that the building was too wide to go up the freeway. We were told that the building had to be taken out through the north of Adelaide around to Truro and then to Heathfield, which is adjacent to the main freeway in this State. I was disgusted and took up the argument. I was told that the building could not be taken on the small roads to get to Heathfield High School.

I spent two hours with the local engineer explaining why he was wrong. He agreed with me and, by cutting limbs off four trees and by cutting down one small tree which was damaging STA buses every time they went past, the problem was corrected and the building was delivered on to the school ground and saved the State about a tenth of my salary this year—all that from a two hour visit. I know that there are problems. All I am saying is that very few accidents are caused by or involve vehicles that have had high loads or wide load permits.

The Hon. G.F. Keneally: Because they have the appropriate permits.

Mr S.G. EVANS: I accept that, but few accidents have been caused by people who have taken a punt—people like myself—and who have not worried about a permit. That is also obviously the case. I would say to the Minister that it is not always a police patrol accompanying a vehicle: sometimes the patrol is organised by the operator, and that conforms with the law. There is a vehicle at the front and the back. It is not a police patrol, but a patrol supplied by the operator.

There is nothing wrong with the motion which uses the words 'investigate current procedures'. Perhaps 'investigate' is too vicious a word for the Minister. Perhaps we need another word which suggests that the Minister look at the procedures involved in issuing permits for wide loads and how the scheme is administered, and we might achieve some results from that.

I accept bridge weights and all those things—I understand them. One can take a vehicle along the smallest of roads if one takes the proper precautions without necessarily sending vehicles out through Truro. For example, if one wants a vehicle to go to Crafers or Leaward Gardens, the only way is on the freeway—one way or the other. If the load is four inches too wide to take a D9 on the freeway, it is impossible to get it to Leaward Gardens—the Devil's Elbow—unless it is pulled to bits. That is utterly stupid. There is no reason why we cannot have wide vehicles on the freeway if we stipulate the time of travel when there is little other traffic around. That has been done.

When I went home from this place at 4 o'clock in the morning recently I saw hardly another vehicle. Commonsense is all that needs to prevail on both sides. I do not necessarily support the word 'investigate' which might be too vicious, but there is a need for the Minister to look at the overall procedures.

Mr GREGORY (Florey): I am prompted to make a few remarks because of statements made in the House by the member for Davenport. He referred to the bridge at Crafers and said that we could take out a bit of the road 80 metres each side of the bridge. I assure the House that if that were technically possible, it would have been done. The member for Victoria is a font of knowlege on everything—an instant expert—but the one thing he does not know about is road engineering. If he did, he would not be sitting here shooting off his big mouth but would be out doing something useful.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr GREGORY: The member for Victoria makes great play of his business acumen. Taking 80 metres each side of the bridge is impossible. If one talked to road engineers about this, one would find that the whole camber and structure of the road would have to be recast, possibly over the hill into the decline down into Measdays Corner, at a cost of millions of dollars.

Members interjecting:

Mr GREGORY: Ask the Minister of the time who resided on the other side of the House and was not one of our Party. If commonsense, to which the member for Davenport and all other members opposite referred, applied in road transport, we would not need all these rules and regulations—of course we would not! But commonsense does not apply, because the people who have been supported by members opposite are those who break the rules, those who think that another couple of pounds will be all right, another couple of tonnes will not hurt and another two or three inches either side is okay.

If we make regulations under which a certain width is prescribed but if we allow permissible loads within other widths—another inch or two will make no difference—where do we stop? We are creating dangerous situations for more than just the people working on the roads. Other people also move on the roads. We need to ensure that, when large objects are carried on the road, safety is the major consideration regarding all other road users and not the safety of the dollar invested by the person who wants to move those large objects.

I oppose the motion moved by the member for Bragg, because the Minister of Transport in this Government has done a good job of ensuring that the needs of the road transport industry have been met. The Acts have been amended to overcome anomolies. But if we keep on reducing and relaxing those standards we will be creating dangerous situations on the road and will not see the reduction in death and accident rates that we have seen over the past couple of years. With a *laissez-fair* approach we would see people being hurt and injured on the road and being subject to unsafe situations from time to time.

Mr INGERSON (Bragg): Obviously this is a sensitive issue. One can usually determine how sensitive the issue is when the motion is deliberately not debated. In the last address to the House the honourable member was talking about standards and safety measures. If the honourable member had taken the time to read the motion, he would realise that it specifically states, 'investigate the current procedures applying to the movement of wide loads'. It goes on to refer to the Vehicle Inspection Centre in particular.

I accept that there is good and bad on both sides of this argument—there is no question about that. In the past three or four weeks we have suddenly received a spate of complaints about the Vehicle Inspection Centre, the permit section in particular. That is what this motion is all about—the recent and present situation. But the Minister denied that. The arguments put forward by the members for Semaphore and Kavel are current and not historical.

Members interjecting:

Mr INGERSON: The Minister is hysterical. Obviously he is sensitive about this area. We are talking about the attitude of the staff and the procedures for obtaining these permits. I would have thought that the Minister would recognise that, whilst some changes have taken place, there

could still be a very significant improvement in attitudes and procedures in the Highways Department.

The Minister earlier referred to the buses. It is interesting that, as soon as the STA sells a bus, it has to be cut down if it is to be used on the roads. It is very interesting that that has to occur. It is okay for the STA to have overwidth buses on the roads, but, as soon as they are sold, they have to be cut down otherwise they cannot be used. It is also interesting to note that a permit can now be faxed through, but the problem is that there is difficulty in getting the permit in the first place. There is no difficulty with be faxing the permit (we recognise that that is an upgrading of the procedure) but with obtaining the permit. It is those procedures that are very important. This motion asks the Minister to urgently investigate the procedures in his department and the problems that are currently occurring.

Motion carried.

UNPASTEURISED MILK

Mr LEWIS (Murray-Mallee): I move:

That the regulations under the Food Act 1985 in relation to unpasteurised milk, made on 21 May and laid on the table of this House on 6 August 1987, be disallowed.

I want the House to take the opportunity that I present to it to support the position that already obtains as a consequence of decisions made in the other place. As the situation presently stands, regulations under the Food Act 1985 relating to unpasteurised milk, as they affect the Murray Bridge community in the Lower Murray, have indeed been disallowed, but it is important, in my judgment, for members here to express support for the decision of the other place.

From time to time I have heard arguments against the proposal on the basis that the disallowance would in fact result in the continuation of a very hazardous situation in Murray Bridge in relation to the quality of milk available to the general public. I will not go into the other advantages of retaining the existing order of things, such as lower costs of milk, fresher milk and more natural milk reaching the population who want to buy it, or the implications for people who supply not cows milk but goats milk or whatever other kind of milk folk want to drink: I want the House to understand it is not legitimate even to argue that the regulations should be allowed to stand on the ground that there is a risk to public health.

Pasteurisation was first introduced when there was a real health hazard arising from both tuberculosis and *brucella abortus* or brucellosis. Neither of these diseases is to be found now in the settled areas of the southern part of Australia. Certainly there are no reactors to the tests conducted on bovine species—that is, cattle at large—anywhere in the dairy herd, or anywhere else for that matter. Equally, I have heard outside this place in conversation with others the argument that a methyl blue test, and things like that, to determine the suitability of unpasteurised milk for human consumption is inappropriate. Well, I have never said it was. I agree with people who assert that. That has nothing to do with this proposition.

I have also heard that there is no means by which it is possible to determine whether other undesirable organisms, like salmonella, are present in milk. That argument is piffle and I know that you, Madam Acting Speaker, know it is, because you heard the evidence that was presented to the Subordinate Legislation Committee.

Murray Bridge has a system whereby dairies, which are licensed to supply fresh unpasteurised milk through milk vendors to households, however the milk is packaged, are subject to very rigorous examination of the bacteria count in general in their milk and a bacteria specie by specie check. The dairies are willing to meet the continuing costs of those examinations, and the public are happy with that arrangement. This Parliament can continue to be assured that, so long as such detailed random checks continue, the dairies will continue to produce healthy and wholesome milk on which everybody can rely.

When I refer to 'random', I use it in the context of the precise way it is used by statisticians. I will explain that in simple terms. Let us take the dairies that are licensed and give them each a number. A corresponding number is then marked on a marble and placed into a barrel such as that used for the selection of marbles in X-Lotto. A marble is removed from the barrel and that then indicates the dairy to be examined on that day. Samples of milk will already have been taken from all the dairies on that day, and they do not know which dairy will be examined until after the milk is collected. The sample of the dairy that has been drawn from the barrel will be carefully examined. Dairy operators then know that, even though their marble may have come out of the barrel yesterday, it may come out again tomorrow, so the same standard of care must be taken by them in the milking process.

If one wants to introduce further unpredictability into the random selection process, the sample of milk must be collected each day as a matter of routine and the conduct of the test could be determined by removing the marble with the day marked upon it. If the marble comes out on the day, the expense of conducting the test is incurred. If a Tuesday marble is selected on Tuesday, then the sample will be selected and examined. If the Tuesday marble is not removed but, rather, a marble for another day is taken, the test is not conducted and expense is not incurred. I urge the House to support the motion and thus enable the people of the Lower Murray to continue to obtain their fresh wholesome milk in the way that they always have.

The Hon. M.K. MAYES (Minister of Agriculture): I move:

That the debate be now adjourned.

Mr LEWIS: Divide! We are going to vote on this today.

The ACTING SPEAKER (Ms Gayler): Order! There has been a motion that the debate be adjourned. That motion has been seconded and supported. I understand that there will be an opportunity later today—

An honourable member: There won't be. He must respond before he can vote this afternoon.

Mr S.G. EVANS: On a point of order, I understand, although I may be wrong, that this regulation was disallowed in another place and that we do not have to vote on it.

The ACTING SPEAKER: The member for Davenport is correct. The regulations were disallowed some months ago in another place. I rule that the motion is out of order as being of no relevance.

Motion carried.

VEGETATION CLEARANCE

Adjourned debate on motion of Ms Gayler:

That this House supports the principles of the Native Vegetation Management Act and the endeavours by members of the authority to uphold those principles and preserve important stands of remaining native vegetation and wildlife habitat.

(Continued from 7 April. Page 3888.)

Mr GUNN (Eyre): When I addressed this subject on a previous occasion I endeavoured to point out to the House that the operation of the Vegetation Clearance Authority has caused more personal hardship and difficulty to certain

sections of the rural community than any other matter that has been brought to my attention since the wheat quota debacle many years ago. In discussing a matter of this nature, it is my view that common sense should apply and that people who have considerable areas of native vegetation and who believe, for varying reasons, including the opportunity to allow members of their family to enter the farming arena and to improve the commercial position of the property, should be given a fair go.

The current arrangements were put into place after a considerable amount of discussion and debate. However, in my view they have proved to be quite unsatisfactory; they have not met the needs of the agricultural sector of the economy; and there appears to be dissatisfaction within certain elements of the conservation movement about the operation of the authority. The reason for the dissatisfaction is that, unfortunately, two members of the board take a fixed point of view on all issues. That is not only unfortunate but also does not give people appearing before that committee any degree of confidence that every case will be dealt with on its merits.

It is my view that the Minister and the Government should sit down and have another look at this matter. I therefore call on the Minister for Environment and Planning to hold meaningful discussions with those sections of the agricultural sector that have been affected, with his department, with the United Farmers and Stockowners and with other interested bodies to arrive at a fairer, more reasonable and better way of handling this serious problem.

The issue has taken up a considerable amount of time within the Department of Environment and Planning and in the rural sector. I know, from officers of the United Farmers and Stockowners who have made representations on behalf of their members who have been affected by these regulations, as we know from the work that I have had to do and from a number of my colleagues who have made representations, that the whole situation is unsatisfactory and that there is an urgent need to review the operation with a view to arriving at a more efficient way of handling this problem. It is quite unsatisfactory that approximately 96 per cent of applications are deferred because of insufficient funds to pay adequate compensation, and there is no right of appeal. This situation should not be allowed to continue.

As someone who has been involved in this particular area for a long time I believe that, if those people who are affected and those people who have concerns applied themselves, a suitable solution could be found for this difficult situation. However, if we continue a process with a 96 per cent rejection rate the Government will, in my view, need to find between $45 million and $50 million to pay adequate compensation. It is not a simple matter of finding compensation because, if these areas of native vegetation must be set aside on properties, it could cause great difficulty in management programs. Until a short time ago, where people were able to clear they were clearing in a pattern. They never envisaged in their wildest imagination that they would be prevented from clearing whatever was reasonable.

The other real matter of concern is the continued development of regrowth. The honourable member who moved this motion and the people she was supporting have not properly addressed this issue. There should be an exemption given for a further five years. This is a matter which should be addressed. It would appear to me having listened very carefully to the honourable member's remarks, that if Mr Lange and Dr Black did not have a fair say in writing the speech, they certainly would have provided the honourable member with the background material and would have been responsible for much of the speech. I think that is unfortunate and they have not endeared themselves to the agricultural sector of the economy because of the way in which they have acted over a particular case which received approval from the authority.

I have been a strong critic of the authority and, particularly, members of the authority. I believe there is a genuine understanding within all sections of the community, perhaps with the exception of the more extreme groups in the argument, that there is a need to resolve this matter in a fair and equitable manner. I repeat that: in a fair and equitable manner. Unless commonsense prevails and those people who feel—in my view correctly—that they have been badly treated and discriminated against, and that their economic viability has been affected, are given justice, then this controversy will get worse. People who have no alternative will take the law into their own hands to get justice. That is not a course of action that I believe anyone wants to see, but people will feel inclined to knock the scrub down unless they can be assured that they will get a fair go.

In all the cases that I have been involved in I believe that, if commonsense had prevailed, the people making the applications could have cleared adequate amounts of native vegetation to meet their needs. They could have retained reasonable amounts of vegetation on their properties to meet the expectations of the community, and the cost to Government would have been considerably less.

Unless these problems are resolved quickly and efficiently, it will not be in the interests of the people of this State and the Government, and particularly not in the interests of the agricultural sector. I say to the honourable member who moved this motion that it is an inappropriate motion—quite inappropriate. It does not deal with the problem. It is an attempt to gloss over the difficulties that the community has to face. It is an attempt to justify the actions of at least one person, and perhaps two, on an authority that has no regard for the needs and welfare of agriculture and the valuable contribution that it makes to the community. It has no regard for a fair go or justice, and it is certainly contrary to what most of us would believe to be fair and reasonable, particularly where people's development rights have been stolen by the Government. In view of the importance of this matter and the need to deal with it adequately, I seek leave to continue my remarks later.

Leave granted; debate adjourned.

TROTTING CONTROL BOARD

Adjourned debate on motion of Mr Ingerson:

That both the Minister of Recreation and Sport and the acting Minister of Recreation and Sport at the time in 1986 be condemned for their acceptance of negligent actions by the then Trotting Control Board during the 'Batik Print' affair.

(Continued from 7 April. Page 3896.)

Mr OSWALD (Morphett): Over the course of several months there has been ongoing public debate about the 'Batik Print' swabbing affair. A few of us have sat back and watched with great concern as the two sides of the argument have put forward their respective cases. On one side we have the two Ministers and the Trotting Control Board and on the other side we have the trotting industry and the shadow Minister of Recreation and Sport. Both sides have publicly debated what took place. A few indisputable facts are available, and I bring them to the attention of the House because eventually we will have to vote on this motion.

The first fact is that 'Batik Print' crossed the finishing line first, and that fact should not be forgotten. The stewards

then took a swab which later proved to be positive, and there is no doubt about that; no member can dispute that. The Trotting Control Board then met on 1 July to discuss the matter. However, not all board members were present at the meeting, including the country member, Mr Wren, as indicated in the minutes; and the stewards were not present, either.

The board met again on 7 July and under the circumstances the Chairman ruled that the meeting of 1 July was not an official meeting. We also have evidence that the Minister of Mines and Energy and the Minister of Recreation and Sport were familiar with the minutes arising from both meetings, so at that stage the Government knew what had happened. Nothing was done and no action was taken in relation to the positive swab. There was a cover-up until Mr Ward, the owner of the third placed horse, protested because he believed that he was entitled to second prize given that the first placed horse had returned a positive swab. The matter was then brought to the attention of the shadow Minister of Recreation and Sport who saw it as his duty to bring it to the attention of the House, whereupon a public furore erupted.

I have described carefully and succinctly what occurred in relation to this matter. Regardless of the to-ing and fro-ing and the attempt to protect the Government and the two Ministers involved, and the cover-up because correct procedures were not followed, the fact is that the winning horse returned a positive swab. The member for Bragg has been labelled almost as a scoundrel by some Government members for bringing this matter to the attention of Parliament. However, he did the right thing because a positive swab was returned, and nothing was done about it. The two Ministers knew that a positive swab had been returned and they knew that the Trotting Control Board did not follow the correct procedure. I do not know how any member of this Chamber can walk away from the evidence that has been presented. I cannot see how any member can do anything but support the motion put forward so carefully and succinctly by the member for Bragg.

Every member should remember one irrefutable fact (which I have spelt out twice and with which I will conclude my remarks)—that the horse crossed the line first, a positive swab was taken, the board took no action about it, and the Ministers knew about it, closed ranks and continued to protect themselves. Many questions have been asked and I will not repeat them. Time is running out and I want private members' time to proceed this morning. Members, in all consciousness, have no other course to take; they know what they must do in relation to this positive swab. I ask them to support this motion and to support and not ridicule the public statements of the member for Bragg. He is doing this for the good of the racing and trotting industry. Members should consider what he is on about and not ridicule him in the public arena to protect Ministers who have been incompetent in the handling of what was a very nasty incident which, hopefully, has now been tidied up by the trotting industry.

The Hon. R.G. PAYNE (Minister of Mines and Energy): If I thought that by speaking I could give this motion any semblance of dignity I would immediately sit down—and I make that quite clear. The content of the motion and the mover, as far as I am concerned, are no longer entitled to any dignity. I intend to be brief and I will canvass only the matters relating to my involvement in July 1986 as the Acting Minister of Recreation and Sport.

My colleague, the Minister of Recreation and Sport, has already dealt more than adequately with all the other matters (some of which were recycled albeit much more reasonably and succinctly by the member for Morphett than by the member for Bragg) raised during this saga. My concern is about allegations that I have been involved in some sort of cover-up of the actions of the Trotting Control Board in what has become known as the 'Batik Print' affair. I have been in this House for 18 years and have received my fair share of abuse, criticism and allegations—and I have probably made a few in my time as well—but rarely have I felt them to be other than part of the normal cut and thrust of the political process.

In that category I could not include the allegations and claims of the member for Bragg. The allegation that I have been involved in a cover-up only exists in that member's murky mind. There was no cover-up, and I refute the allegation absolutely. In a statement that I made as acting Minister on 8 July 1986 I said that I was satisfied with the 'validity and propriety' of a decision of the Trotting Control Board not to proceed further over the taking of positive swabs from 'Columbia Wealth' and 'Batik Print'.

Despite all that has been said since, it remains clear that the board acted within its powers and made a valid decision. As to the question of propriety, the appeal committee (about which there has been much discussion recently) found that there was no impropriety by the board. My statement of 8 July 1986 conceded that the board accepted that the stewards should have been involved in its inquiry. The press release I made at the time stated:

> Mr Payne said the board now accepted that the stewards should have been involved in its inquiry.

Further, the board put on the record its complete confidence in the stewards and its determination always to uphold the proper actions of the stewards in the administration of harness racing. My statement indicated that the board believed that these cases clearly indicated a need for a review of the rules on swabbing procedures and, as a result, the Chairman of Stewards had been asked to put proposals to the board on this question as a matter of urgency.

When I began my remarks I said I would be brief and, effectively, what I have now said is the extent of my contribution to this debate. I conclude by saying that there was no cover-up of my handling of this matter as acting Minister and no amount of repetition by the member for Bragg or any other member will establish that fact because there was no cover-up. The allegations made against me and the Minister of Recreation and Sport are unwarranted, unfounded and unprincipled.

Motion negatived.

FRUIT AND PLANT PROTECTION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 18 February. Page 2871.)

The Hon. M.K. MAYES (Minister of Agriculture): This Bill seeks to amend the Fruit and Plant Protection Act to include the definition of 'European wasp'. The position with European wasp has been looked at extensively throughout Australia by numerous Governments over many years. The European wasp was first identified in Australia—in particular, in Tasmania—in 1959. Subsequently it was located in Melbourne and Sydney in 1977 and 1978 respectively and was first identified in South Australia in 1978 in the areas of Stirling, Mount Gambier, Findon and Norwood.

The Governments of Tasmania, Victoria and New South Wales adopted eradication control programs that were

implemented without success. Each of those three States has reverted to a policy that has been adopted by this State Government—landholder responsibility with local government support.

I will reflect on what has occurred in this State. In 1984 the Government established a task force to seriously look at the matter of eradication and control of the European wasp and whether or not the issue could be addressed realistically. Specialist officers from the Departments of Agriculture, Local Government, Environment and Planning, the Health Commission and the Adelaide Museum were engaged in that study. The findings, based on data from interstate and overseas collected by that specialist committee, were that the wasp is a primary nuisance pest of minor horticultural importance and that, owing to the wide range and means of spread and wide occurrence in Victoria, New South Wales and other States, eradication was not feasible and control in South Australia was only feasible by active landholder participation.

As to Government involvement, it is felt very clearly by experts in the field as advised to Governments that control can be effective only by direct landholder activity. It is important to note that the Victorian Government, which initially embarked on an extensive eradication program from 1977 to 1987, has amended its control program and the original extensive eradication program has been abandoned. The Victorian Government has now reverted to the landholder activity program with local government involvement.

In regard to pear and grape production, the Departments of Agriculture in this country do not regard the European wasp as a major pest problem for orchardists. In regard to legislation the situation is quite clear: the Governments of New South Wales, Victoria and Tasmania have abandoned, owing to lack of landholder participation, the overall programs upon which they embarked.

To attempt such a strategy in South Australia in our belief (and in accordance with the advice of our officers) would be a waste of Government funds, and we believe that we can draw not only on interstate but also on overseas experience to come to that conclusion. The position we have adopted involves the support of the Local Government Department and local government throughout this State. We believe that the most effective way of controlling the European wasp is through landholder activity supported by technical advice from local councils, the Department of Agriculture and the Health Commission.

We believe that the European wasp should not be declared a pest under the legislation, particularly not under the Fruit and Plant Protection Act. We believe that it is regarded by the community on the whole as a nuisance pest, therefore eradication should not be embarked upon by departments of agriculture, in particular, because we believe that that would be an overreaction to the situation. In essence, I oppose the amendment, which would include the definition within the Fruit and Plant Protection Act.

Mr S.G. EVANS (Davenport): I have grave doubts about the proposition. I have European wasps on my property and they have not caused much of a problem, nor have I tried to find their nests. I think we all face a difficult problem with them, and if we make them a pest we may place a difficult burden upon some property holders. I am not opposing this, but I have grave doubts.

The Hon. D.C. WOTTON (Heysen): I condemn the Minister and the Government for the decision they have taken not to amend this piece of legislation, so declaring the European wasp a pest. We in this House are all aware, although very few people in the community realise, that funding from the Government to local government to assist in the eradication of this pest will cease in June of this year. As the Minister has indicated, it will then become the direct responsibility of the landowner. That will not happen. The landowner will not accept the responsibility in this matter, as has been the case in Victoria.

Last week I had the opportunity to speak to senior officers of the Department of Agriculture in Victoria. They are particularly concerned, and have said quite openly that if the Victorian Government had taken a much more positive stand in regard to legislation at an earlier stage, they would not be in the difficult situation in which they are now. The European wasp is widespread in Victoria and is causing considerable concern, both to residents and to the fruit-growing industry. I take this opportunity to warn all members that it will only be a matter of time before the European wasp becomes a very difficult problem in this State.

Some time ago we heard that the Government was lax—and it certainly was lax—in doing anything about millipedes. The Government wanted the argument to go away. We now know the problems that are being experienced, and that is only a nuisance factor but they are now being found all over the State. Concerning the European wasp, it is an extremely dangerous situation from which the Government is backing off. I condemn the Minister and the Government for not supporting this legislation.

Second reading negatived.

TRADE MEASUREMENTS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 8 February. Page 2873.)

Mr DUIGAN (Adelaide): When this Bill was introduced into the House by the Deputy Leader of the Opposition, he referred in particular to the circumstances of one of his constituents who wished to sell firewood, not as a principal economic activity but ancillary to other activities he was carrying on on his land. The Bill attempts to alter the Trade Measurements Act in order that there is no need for reference to a specific form of measurement, either mass or volume, when selling firewood, provided that an agreement has been reached between the purchaser and the seller.

The current Bill contains a reference to standards to ensure that the difficulties that had been previously encountered as a result of contractual arrangements between purchasers and sellers could be overcome. I refer to the second reading speech of February 1987 when the section that this Bill attempts to alter was first inserted:

> However, because of the high incidence of detected cases in which the effective price to the consumer per tonne of fuel sold is far higher than the ruling market price, the Government has decided that the existing exemptions which then applied ought not to continue and that in future coal or firewood should be sold strictly by mass.

This Bill provides for a return to the conditions that existed prior to the passage of that amendment late last year. It would be likely to place the consumer in an even less favourable position than was the case prior to that amendment being made. The person to whom the honourable member referred has a defence under the existing Act if the purchase of firewood is not his principal activity.

The reason for the Government's introducing the amendment in 1987 was to overcome the large number of complaints that had been made concerning firewood: there were

a large number of prosecutions—some 26 since 1982, in a very small industry. It was necessary to be able to ensure that consumers have some reference to a standard when purchasing firewood, and when the amendments were introduced in 1987 the Opposition spokesman supported the package. The system has worked effectively and there have been fewer consumer complaints. Therefore, I oppose the Bill.

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): Those arguments are quite specious. The fact is that there is a demand from people, who live in districts like the member for Adelaide's, who wish to drive into the country and who are perfectly happy to buy a trailer load of wood and strike a bargain with the vendor. What we have here is an example in the extreme of the 'nanny State'—that new and appropriate term that has been used in relation to the tobacco legislation. The fact is that the Government is decreeing that firewood must be bought by mass, by weight, irrespective of whether an agreement is made or otherwise.

As to the argument against it, I saw Mr Servin, head of the department, on television responding to this matter, and he said that he had sent some of his inspectors out to buy some wood and that they came back with it and claimed that it was under weight. So what? If a complaint is made and a fraudulent action is involved, the person responsible can be prosecuted. However, there is nothing wrong with a person saying that they want a trailer load of wood and that they are prepared to pay $20 for it. Some people do not want the minimum delivery of a tonne of wood from a wood yard, for $100. It may be that they do not have $100 in their pocket. I reject the argument that the only way one should be able to buy wood is by weight. The State is intruding too far in saying that that is the case. The Bill simply provides that if both parties are happy to strike a bargain, in writing, they are free to do so. I think it is a great pity that the Government is not supporting this Bill.

The House divided on the second reading:

Ayes (17)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker, Becker, Blacker, Eastick, M.J. Evans, S.G. Evans, Goldsworthy (teller), Gunn, Lewis, Meier, Olsen, Oswald, Peterson, and Wotton.

Noes (20)—Mrs Appleby, Messrs L.M.F. Arnold, Blevins, Crafter, De Laine, and Duigan (teller), Ms Gayler, Messrs Gregory, Groom, Hemmings, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Payne, Plunkett, Rann, Robertson, and Tyler.

Majority of 3 for the Noes.

Second reading thus negatived.

[Sitting suspended from 1.4 to 2 p.m.]

PETITION: RADIOACTIVE MATERIALS

A petition signed by 149 residents of South Australia praying that the House urge the Government to ban the storage of radioactive materials in residential areas was presented by the Hon. D.J. Hopgood.

Petition received.

PETITIONS: ANTI-SMOKING CAMPAIGNS

Petitions signed by 255 residents of South Australia praying that the House urge the Government not to increase taxes on tobacco products in order to fund anti-smoking campaigns were presented by Messrs Hemmings and Olsen.

Petitions received.

PETITION: CHILD PROTECTION

A petition signed by 25 residents of South Australia praying that the House urge the Government to establish a Royal Commission to examine all aspects of child protection was presented by Ms Lenehan.

Petition received.

QUESTION

The DEPUTY SPEAKER: I direct that the following answer to a question without notice be distributed and printed in *Hansard*.

NORWOOD YOUTH ACTIVITY CENTRE

In reply to the **Hon. JENNIFER CASHMORE** (3 December 1987).

The Hon. J.C. BANNON: Because it is a valuable existing service for the reasons referred to by the honourable member and is more related to the Education Department and the Children's Services Office than the Department for Community Welfare. It is not true that after June 1988 'no-one is willing to offer any funds at all'. The funding situation beyond then is under consideration in the context of the 1988-89 budget process.

PAPERS TABLED

The following papers were laid on the table:

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

Commissioner for Equal Opportunity Report, 1986-87. Ordered to be printed (Paper No. 109).

Local and District Criminal Courts Act 1926—Local Court Rules—Pleadings.

QUESTION TIME

SUBMARINE PROJECT

Mr OLSEN: My question is directed to the Minister of Labour. In view of the statement in Federal Parliament this afternoon by the Federal Industrial Relations Minister that moving the submarine project away from South Australia will remain a realistic possibility unless union attitudes in South Australia change considerably, and in view of the strong endorsement Mr Willis has again given to the three union agreement, will the Minister now ask the Trades and Labor Council to support that agreement without qualification so that the threat to the project can be removed immediately, or does the Minister believe that unions like the builders labourers and the painters and dockers should also have access to the project?

The Hon. FRANK BLEVINS: I, too, heard the question from the new member for Port Adeliade his maiden question in the Federal Parliament, and he did it very well. It is the start of a long and successful career. The Federal Minister, Mr Willis, stated clearly, as he did yesterday, that the Federal Government would have to assess its position if it was clear that the project at Port Adelaide would be

subjected to constant distruption. That was not a threat: it was a statement of fact. It is a statement of fact that is not new; it is something that anyone who had any understanding of the project at all has known for some considerable time.

I believe that the Federal Government has no option but to state that fact clearly to the unions in South Australia. Given that that is a fact, obviously this Government can face facts, can face reality, and does so constantly. We have stated quite clearly, both the Premier and myself today, that the Trades and Labor Council and the unions concerned have to realise that that is a fact and not a threat. That does not mean that we do not understand the quite justifiable anger that the trade unions in South Australia feel about the way they have been treated. I think that the Federal unions, the ACTU and the Australian Submarine Corporation have been less than sensitive in the way they have handled that agreement.

A significant selling point of South Australia's claim to build the submarines was our industrial relations record. This record was built up not by the ACTU, not by those Federal unions in particular, and not by the Submarine Corporation. That record was built up primarily by the United Trades and Labor Council. After having been lauded by all concerned, the Trades and Labor Council then was ignored in the industrial relations process. However, that is in the past. What I and the Premier have been saying to the Trades and Labor Council is that we understand that. However, it is water under the bridge.

It is a fact that the submarines will be built in South Australia only under the conditions laid down by the Submarine Corporation and the ACTU. That three-union agreement will be the basis of the industrial relations agreement for the site. It has already, at the request of the Australian Submarine Corporation, expanded to a five-union agreement, so things can change pretty quickly. The FCU and ADSTE have also been invited to take part in the project. Nevertheless, I believe that the unions here do accept that, at the end of the day, if they wish to build those submarines in South Australia, they will have to build them under those terms. We recognise that and we are encouraging them to do that. Also, the Australian Submarine Corporation has said that it wishes to talk to all the unions, every union that feels it has or may have some interest in working on the site.

For example, there is the Builders' Labourers Federation. I do not believe, and I do not think the BLF believes, that the Builders' Labourers Federation will have any involvement in building those submarines. It does not have traditional coverage in shipbuilding. However, until the nature of the assembly operation is spelt out to the Builders' Labourers Federation and 20-odd other unions, then obviously they will register an interest. I believe that at the end of the process that has been initiated by the Submarine Corporation, overwhelmingly the trade union movement or the individual unions will drop out of any request to be involved in the submarine site because, quite clearly, they will not have coverage for the work being done there.

I point out that approximately 300 people will be on the submarine site itself. That is probably only 10 per cent of the workforce that will be involved in South Australia in building the submarines. The remaining 90 per cent of the work will be built outside the Australian Submarine Corporation's complex by traditional unions in the traditional way. This Government makes it quite clear that the submarines will be built in South Australia, and that the so-called three-union agreement will form the basis of the agreement under which they are built. I repeat that I do understand the anger of the Trades and Labor Council.

About an hour ago, I heard the Leader of the Opposition say that over the past 50 years the Trades and Labor Council has built up in this country a record of industrial stability that is second to none. It deserved better treatment. However, it did not get it but I am sure that it will behave in the way in which unions in this State always behave: that is, when the agreement is finally signed, it will be adhered to. That has been the basis of our industrial strength here in South Australia.

I point out the difference between South Australian unions and those in Victoria, for example. There is currently a dispute in Victoria which is very similar to this one in that a three union agreement has been imposed on the Williamstown naval dockyard. The dockyard is closed, and no work at all is continuing. The place is picketed. That is the way the Victorian unions operate. I make no criticism of them; I just state it as a fact.

I ask members to look at the contrast in South Australia. Not one minute has been lost on the submarine site in Port Adelaide through industrial action—never mind an hour or a day. The only time that has been lost came about because Concrete Constructions, the principal contractor, acting on what I believe was very bad advice, delayed letting some contracts. Those contracts have now been let and work is proceeding as it has proceeded since the first day.

Mr D.S. Baker interjecting:

The Hon. FRANK BLEVINS: It has nothing to do with Ralph Willis, nothing at all.

Mr D.S. Baker: Do you want to bet that?

The Hon. FRANK BLEVINS: Yes, happily. When the contracts were let initially, members of the Builders Labourers Federation and the AWU, the two unions primarily concerned in the construction, went on the site, and they have never left it. That is in complete contrast to what is happening at the Williamstown dockyard in Victoria. It is a complex argument, but I hope that all members will agree with what the Leader of the Opposition said on air an hour ago and with what I am saying: this State owes a tremendous debt to the Trades and Labor Council. It has brought to this State a level of industrial stability and peace second to none. The unions were congratulated by the Leader of the Opposition, and I am very happy to join him in those congratulations.

SHOP TRADING HOURS

Mr KLUNDER: Can the Minister of Labour provide information to the House on the prospect of further changes to shopping hours in South Australia? It was reported in the media this week that the Retail Traders Association is to carry out further investigation into the pattern of trading hours that now exists in South Australia. The shop assistants union is also reported to be studying further possible changes to shopping hours in this State. Given the defeat of the Bill for extended shopping hours, I ask the Minister whether there is any chance of further change to shopping hours in the future.

The Hon. FRANK BLEVINS: At the end of the most recent debate on shop trading hours, I said that I did not want any more questions on this subject because they should all be directed to John Olsen because, for the moment, he has killed Saturday afternoon trading in this State. However, because the member for Todd is a well respected colleague, I will respond to his question. There is no doubt that the defeat of the Bill means that, for the moment, there will be

no general Saturday afternoon trading here in South Australia.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. FRANK BLEVINS: However, it is interesting to note already that Saturday afternoon trading will occur next Saturday at the Burnside shopping centre. Shopkeepers in the Burnside Village have asked for exemptions so that certain shops can open on Saturday afternoon to assist in a promotion. I am very happy to allow that to occur, but it is interesting that at one time they were against Saturday afternoon trading and now they are writing to me asking for permits.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. FRANK BLEVINS: According to one calculation over 1 000 shop assistants have been dismissed since the end of Saturday afternoon trading.

An honourable member interjecting:

The Hon. FRANK BLEVINS: No, not permanent shopping.

Mr Becker interjecting:

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

The Hon. FRANK BLEVINS: In the main, those shop assistants were young females and their only source of income was from those four hours a week.

Mr D.S. Baker interjecting:

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

Members interjecting:

The DEPUTY SPEAKER: Order! I ask the Minister to resume his seat. I have already called to order the honourable member for Hanson and the honourable member for Victoria. It is usual for a member so named to show respect and courtesy to both the Chair and the House. I ask that that tradition continue. The honourable Minister of Labour.

The Hon. FRANK BLEVINS: I think it is very sad that 1 000 young women have now lost their jobs as a result of the action of the Leader of the Opposition and his Party. Another thing that has clearly happened, and was always going to happen—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. FRANK BLEVINS: —is that people who unfortunately are compelled to shop on Saturday afternoons and Sundays at the moment will be forced to pay higher prices. The absence of competition in the retail grocery market on Saturday afternoons and Sundays will ensure that those people who do not have the option of shopping during the week will be forced to pay high prices. However, I think the most disturbing thing about the entire debate was the behaviour of the Leader of the Opposition.

I think the House is entitled to know just what the Leader of the Opposition has been saying outside compared to what he has said inside the Chamber. I have been advised that the Leader met with a group of retailers in February and advised them that he agreed completely with their case and that he agreed with Saturday afternoon trading. He, for political reasons, as he saw them, could not support their case at that time. He also said, 'When the heat is off after the next election—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. FRANK BLEVINS: —come back and see me and I will fix it up for you.'

Members interjecting:

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

The Hon. FRANK BLEVINS: That is the most blatant case of double speak I have ever heard; to suggest to the retailers that you believe in what they are attempting to do by injecting competition into the weekend grocery market while at the same time, for political reasons, telling them that you cannot assist at that time but will fix things up after the next election one way or the other. In this Chamber and in the letters that he has sent out to small businesses the Leader is saying quite the opposite. That can be described only as utter hypocrisy. The Leader of the Opposition has lost very heavily over this issue amongst the business community—both small and large retailers—of this State. Had he taken a principled stand one way or another, win or lose, at least he would gain the respect of people who understand what is going on. But if you try to sit on the fence and please both sides, if you tell a different tale to both sides, then in a small place like Adelaide you lose.

I expect that after the 19th of this month an agreement will be handed down in Victoria—a decision of the Victorian Industrial Commission—that will flow on nationally to make provision for payments for Saturday afternoon trading. All the other States, with the possible exception of Tasmania—and I am not quite sure what Tasmanians do—will have Saturday afternoon trading with an award that is structured specifically for it. We could have had it in this State if the Leader of the Opposition had allowed the Bill to pass. Even with a sunset clause or some other provision we could have had the decision handed down here, and Saturday afternoon trading would have come in with an appropriate award; but that was not to be.

Unfortunately, we will have the debate again. The issue will not go away. Also, what will not go away is the absolute hypocrisy that the Leader of the Opposition has shown over this issue.

SUBMARINE PROJECT

Mr OLSEN: I direct my question to the Minister of Labour, and on this occasion I hope that we get all fact and not fiction like the last response he gave to the House.

The DEPUTY SPEAKER: Order! Will the honourable Leader resume his seat. The honourable Leader must not include argument in his question, and I ask him to comply with Standing Orders.

Mr OLSEN: I thought that under Standing Orders one was able to indicate fact to the Chamber.

The DEPUTY SPEAKER: Order! I ask the honourable Leader to resume his seat. I put that to him in a way I thought was reasonable, and I would ask him to comply with Standing Orders and not introduce argument into the question. The honourable Leader.

Mr OLSEN: My question is directed to the Minister of Labour. Does he support the three union agreement—yes or no?

Members interjecting:

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

The Hon. FRANK BLEVINS: I am being advised by my colleagues to say that it is 'yes' and 'no'; but of course I do not prevaricate. The position is very clear. The submarines will be built in Australia—

Honourable members: 'Yes' or 'no'.

The DEPUTY SPEAKER: Order!

The Hon. FRANK BLEVINS: —under an agreement that is based on a three union agreement.

Mr Olsen interjecting:

The DEPUTY SPEAKER: Order!

The Hon. FRANK BLEVINS: Already, as I stated, it is now apparently a five union agreement—

Mr S.J. Baker interjecting:

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

The Hon. FRANK BLEVINS: —at the request of the submarine corporation. It may well be that during the negotiations the submarine corporation requested the individual unions. It may well be that some other unions are added. That is a matter for the parties and not a matter for this Government. We make perfectly clear that the Federal Government has the right, as the customer, to state how it wants those submarines built. If the Federal Government says that they will be built under a certain type of agreement, that is the reality that we (meaning the Government, the trade union movement, and everybody in South Australia) have to face—whether it is three unions, or already it is five, or whether some are added.

The Hon. P.B. Arnold interjecting:

The Hon. FRANK BLEVINS: Well, I don't know. That is up to the submarine corporation. It has already increased it to five.

The Hon. P.B. Arnold interjecting:

The Hon. FRANK BLEVINS: The member for Chaffey asks what kind of gun have we got at its head because it has increased the number to five. What has been said is that, obviously, the Metal Workers Union, the Electrical Trades Union and the Federated Ironworkers Association cannot supply clerks, supervisory staff, draftsmen, technical staff, etc., so the Submarine Corporation now has said it will be three unions plus two, so it is already five. In their negotiations with the trade union movement the corporation may wish to alter that, which is entirely up to it. We support the Federal Government's position.

We acknowledge its right to state how it wants its submarines built, and I am sure that at the end of the day when all the fuss has died down and the statements have been made, when all the press conferences have been given, the South Australian unionists will be working under an agreement that is acceptable to the Submarine Corporation, acceptable to the Federal Government, acceptable to the United Trades and Labor Council and acceptable to the ACTU.

HOME LOAN INTEREST RATES

Ms GAYLER: Can the Minister of Housing and Construction inform the House how much people paying off home loan mortgages are effectively saving per week as interest rates have fallen over the past year and can the Minister advise families feeling the pinch how they can best ease the constraints on the family budget to benefit from those falls in interest rates? Everyone paying off a home loan welcomes this series of falls in housing interest rates made recently by banks and other financial institutions.

Tea Tree Gully has the highest percentage of home ownership in Australia: 90.36 per cent of the population of Tea Tree Gully either own or are buying their own homes. That means that in Tea Tree Gully 46 000 people are paying off mortgages. Constituents finding it difficult to meet their household budget needs are asking for advice on how to take advantage of that fall in interest rates.

The Hon. T.H. HEMMINGS: The House will be well aware that partial deregulation occurred in this country in April 1986. Also, I think that most people are aware that building society interest rates peaked in May 1986 at 17 per cent for an average loan of $55 000. The Savings Bank rate in July 1987 was 15.5 per cent. More than half of existing bank loans are fixed at the pre-deregulation rate of 13.5 per cent. For ease of comparison I will talk about the savings since July 1987, when the interest rate for both bank and building societies was 15.5 per cent. The statistics which were used were based on an average loan to eligible first home buyers of $55 000 over 25 years.

Taking the State Bank first, in July 1987 that interest rate was 15.5 per cent and repayments per month were $725.86. In April 1988 the following rates apply on existing loans: for qualified first home buyers the State Bank sets an interest rate of 13 per cent for the first $40 000 and 13.5 per cent thereafter, so on an average loan of $55 000 there is a saving of $99.88 per month in repayments. In July 1987 the same rate and level of repayments applied to building society loans. In April 1988 the interest rate is 13.5 per cent on existing loans and repayments are $641.10 per month, meaning a saving of $84.76 per month. Summarising, people on deregulated loans are saving $23.07 per week if they have a loan through the State Bank and $19.58 with a building society loan.

With regard to the second part of the honourable member's question about protection, not all lending institutions reduce repayments as interest rates come down for the simple reason that the customer benefits in the long term; that is, the additional money paid comes off the principal, thereby reducing the term of the loan. However, people who are 'feeling the pinch' (to use the words of the member for Newland) should check with their lending institution to see if their repayments have been reduced in accordance with the lower interest rate. People who are still struggling in budgeting for their mortgage repayments should get in touch with the bank to pursue further assistance through one of the State Government's home assistance shemes. Mortgage relief through the Housing Trust is a further option to assist homebuyers in short-term difficulty.

SUBMARINE PROJECT

Mr OLSEN: Can the Minister of Labour say whether the South Australian Government will ask the Commonwealth to make the submarine project subject to the Commonwealth's Approved Defence Projects Protection Act to outlaw union boycotts? The specific Act to which I have referred can be applied to the submarine project simply by a decision of the Commonwealth to gazette the project as coming within its provisions. Such action would expose unions to significant penalties if they continued to interfere with the project.

The Hon. FRANK BLEVINS: No, the South Australian Government will not do that.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. FRANK BLEVINS: If the Federal Government feels that it wants to do that of its own volition, it is entirely up to the Federal Government to initiate it. Of course, there is no reason for it—none whatsoever—because the Federal Government is in the happy position of being able to have the submarines built in several States other than South Australia. There is no need for it to do anything with regard to any Act—draconian or otherwise.

It can simply take the project to Western Australia or New South Wales and the submarines will be built under the style of agreement that the Federal Government demands. So there is no reason for it to get silly over the issue. It has

all the cards now. What it has said as a statement of fact—not as a threat—is that, if necessary if there is any slippage in time on the preparation on the construction site, it will have the first submarine built entirely in Sweden.

As I hope all members in this House understand, the submarines will be built in six modules: two modules already will be built in Sweden and the other four modules will be built here in South Australia, with associated work in New South Wales and Victoria. It is a simple matter—

Mr S.J. Baker interjecting:

The DEPUTY SPEAKER: I call the member for Mitcham to order.

The Hon. FRANK BLEVINS: It is a very simple matter for the Federal Government to request Kockums to build the six modules—not the six submarines; clearly, you do not understand—in Sweden rather than only two. There is no reason at all for the Federal Government to do any of the nonsense suggested by the Leader of the Opposition. Certainly, we would not be encouraging it to do so. There are much easier ways.

SINGLETON ROAD BRIDGE

Mr ROBERTSON: Can the Minister of Transport advise whether or not the Singleton Road bridge at Kingston Park is under the care and control of Brighton City Council? According to Brighton city council's minutes, the Singleton Road bridge was closed to State Transport Authority road traffic some eight weeks ago because concrete debris from the bridge had begun to fall onto the railway track below. Following an examination by a consulting engineer, the council ordered the bridge closed to all vehicular traffic. Residents of Kingston Park, who were upset at having the major access point to their suburb closed, complained to Brighton city council and sought to know when the bridge would reopen. I am told that residents have been advised that council has no intention to reopen the bridge, and it has been put to me that council may have taken the decision to close the bridge as a form of retribution against the residents of Kingston Park who had lobbied so effectively against the Kingston Park marina.

The Hon. G.F. KENEALLY: I thank the honourable member for his question. He has me at a slight disadvantage as to the ownership of and responsibility for the bridge. But, certainly, to the best of my knowledge, the Singleton Road bridge at Kingston Park is under the care and ownership of the local council, and decisions relating to it are made by the council. If the council has concluded for reasons best known to itself that the bridge should remain closed, that is a decision for which it must take responsibility.

I would be saddened to believe that any local government authority would act in such a way as to force retribution on a sector of its electorate through that sector's acting, as they see, in a democratic way. I find allegations of such actions by the local government very difficult to believe and certainly even more difficult to accept. Having said that, I will certainly get a definitive reply for the honourable member on the Singleton Road bridge. However, I am absolutely certain that further investigation will prove that the bridge belongs to the council and that any action taken in regard to that bridge is purely the responsibility of the council. So, any criticisms should be directed to that council.

PLANNING ACT

The Hon. E.R. GOLDSWORTHY: On what grounds did the Minister for Environment and Planning ask Cabinet to invoke section 50 of the Planning Act on 10 March in order to prevent—

Members interjecting:

The Hon. E.R. GOLDSWORTHY: I can understand members opposite being a little sensitive about section 50—the subdivision of 261 allotments for residential housing at Burton? Within days of invoking the little-used section 50 of the Planning Act to assist the cause of the Minister of Agriculture in attempting to block the building of a small church in the street in which he lives, the Minister urged State Cabinet to invoke section 50 to prevent a housing development on Waterloo Corner Road, Burton. This was agreed to and was gazetted on 10 March.

This use of section 50 was requested by the Minister despite the fact that the developer, R. V. Jordan, in fact had approval from the Salisbury council to proceed with the development, and the Minister has documents, including the council's planning decision notification, which support it. The Premier has recently acknowledged that the use of section 50 was 'not appropriate' as applied by the Government in the case of the property in the Minister of Agriculture's street.

In this case, the Minister's actions have rendered totally useless a large area of land for low-cost housing and completely valueless as a long-term investment. Not only is this developer left overnight without an asset, but also members of the building industry as a whole are alarmed that the Government now views housing developments as coming within the scope of section 50.

The Hon. D.J. HOPGOOD: To be very specific in my answer, I point out that it occurred as a result of a deputation from the Salisbury City Council requesting that I proceed along those very lines. The Salisbury City Council is preparing a supplementary development plan for that area. It has also requested that, when the supplementary development plan is available, it should be brought into action by way of a section 43 proclamation. At this stage, it is not available.

It is wrong to suggest that any piece of land is valueless. It is always possible to get a planning approval in line with the particular zoning that is appropriate for that area. The attitude of the Salisbury City Council is that the zoning is not appropriate for that area, and that is the reason for taking up the supplementary development plan. I should be a little more general and point out to the House that I do not see the use of section 50 as being limited necessarily to those cases in which it is inevitable that a supplementary development plan will follow. Members seem to have regarded as quite unremarkable the use of section 50 to secure certain broad acres to the north and south of the city as part of the general staging strategy that the Government has adopted.

Nobody could seriously suggest that, where a person wanted to proceed with an ordinary land subdivision, in the light of that he should proceed with an environmental impact statement. Obviously, section 50 is used as a holding measure while other arrangements are brought down. I am surprised that nobody on the Opposition benches has asked me a question in the past few weeks about Craigburn because, in the light of an application by Minda for subdivision at Craigburn, I have recently invited His Excellency to place on it a section 50. That has occurred in order to get to the bargaining table with the developer or the putative developer so that certain things can be arranged. I make the point that the scale of development is clearly pertinent and it is—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. D.J. HOPGOOD: Well, if the Leader of the Opposition wants to get upset about Minda Incorporated, I must point out to him that there have been lengthy negotiations about the appropriate development of that land. Discussions were held during the time his own Party was in Government and dates back to the days when former Minister Hudson was the Minister responsible for planning. At the time, Minda indicated its desire to enter into a land management agreement for some of its land, the balance of which was subject to approval for subdivision. If that land management agreement had stuck, further debate would not have occurred. I can understand the circumstances in which Minda is looking at development.

I do not think that the general community would want this Government or any of the planning authorities to give approval in these circumstances. Similarly at Burton, where the noise cone of the Edinburgh Air Force base moves through that area, I do not think that anybody would think that the Government would be doing the community a service by giving approval at this stage. One uses whatever appropriate means are available in the Planning Act to be able to secure further discussion and negotiation and a more appropriate outcome. I believe that there will be a more appropriate outcome, which will not leave Mr Jordan, as it were, like a shag on a rock.

CRISIS ACCOMMODATION GRANTS

Mr DUIGAN: Can the Minister of Housing and Construction advise the House of the consequences of the recipients of grants for crisis accommodation projects for homeless people being unable to proceed with their projects? During 1987 the South Australian Government, through the Minister of Housing and Construction, announced grants of $1.25 million to go to projects providing accommodation for homeless persons. Of this, some $600 000 was to be allocated to crisis housing projects in the city of Adelaide. One recipient was the St John's shelter for homeless young men in Halifax Street which was to receive a grant of some $157 000. The financial assistance was to upgrade the facility that it has been operating for many years and to enable it to provide a better standard of accommodation and an improved quality of care.

More recently, on 2 April, a further $1.35 million for crisis housing projects was announced jointly by the Federal and State Housing Ministers. That allocation provided another $500 000 for projects in the city of Adelaide, including a further $100 000 for the St John's shelter for the development of a city based youth shelter. The St John's shelter is under the auspices of the Anglican Church and has its full support for the project.

Following receipt of the grants the shelter management committee made application to the City of Adelaide to proceed with the building and upgrading work. The application is currently before the planning and development committee for reconsideration of an earlier recommendation to full council that approval not be granted. The needs of youth in the city area, in particular the accommodation needs of young men, are extremely acute. Other grants provided to the Salvation Army, St Vincent de Paul, Baptist Mission, Daughters of Charity, Red Cross and St Lukes are testimony to the large demand for accommodation for the homeless. Should St John's not be able to proceed with its proposed upgrading because of an Adelaide City Council refusal to grant permission the main inner city agency dealing with young men and youths may be lost if the $257 000 allocation is not forthcoming.

The Hon. T.H. HEMMINGS: I thank the honourable member for his question. The sad part about it is that St John's might lose this money because it may have to be reallocated out of the City of Adelaide. I will be surprised if that occurs because the Government certainly wants to see the St John proposal succeed. I am sure that eventually the Adelaide City Council will further consider the proposal. I hope that its committed attitude to housing in Adelaide will prevail.

I am well aware that the member for Adelaide has pursued this matter. His involvement with the St John shelter is well known and he has kept me well-informed of its needs. In fact, I think it was as a result of his pursuing this matter that the money was allocated to the project. By the same token, the Adelaide City Council has taken a much higher profile in the housing area, and the involvement and support of the Lord Mayor, Steve Condous, is well known. In fact, only recently together we opened a joint venture project between the South Australian Housing Trust and the Adelaide City Council in Wright Street to provide low rental accommodation for the elderly. During the Festival of Arts he and the Lady Mayoress sponsored a charity reception with the proceeds being shared by the St John's shelter.

As the honourable member said, I am aware of the St John application and its progress through the council structure. I would like at this point to reiterate the position of the Government. The State Government wants the project to proceed; it supports the work of the St John shelter; it has had no adverse reports on its operation or its management; St John's has operated in the area successfully for years without complaint. It provides crisis accommodation for young people, including 12 to 16 year olds. An inner city location is important: many young people are in the inner city without transport when they require crisis accommodation. If it does not go ahead, it would be very expensive to establish an alternative and a substantial contribution from the Anglican Church would be required. I conclude where I began: the funds have been provided for a specific program run by a well-known and highly respected organisation providing a service to the extremely needy and deserving group in our community.

PLANNING ACT

The Hon. P.B. ARNOLD: My question is directed to the Minister for Environment and Planning, and is further to the question asked by the Deputy Leader. Why has the Government invoked section 50 of the Planning Act in regard to the R.V. Jordan Development at Burton, when some 3 000 allotments have already been subdivided or approval has been given for future subdivision in exactly the same noise exposure forecast zone?

The Minister has used section 50 to prevent the subdivision of 261 allotments by R.V. Jordan. However, the Minister must be aware that other developers (including A.V. Jennings, L.J. Hooker, Hickinbotham, and Pioneer Homes) have been given approval for subdivision and that a substantial number of homes have in fact been commenced by individual private owners in exactly the same zone.

The Hon. D.J. HOPGOOD: That is a little bit like asking why the Government is wasting its time inoculating people against bubonic plague when two million have already got it. Surely you stop the rot when you can. Those earlier subdivisions go back—

Members interjecting:

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

The Hon. D.J. HOPGOOD: I will give chapter and verse for the honourable member and the House. Some of those earlier approvals, as I understand it, were approvals that were obtained through the courts, and there is very little that the ordinary planning system can do about a matter which then gets to the courts by way of appeal. Certain of them were drawn to my attention at a time when it simply was not possible for the Government to act, and some of them occurred under the time of the previous Government.

Nobody is suggesting that Mr Jordan will not be able to subdivide his property. What people are suggesting is that the form and substance of subdivision, which is currently contemplated and which would be allowed technically under the present planning regime, is not appropriate given the presence of the noise zone in that particular area, and it should be possible to negotiate something which is more appropriate.

I reiterate the fact that mistakes have been made in the past, for whatever reason (and generally decisions of the courts have brought this about), but that does not mean we should not do what we can to ameliorate the position, otherwise we will get into a situation where, for all the good reasons, people are placed in that area to live. Then, they live with noise for a long time and cause all sorts of social problems because of it, incessantly complaining to their local council and their local member who can do nothing about it at all once they are there.

SOLIDRY

Mr GREGORY: Will the Minister for Environment and Planning ask his department to investigate the use of a chemical compound called Solidry, which is used as an anti-erosion compound in national parks. An article published in the *New Scientist* of 12 November 1987 states:

A chemical compound, called Solidry, developed in Sweden could solve the increasing erosion of footpaths by the remorseless tramp of hikers' rubber-soled boots ... spread along 350 metres of the long-distance footpath. The trampled width was 20 metres with a completely bare width of 4 metres ... has created a path 2 metres wide through the boggy area. Vegetation is beginning to return to the boggy areas on either side ... binds soil particles and produces a flexible surface on which plants can grow and which looks like 'ordinary' peat.

The Hon. D.J. HOPGOOD: The short answer is 'Yes'. Like the honourable member, I am an avid reader of *New Scientist*, and I happened to glance at this article in the library several days ago. Nonetheless, I do not have a great deal of information for the honourable member or the House at this stage. I believe that about three different methods have been tried from time to time in this State, and not necessarily in national parks.

ICI has experimented with calcium chloride. There is the so-called Dutch mix, which involves mixing concrete with soil to consolidate pathways, and also crushed marl—calcium carbonate in one of its forms, at least—has been used in trials from time to time. In any event, I shall be pleased to have the matter investigated to see whether it gives us a more permanent treatment for pathways in national parks.

GLENELG TRAM

Mr OSWALD: Will the Minister of Transport reveal the major changes to be made to public transport services next month and, in particular, will he explain how they will affect the Glenelg tram service? Confidential STA documents that were made public last July revealed plans by the authority for major service changes to be implemented in May 1988. Last year's review of the STA's performance by P.A. Consulting Services also recommended service rationalisation, and a long-term business plan for the authority that has been in the hands of the Minister since January is understood to have contained specific proposals relating to future services.

I have been informed that some of these proposals have now received the approval of the Minister and they include the following changes to the Glenelg tram service, namely, peak hour trams to run every 15 minutes instead of every eight minutes at present; off peak trams to be cut from one every 15 minutes to one every half hour; and the express tram service to be discontinued.

The Hon. G.F. KENEALLY: The honourable member will have to wait until the decisions are made public by the State Transport Authority, but I can advise—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. G.F. KENEALLY: —the honourable member and the House that to try to run scurrilous furphies around the place about services will not do him or anyone else any good. He obviously has his facts wrong once again.

TAFE STAFF

Ms LENEHAN: Will the Minister of Employment and Further Education give a report on the outcome of representations made to him by the Noarlunga TAFE College Council and I, requesting that the two contract lecturers in commercial studies be made permanent? Concern has been expressed by the Noarlunga TAFE College Council that two senior lecturers in commercial studies have been on the staff for the past five years as contract teachers, and the council believes that they should be made permanent.

The Hon. LYNN ARNOLD: The honourable member has been making representations on this matter, and the situation is that the college council was concerned for two reasons: first, the commercial studies discipline at Noarlunga had a higher than average rate of temporary staff compared to similar faculties in other colleges and, secondly, the fact that the three about whom they initially wrote—who are now two because one has been transferred elsewhere—have been on temporary employment for quite some time. This Government has reduced the level of temporary employment in the department by conversion to permanency, and has a very good record for that.

It reduced it from the very high rate pertaining under the previous Liberal Government to about 7 per cent about 18 months ago. However, given the vagaries of Commonwealth funding situations, other funding of special programs for the State and the general purpose TAFE funding that we receive, there has been some need to increase the flexibility of staffing at this time. Consequently, the level of temporary employment among the State funded positions has gone up and is presently 13 per cent. It is not a satisfactory situation but it has been designed to give us the maximum flexibility in what have been very tight financial times. Of all Commonwealth funded positions, 77 per cent are temporary. The situation with respect to Noarlunga is that of the Commonwealth funded staff, six are temporary and two permanent, while 12 temporary and 46 permanent staff are funded by State funds.

The Commercial Studies Faculty there has a higher than average rate of temporaries compared to other Commercial Studies Faculties, and for that reason I have approved today

the conversion of those two positions to permanent. The other reasons would equally have been valid in ordinary circumstances, namely, their length of service in an area of ongoing activity, but it is not really a ground that I can use at this stage, given our broad need in the whole State to maintain flexibility not knowing what may, for example, will bring to us in terms of the financial resources available to the department.

PLANNING ACT

Mr S.J. BAKER: When the Minister for Environment and Planning—at the request of the Salisbury council—urged State Cabinet to invoke section 50 of the Planning Act to prevent the development at Burton, was he aware that the Salisbury council had an interest in part of the land owned by R. V. Jordan, and that the council was in fact close to completing negotiations to purchase that land?

The Hon. D.J. HOPGOOD: No.

NEIGHBOURHOOD WATCH

Mr De LAINE: Is the Minister of Emergency Services aware of a potential complacency problem within Neighbourhood Watch areas? If he is, does the Police Force have a strategy to combat the problem? During a recent visit to Melbourne, I found that in at least one very successful Neighbourhood Watch area a resident complacency problem had emerged. Because the Neighbourhood Watch initiative had been so successful in this particular area, the crime rate had dropped to virtually zero. Local residents began to become complacent and relaxed their vigilance, saying that they had overcome the area's problems, but within a short space of time the crime rate in the area began to climb again.

The Hon. D.J. HOPGOOD: I thank the honourable member for his question, and I have a little information about Neighbourhood Watch here. There are now 86 Neighbourhood Watch areas at an average of 600 homes per area in South Australia currently established. Seven of those are in major country towns. There are 117 areas waiting to be launched. That is, 117 neighbourhoods have submitted petitions showing community interest within the group. Valid statistics will not be available until areas complete a 12 to 18 month comparison period. Reliable figures indicate that Statewide reported crime is up, but that the Neighbourhood Watch area average rate is down about 4 per cent. Some areas show outstanding successes, for example, Semaphore down 77 per cent, Ingle Farm down 63 per cent and Salisbury North down 54 per cent.

The South Australian Police Department is aware of a complacent attitude displayed by some members of the community in successful Neighbourhood Watch areas following a reduction of crime in that area. It has been referred to as the 'plateau effect' and has been discussed at length by police and the Neighbourhood Watch Executive and district committees. The Executive Committee of the Neighbourhood Watch Association has formed a subcommittee named the PIT group—Program Innovators Team—and its task is to monitor the complacency and initiate measures to overcome it. Already it has a series of actions planned to assist in this regard. In summary, the problem stated is known to police, is anticipated, and positive steps are being taken to minimise it.

PERSONAL EXPLANATION: TROTTING CONTROL BOARD

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

Leave granted.

Mr INGERSON: When speaking to my motion last Thursday, 7 April, concerning the Trotting Control Board, I was reported in several instances at page 3894 of *Hansard* as having quoted from a document when in fact the quotations in question were intended as my own comments. I have now submitted the relevant corrections, to be incorporated in the *Hansard* annual volume.

SITTINGS AND BUSINESS

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

That the House at its rising adjourn until Tuesday 17 May at 2 p.m.

In speaking to this motion I am conscious that we are in the last day of the current session, and I think that the House of Assembly has been able to demonstrate that it is able to despatch business very effectively indeed. The number of late sittings has been kept to a minimum and a good deal of legislative work has progressed.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. D.J. HOPGOOD: It is clear that the new Standing Orders and the arrangement that exists between the Deputy Leader of the Opposition and me have been very successful indeed. That success has been possible only because of the cooperation of members. It is true, of course, that this week we are sitting rather longer hours than is our wont. All I would want to say on that is that, the sooner the members of another place adopt the Standing Orders and arrangements that we have here, the better.

It is always difficult to be able to schedule business between two Houses, particularly when there seems to be a lower degree of predictability in that other place as to the outcome of its business. I would certainly hope that eventually the arrangement that we have in this place is one that can be undertaken in another place. I would take the opportunity of, first, wishing all members a productive period out of Parliament until the next session begins. Of course some members are much busier out of session than they are in session, but it is an opportunity for people to have that more prolonged contact with their local electorates and all the many other things which are perhaps less obvious to the general community—but which are part of our responsibilities—than are the duties that we have to undertake in this place.

Also, I place on record our appreciation as members for the work of the staff of Parliament House, the Clerks, the Attendants and the people involved in the catering areas, the Library and in many of the support services. I want to take this opportunity of just briefly referring to three people. First, I refer to Norm Strickland, who has been one of the caretakers here for five or six years. He is retiring and we would want to place on record our appreciation of his services to this place over the years and the very friendly and cooperative attitude that he has always displayed and adopted towards members.

Also, I want to refer to Marjorie Burns from the Library who, of course, was farewelled from this place not so long ago. Marjorie had been employed as a librarian from 3

April 1967 and she retired on 30 March this year. In 1979 she was appointed Assistant Parliamentary Librarian. In 1984 she assumed the position of Associate Parliamentary Librarian (Technical Services). Miss Burns worked in the traditional library fields of cataloguing and reference work. She had a particular responsibility for showing visitors through the library. She was also active in the Library Association of Australia. We thank her for her many years of active service to the Parliament through the Library.

It is also that we farewell Joy Hunter from the *Hansard* staff who officially retired as a Senior Reporter on 3 January this year but, because of the present difficulty in recruiting *Hansard* reporters, agreed to continue with *Hansard* on a casual basis for the autumn session. Mrs Hunter's first association with *Hansard* was as a typist in this establishment in 1950. In the ensuing years she worked in New Zealand as a Court Reporter and then as a *Hansard* Reporter, being one of the first two women reporters appointed to the New Zealand staff.

She returned to Australia in 1964 to take up a reporting position with the Reporting Branch of the Commonwealth Attorney-General's Department. In 1969 she joined the South Australian Public Service as an Industrial Court Reporter, and in the following year was appointed as the first woman *Hansard* Reporter in this State. She has exhibited obviously outstanding ability as a reporter and her extensive knowledge of reporting in various jurisdictions has of course been a considerable boon to our reporting staff. We wish her well in her retirement. In commending this motion to members we look forward to the next session and resuming the deliberations on those matters of State that come before us.

Mr OLSEN (Leader of the Opposition): I have pleasure in seconding the proposition of the Deputy Premier. I endorse the remarks that he has made, particularly in relation to members of staff, for whatever function they may carry out within the precincts of Parliament House for the servicing of Parliament itself. In particular, as to those who are retiring and those who are taking on other endeavours, I wish them well and thank them for the service they have given to this Parliament and to its individual members.

From time to time, we do require a lot from staff in this place, particularly in session, and more particularly at the end of a session. During my period in this Parliament, and more particularly as Leader, I have found the staff from the various sections always willing, obliging and helpful in the fulfilment of our duty within the parliamentary arena. For that reason, it gives me pleasure to second the motion and wish well those who have retired or are about to retire.

I would like to add one other person to the list to which the Deputy Premier referred, and I refer to a colleague of mine in another place, the Hon. Murray Hill. Today is his last sitting day in the Parliament. He is the 'father of the Parliament', having given well in excess of 20 years service to the Parliament and the people of South Australia, and I would like to acknowledge that contribution by Murray Hill. Having served as a Minister in two Governments—the Hall Government and the Tonkin Government—he was not afraid to undertake pioneering legislation. He also applied a dedication, an enthusiasm and untiring effort to the discharge of his duties as a member of Parliament and, in particular, as a Minister. I wish Murray and Eunice Hill all the best, and trust that they will have good health and a long, happy and successful period in retirement.

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): I want to endorse briefly the remarks of the Leader and particularly pay tribute to Murray Hill, who is retiring. I also endorse what the Deputy Premier said in that at last we have found a way of running this place in a reasonably civilised fashion. I do not think it will ever be entirely civilised—not on one side of the House, anyway. Nonetheless, I pay tribute to the degree of cooperation which we have now established and I pay tribute to the Whips who seem to me to do their part of this deal with a reasonable degree of success.

I also pay tribute to the backbench members of this place, particularly on my side of the House, who have certain constraints placed on them as a result of these arrangements. There has been a great deal of forbearance, and I think everybody has benefited as a result of that. I hope that that can continue in the future.

The DEPUTY SPEAKER: The honourable member for Alexandra.

Members interjecting:

The DEPUTY SPEAKER: Order!

Members interjecting:

The DEPUTY SPEAKER: Order! I call the House to order. The honourable member for Alexandra.

The Hon. TED CHAPMAN (Alexandra): I rise to support the motion that has been addressed by the Leader and the Deputy Leader on this side of the House. In doing so, I endorse their kind references to those who have serviced the Parliament and those who will not be here after this session. I also want to say that, during this session of the South Australian Parliament, I have experienced some difficulties in moving around and, indeed, in applying myself to the various duties of the House. In doing so, I record my appreciation to those who have been on occasions, when required to be, cooperative and considerate.

It is pretty unusual for someone from the Opposition to give a bouquet to the Government, because not very often is it deserved, but without naming any Minister or member in particular on the other side, there are a few among the Government's ranks who have really gone out of their way to make life more comfortable for me and, indeed, with some consideration for other members of my family during this rather difficult session that we have experienced. In that context, I believe it is worthy of recognition. As to the rest of the staff who service this Chamber, I record also my appreciation for their efforts in that line of cooperation.

Mr S.G. EVANS (Davenport): I support the motion.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr S.G. EVANS: I express my thanks to those who are leaving the Parliament, whether they be elected members or those who have served in a position on the staff, whether it be *Hansard* or the Caretaker. I appreciate the help that has been here along the way. I am sorry that I do not support the view that the Deputy Leader expressed in relation to the new arrangement. I know that—

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr S.G. EVANS: I realise that the Government finds it a great idea, as do those of us who want to go home early, but I just want to record it now so that, when the Government of this day and their colleagues of the future are on this side, they and the press will then learn that the new arrangement we have had has been the greatest soul-destroyer of the effectiveness of an Opposition. I have been here long enough to see that happen, and it is one of the greatest constraints—

Members interjecting:

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

Mr S.G. EVANS: It is one of the greatest constraints and difficulties that an Opposition faces, and it will even get worse in the future. I just offer the warning now so that, when members of the current Government are on this side, they accept that today they recognised it as a great idea. Tomorrow they will have a different point of view.

The DEPUTY SPEAKER: I take the opportunity on behalf of all the staff and the other people mentioned by the Deputy Premier, the Leader and other speakers, to say thank you for their very kind words. I will make sure that this piece of the *Hansard* is circulated to all those people mentioned during the course of this debate.

Motion carried.

ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendment:

Page 6, lines 6 to 35 (clause 5)—Leave out proposed new section 41.

Consideration in Committee.

The Hon. R.G. PAYNE: I move:

That the Legislative Council's amendment be disagreed to.

The amendment that has been sent back to this House requires the deletion of new section 41 from the Bill. If that were the case, then the action proposed in new section 41 would confer on ETSA limited civil liability for property damage or loss caused by bushfires as strictly defined in clause 3 of the Bill, and only then relating to bushfires starting on a day and in a region in which conditions of an extreme fire danger exist. This will be certified by the Country Fire Services Board, which is a separate body. We are probably attempting to legislate, on average, for between six and 17 occasions in a year when the fire conditions on such days, either State-wide or in a region, are such that they would be reminiscent of, for example, Ash Wednesday in 1983.

The arguments for and against this measure were canvassed in the earlier debate and I do not propose to go over them. I have set out what the amendment from the other place removes from the Bill. It is a very important part of the Bill, which was considered by this Chamber, voted upon and passed. Accordingly, I ask the Committee to support my motion to disagree with the amendment.

The Hon. E.R. GOLDSWORTHY: I will not go over the well ploughed ground again except to say that the Opposition cannot support the Minister's stance. This is a rehash of what transpired in the select committee, where Liberal members sought to have the clause deleted because we did not believe that immunity should be afforded to ETSA if, through its negligence, it started a bushfire. The problem only arises on days with Ash Wednesday conditions, where there is potential for a great deal of damage to occur. I see no point in prolonging the debate, except to say that, when the Bill was debated in this place, we on this side of the House sought to achieve what the other place has achieved. The Opposition supports the amendment.

Motion carried.

The following reason for disagreement was adopted:

Because the amendment negates the purpose of the Bill.

FIREARMS ACT AMENDMENT BILL (1988)

The Hon. D.J. HOPGOOD (Chief Secretary): I move:

That the time for bringing up the report of the select committee on the Bill be extended until the first day of the next session and that the committee have power to sit during the recess.

Motion carried.

STANDING ORDERS COMMITTEE REPORT

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

That the report of the Standing Orders Committee be endorsed and adopted.

The Standing Orders Committee report tabled on 29 March proposes amendments to only two Standing Orders. Standing Order 26 is amended so that if Mr Speaker should leave the Chamber for any reason the Chairman of Committees is not obliged to take the Chair if he or she is in the Chamber but may exercise the normal right to take part in debate, notwithstanding the Speaker's temporary absence. At the conclusion of the contribution, the Chairman will still be required to take the Chair. This is a minor amendment to facilitate the right of the Chairman of Committees to speak in the House, and I recommend that the House endorse it.

The second amendment, to Standing Order 171, seeks to provide for the unlikely situation where a member is named if we have proceeded to the adjournment debate. In that circumstance, a suspension on the first occasion in a session is a virtual non-event and the committee apparently felt that it needed to be tightened up to provide for any such suspension to be an effective one by including the next day of sitting. At the same time, exclusion of a member who is suspended from 'rooms set apart for the use of members' seems a little unfair since it applies only to rooms under the control of Mr Speaker and not to other areas such as the dining and refreshment rooms, Library, Legislative Council and the like. I understand that the committee felt that, on balance, the only sanction that is necessary is for exclusion from the House and its galleries.

Both amendments have the Government's support as improvements for the more effective running of the House. The committee also indicates that it has nearly completed its lengthy review of all Standing Orders and hopes to report later this year. That being the case, its suggestion that the Standing Orders be expressed in plain and simple language is eminently sensible and I recommend that the House endorse that principle.

The Hon. B.C. EASTICK (Light): I accept the recommendations that have been made by the Deputy Premier. However, I would not want anyone within the precincts of the Parliament or any member of Parliament to believe that all that the Standing Orders Committee has achieved in the past four to five years are the two recommendations that have been made to the House on this occasion. The Standing Orders Committee has been considering a number of necessary alterations to the Standing Orders and has accepted that the two measures that are currently before the House, while not urgent, are reasonable under the circumstances and could well be introduced from the first day of the new session.

The first recommendation in relation to the provision for Mr Deputy Speaker to speak in the House other than in the presence of the Speaker makes a concession that has never applied in this House previously but is one that appears to be completely reasonable, as long as there is no attempt, in the action taken by either the present incumbent or subsequent incumbents, to edge a little further as time goes by.

I say that because I have found it necessary to draw to the attention of certain officers in the current Parliament the requirements of the Standing Orders. I say no more than that. If we have a book of instruction or a set of rules, we should apply them fairly and squarely. To try to get around the edges or make concessions in one direction will lead inevitably to people taking advantage in another direction.

One might question whether it is sinful for a Minister in charge of a Bill to have more than two advisers in addition to Parliamentary Counsel in the Chamber. On occasions, Ministers have had as many as three and four advisers and it has been necessary to quietly advise them that the concession that was given by the House some years ago was given within limits for a purpose and that the opportunity exists for other observers to sit in the Speaker's Gallery in close proximity to the action and it is possible for the Minister to take additional advice from them should it be necessary. On one occasion involving a very complicated piece of legislation which cut across three main areas, the House was asked to give and gave the opportunity for three advisers to be in the precincts of the Chamber, notwithstanding the usual interpretation of Standing Orders. Under such circumstances, the House would be responsible and do the same again on any of the Standing Orders where, for purposes of procedure or convenience to the House—not a Minister—such convenience was required under those special circumstances.

I make those points in relation to this further concession. I would not want the position to arise where the Deputy Speaker took the opportunity to remain in the House or contribute by way of interjection or other means by virtue of the concession granted by the House (and, of course, I do not point to any particular Deputy Speaker). We should accept that when a Deputy Speaker is not in charge of the House he is no different to other members and, from time to time, they have performed as other members are wont to do. That being the case, I think that what is now being offered is procedurally sound at a time when the Presiding Officers, and in this particular case the Speaker, have additional administrative responsibilities directly associated with the new Joint Parliamentary Authority. Therefore, I ask members to accept the provision.

In relation to the second provision, from time to time situations have arisen whereby members have been excused from attendance in the House because of their behaviour. Fortunately, it does not occur frequently, and in many cases it occurs as a result of a misunderstanding.

The Hon. G.F. Keneally interjecting:

The Hon. B.C. EASTICK: I do not think that I am giving away any secrets when I inform the House that the Minister of Transport told me that I was correct on that occasion, that I was more than tolerant and it should have happened earlier in the afternoon. I think that we both understood one another. The Minister draws my attention to the realism of the circumstances which prevailed on that particular afternoon. From time to time a situation will arise when there is provocative behaviour from one side of the House or the other and for a whole host of reasons there will be non acceptance of an interpretation by the Chair.

In fact, during the adjournment debate members of both persuasions have sought, from time to time, to take a liberty which would not occur under normal circumstances at other times. It really is a nonsense for members to use the adjournment debate to do things that they would not normally do simply because they know that they would be disadvantaged for only 30 minutes. Some members have reservations about this matter. For example, a view was expressed during the discussions that this period of disadvantage be extended beyond the session or indeed beyond the Parliament. In other words, a member who on the last day of a session or on the last day of a Parliament was stood aside for good reason would fulfil the balance of the penalty on the first day of the new session or the new Parliament.

However, commonsense prevailed and it was accepted that the first day of a new Parliament in particular is a special event, even given the set of circumstances which might have occurred on the final day of the previous Parliament. However, if a member decided to play up on the first day a series of events would be set in motion, which members will recognise if they look at Standing Orders: it is three days on the second occasion and 11 days on the third. Very rarely do we see a suspension extended beyond the sitting day on which it occurs.

I hope that very few members suffer as a result of the alterations which are now offered to the House. Under all the circumstances I believe that they are worthwhile. I draw attention to the fact that the Standing Orders are the possession of the House. If the recommendations, which I believe will be supported by the House, prove to contain faults or difficulties, I have no doubt that the House will address itself to them on another occasion and will either revert to the previous position or decide on some other variation.

I should not leave the subject without saying that I believe that in the foreseeable future members will see a complete rewrite of Standing Orders. I accept that the Government, at the request of the Standing Orders Committee, has assisted by providing for a better presentation of Standing Orders in plain English without being cloaked in some of the verbiage that we have had to put up with in the past.

I regret that, unfortunately, there is no unanimity of thought in relation to Standing Orders 124 and 125, and particularly in respect to Standing Order 125 which suggests that a Minister should heed the limitations placed on every other member of the House, and that when responding to a question he or she should have more control so that there is a more productive and less fractious Question Time. That is beyond the scope of the measure now before us, but I draw attention to it. As we show goodwill and a spirit of cooperation in respect to this matter I hope that commonsense will prevail and other variations on practices which do nothing for the management or business of the House will be considered in the forthcoming rewrite of Standing Orders.

Mr S.G. EVANS (Davenport): I do not support the report as it stands. In the first place, I am not thrilled about the position with respect to an acting Presiding Officer when the Deputy Speaker wishes to contribute to debate, but I am prepared to accept it. The Speaker and the Deputy Speaker are paid a substantial amount of money and receive certain benefits to carry out their administrative responsibilities, and so on. I will not describe it, but the benefit received by the Speaker, whether monetary or in another form, is quite substantial. However, there are some disadvantages associated with that extra responsibility, and we should all respect that. I am not saying that at some time in the past I did not want to become Speaker. However, it is not a job over which I hold any petty jealousy towards those members who have held that office over the years.

When we start to alter Standing Orders so that the Speaker can perform administrative work and the Deputy Speaker can contribute to debate while another member is in the Chair—and I am not referring to the current Presiding Officers—you immediately leave the door open for a tend-

ency to be lackadaisical. The Speaker may have some office work to do, which means that his Deputy will take the Chair; but the Deputy may wish to contribute to debate so another member will have to take the Chair. It is a different situation if we are in Committee because any member can take the Chair at that time.

As I said, I am not thrilled with this provision. I am prepared to see what happens and see whether there is any abuse and, if that occurs and I am still around, I will raise this matter again. The second provision worries me. It relates to a member who misbehaves during the adjournment debate and is named. They are suspended from the House for what is left of the adjournment debate and for the whole of the next day. But if I chose at 11.10 p.m. last night to misbehave and had been suspended I would only have been suspended for the rest of that day's sitting, which was 10 minutes or so. In other words, if you pick the right moment you are only suspended for a short time.

I had in mind an amendment that a member would be suspended for the rest of that day plus the whole of the next day, but that is unreasonable if someone is suspended during Question Time on the Tuesday or Wednesday of a normal sitting week (10.30 p.m. finish) because they would then be stood down for about seven hours on the day they are suspended and the whole of the next day. I thought that the only fair way was for a member to be suspended for a certain number of hours.

The reason for this change is that a member might deliberately offend at a particular time, say, in the adjournment debate, and we want to see them pay a reasonable penalty. Because timing is involved, I thought that we should ensure that whoever is suspended on the first occasion gets the same penalty in relation to time, and my suggested amendment is that that time be seven hours. If a member is suspended at 3 p.m. on a normal sitting day, that member would be suspended for that day plus one hour the next day. Another point is whether we put more priority on Question Time than on normal debates, but that cannot be considered because a member's presence in the House is just as important during both times. If the seven hours applies and a person is suspended within the last hour of a Wednesday evening and Thursday sittings go until 5.30 p.m., then that person should also be suspended for part of the next day's sitting—the next Tuesday. I see nothing wrong with that because the penalty is the same—a member is penalised seven hours.

I do not know why the Standing Orders Committee did not consider a time period. The paragraph under consideration provides that if a member offends during the adjournment debate they will be suspended for the whole of the next day's sitting, but if they are suspended when Parliament is operating beyond normal sitting times the suspension will only last for the rest of that sitting time, which could be five or 10 minutes, or six hours.

I accept that some members might think that Question Time is important, and that under the seven hour rule if a member is suspended late on the Wednesday for the whole of the next day which does not make up seven hours it will include part of the next Tuesday (or whatever). Is that an unreasonable proposition? The amount of hours a member is suspended is identical. Surely, if we are trying to make Standing Orders fair, we should accept that proposition (or maybe another amount of hours).

I also have a concern about how Standing Orders are changed. The member for Light said that this House has control of Standing Orders. That is true to a point. In fact, the governing party has control of Standing Orders. On this occasion the majority of members on both sides of the House agree with the report, so it is fair to say that Parliament, in the main, supports it—I might be the odd man out. However, it is not true to say that Parliament has control of Standing Orders because, in practical terms, the Government of the day has control of Standing Orders. Numbers have been used by Governments in the past to change Standing Orders to the benefit of the ruling Party and not to the benefit of the Opposition Parties.

In the end, if we are to have reasonable Standing Orders—members from both sides of politics who are prepared to be fair and reasonable in their drafting—something like 75 per cent of members must support the change. If that occurred we would be saying, politics aside, that we believe that this is the place where points of view are debated and questioned to the benefit of society and that we believe that rules in this place should be fair.

Standing Orders 124 and 125 provide that the Minister cannot debate an answer. We should forget about what the ruling Parties have allowed to occur through various Speakers over the years. Members say that they want to change to fit in with modern times and with a more progressive and fair society. If we believe that, we should do it. If Standing Orders said that I had no more than two minutes to ask a question, and that a Minister had no more than four minutes to answer it, and if that Minister wanted to expound on it, he has an opportunity at any time to seek leave to make a ministerial statement.

I am hurt that we are so ruthless and vicious in our move for power, in our desire to use power as a political philosophy that we cannot see reason and commonsense. One day there might be a group of fair-minded men and women in this Parliament who believe that Standing Orders should be fair. At present if anyone wants to change Standing Orders a majority of members have to be in favour—something like 75 per cent. Any person outside this place, regardless of their political philosophy, would accept that argument if we put it to them. Returning to the suspension of a member, I believe that by tying it to an adjournment debate at the end of the day is grossly unfair and unreasonable.

I believe that what I am suggesting is fair to all. I am not trying to make it softer on anyone. In fact, if we adopt this report it will be harsher in future on those who offend near the end of a sitting night when there is no adjournment debate and the House has gone past the normal sitting time. To those who offend during the adjournment debate the penalty will be harsher than under the present Standing Orders. It will not be quite as harsh as suggested in the report, but it will be identical to the penalty applying to those who offend near the end of the sitting night when we sit past the normal sitting time. I move:

That the proposed new Standing Order 171 be amended by leaving out the words 'remainder of the days sitting. If such suspension be incurred by an offence committed after the time for the commencement of the adjournment debate, the suspension shall also apply for the whole of the next day's sitting.' and insert the words 'next seven sitting hours'.

This amendment provides that a member who offends on the first occasion is given a suspension over the next seven sitting hours, regardless of when that member commits the offence.

Mr LEWIS (Murray-Mallee): I do not know whether my remarks must be restricted to the amendment.

The ACTING SPEAKER (Hon. H. Allison): The honourable member can speak to the amendment and the motion.

Mr LEWIS: It is not normal procedure at the moment as we are not in Committee. I understand that the House

is formally debating the substantive motion before the Chair. It is an interesting situation, somewhat similar to that which prevails during private members time on any Thursday. Notwithstanding that, I wish to make three points. First, I applaud this kind of approach to any change which is to be made to the way in which the House conducts itself rather than the alternatives that have been tried and used from time to time. This kind of approach ensures two things: first, that all members, regardless of their position and status, are able to make a reasoned contribution according to their inclination, on any matter where a change to Standing Orders is considered. Secondly, in the process of doing so once the vote is taken, whether decided on the voices or by a division, in the event that the amendment is agreed to all members will know what the new Standing Order entails in terms of conduct and behaviour.

Thirdly, if we use this method instead of the alternative, members in the future will not be subjected to the kind of indignity and injustice to which I still consider myself subjected by the majority vote of this House. I do not question the integrity of that vote; I just question its wisdom, when the change was made according to the way in which the House conducted its business, depending on who could be here during the proceedings. This occurred without any members knowing that a change was to be made and, when the change was made, there was no attempt to explain the reason for the change.

The unprecedented step was taken in this Chamber when a stranger was allowed to take a place on the floor of the Chamber. That had never happened in the history of this Chamber's operation, yet the then Minister (the same honourable gentleman who is now Minister of Labour) chose in the early days of his arrival in this House to bring his personal adviser onto the floor of the Chamber to a place where no adviser had been able to go before, in the same way as he had in the other place. I thought that was both unwise and undesirable.

It would have been better if the Standing Orders Committee had first considered such a change, thus avoiding the embarrassment of other members and myself on noticing the presence of a stranger out of the precincts of the box set aside at that time for ministerial advisers. It would also have saved me from having to illustrate to the Government that it could not use its numbers in such a way as to make changes or threaten to make changes with complete arrogance and indifference to the existence of a Standing Orders Committee.

We have a Standing Orders Committee and always have had since I have been a member of this place and, although that committee had not been convened for years, it should have been convened, and the change in question should have been made after the due deliberation of that committee and its recommendation to this Chamber, unlike the way in which it was done.

The next point I wish to make is in support of the remarks of the member for Davenport, relating to the way in which a Government (without consultation or a meeting of the Standing Orders Committee making any recommendation) can, if it wishes, still use its numbers to change the Standing Orders of the House. It can also use its numbers to change procedures by simply preventing the Opposition from having a substantive motion, disagreeing with the ruling of a presiding officer, where that ruling differs from the perceptions of how business was previously or should continue to be conducted.

That is bad. I do not think that the Government should be allowed to exercise its numbers in the naked application of the power it has to make the Parliament more of a rubber stamp for that Government's decision-making approach to the conduct of business in the Parliament, otherwise we bring Parliament into further contempt in the eyes of the public. That happens to an increasing degree these days, and it worries me enormously.

I want to go a bit further on that point than the member for Davenport and say that it does not so much require the proportion of total members in this place before a substantive change to Standing Orders can be made: a percentage greater than 50, I understood the member for Davenport to mean when he said 75 per cent, because the Government of the day could have 75 per cent of the seats in this place.

As it stands at present, 75 per cent plus 1 would be 36 seats, which would give the Government that kind of majority. I believe that no change to Standing Orders ought to be made at any time unless and until we have not only an absolute majority of members voting in favour of any change but also at least, say, five from each side of the Chamber supporting the change. That would ensure that no matter how many members were members of a Party, or a coalition of Parties comprising the Government, there would have to be a significant number of members on the other side of the House supporting the proposition.

Turning to the third and final substantive comment that I wish to make about these proposed changes in particular, I have some apprehension about the change to Standing Order 26. I will go along with it to see how well it works, notwithstanding that apprehension. I can see that there could be circumstances in which it is legitimate for the Chairman of Committees to be able to contribute to the debate in the absence of the Speaker. To use this proposed amendment to Standing Order 26 for anything other than that purpose would be to abuse the intention of the change at this time. To that extent I concur in what the member for Davenport has said, and we will see how it works.

As to the proposed change to Standing Order 171, I have the same kind of apprehensions that the member for Davenport expressed, but those apprehensions are balanced on the other hand with those I have about misdemeanours committed by members in dishonourable conduct during the course of the adjournment debate now. That about balances out now. Although I read the proposed amendment to Standing Order 171 with interest, having given it my diligent consideration I cannot support it, because I believe it is too draconian. For instance, a member could be suspended in the way that I was, say, by drawing attention to something that a Government Minister had done outside the normal procedures of conduct of the House, thereby compelling the Government to support the Minister's action. If that happened today—I beg all members to pay attention to this point—if we adjourn in the next six hours, under the proposed change that the member for Davenport would have us adopt, I would be denied the opportunity to participate at the opening of Parliament in July or August, or whenever it is.

Mr S.G. Evans: You should realise that.

Mr LEWIS: I am telling the member for Davenport that, whilst I might realise it, I do not believe it legitimate for a member to make a protest of this kind, as it might be contrived. That has been known to happen before, and I say that without reflecting on any instance in which a member has been suspended. Certainly, members of this Chamber in a particular case have told me that they were suspended on a 'bum' rap.

Members interjecting:

Mr LEWIS: Okay, there are as many innocent men in gaol, if you listened to them, as there are convicted crimi-

nals. Indeed, for every convicted criminal there is an innocent man.

Members interjecting:

Mr LEWIS: I am saying to the Minister that he knows as well as I know that circumstances can prevail in the Chamber where the Government will use its numbers to suspend a particular member of the Opposition on what appears to be a legitimate, arguable case but which is really contrived. In those circumstances, on the last day of sitting the suspended member is denied access to the opening day. That would be bad enough, but let us say it happened in other circumstances where the Government of the day knew what was coming up tomorrow and did not want a particular member in the Chamber. Again, it could use this device; the Presiding Officer would call into question that alleged behaviour of the member whose presence was not wanted in the Chamber the following day, name the member and have the member tossed out in a contrived fashion. That would worry me. I have to tell the member for Davenport that I do not think we have given enough thought to the concern which he raises and which in some part I share. We have not given enough thought yet to the proposal that he has put to us in amending this proposed change to Standing Order 171 in the way that he wishes.

In my judgment it will not achieve what he seeks without unduly penalising those who may be less at fault, if at fault at all, but who nonetheless suffer the ultimate punishment that can be imposed on a member for misdemeanours in this place, that is, being named and suspended from the service of the House.

I will go along with the proposed amendment, notwithstanding that I share the concern of the member for Davenport that to have a member guilty of any misdemeanour suspended purely for the last three minutes before the adjournment debate just for the duration of that debate is to my mind less of a penalty than the penalty now proposed under the change to Standing Order 171 than will arise for misconduct three minutes later, after the adjournment debate has commenced.

So, there is still a bit to do. In the meantime, to stop petty misbehaviour occurring during the adjournment debate—not that we have had any that warrants anyone being suspended—I can accept that there is wisdom in supporting the proposition to amend Standing Order 171. Therefore, I will be supporting the recommended change and not the amendment of the member for Davenport.

Mr BLACKER (Flinders): I support the first part of the Standing Orders Committee's report, although I take on board the member for Davenport's comments about what changes could eventually take place. I say that we should give it a try, but beware that it may not work. The reason I participate in the debate relates to the recommendation of the Standing Orders Committee, as follows:

> If such suspension be incurred by an offence committed after the time for the commencement of the adjournment debate, the suspension shall also apply for the whole of the next day's sitting.

This opens a can of worms, and Parliament should be considering what we are discussing and its implications. I speak on this matter because I recall, when the Liberal Party was in Government and the Labor Party was in Opposition, we had a heated debate on a Tuesday in which the member for Playford was suspended from the sittings of the House. I wish the honourable member could contribute to the debate and hope that somebody goes to look for him. During that debate—and I just forget the Bill that was being discussed, but it was one of a legal nature, one on which the member for Playford was probably the best versed person in the House—

Mr Peterson interjecting:

Mr BLACKER: —on that occasion, and to that end, having been suspended from the sittings of the House on the Tuesday afternoon, there followed a marathon sitting which extended all through Tuesday night, all Wednesday and the actual Tuesday sitting finished at 12.30 a.m. Thursday.

Because the member for Playford was suspended on the Tuesday afternoon, and as it was still effectively the Tuesday debate, he could not re-enter Parliament until the Thursday afternoon, when the Thursday session commenced. That was the ultimate of penalties, I guess, for being suspended for the remainder of the sitting day. If one checks the record, they will see that there is no actual Wednesday sitting for that week.

If that event was put to the motion that is presently before the House, we have a similar effect. I share the view of the member for Davenport that we should set a time limit, but even that has its problems. However, I still believe that it is a better proposition than the one before us. The problem as I see it is that if in fact someone was suspended for seven sitting hours at this time of the session, and there happened to be an election forthcoming and that member was re-elected, he would not be able to attend his own swearing-in ceremony—

Members interjecting:

Mr BLACKER: Assuming there is the provision that a member can only be suspended within that parliamentary session—

Mr Lewis: Because he is not a member during the election.

Mr BLACKER: We have a debate, Sir, and it is something to which nobody seems to be able to provide an answer at this moment. I just raise the issue because I think it is a further complicating factor and one that the Standing Orders Committee should take on board. The amendment as proposed by the member for Davenport deletes the words 'the remainder of the sitting day' and the proposed additional words, 'If such suspension be incurred by an offence committed after the time for the commencement of the adjournment debate, the suspension shall also apply for the whole of the next sitting day.' It is suggested that those words be replaced by the words, 'the next seven sitting hours.'

There would then not be the importance, whether it be an advantage or disadvantage, placed on the length of time of sitting or the penalty that that individual would incur. If a member was suspended he or she would know that that suspension was for seven hours of sitting, whereas at the moment, a suspension may be only for half an hour if it occurred immediately prior to the adjournment debate. If the suspension occurred after the commencement of the adjournment debate, then the penalty would be one full day of sitting. That is an irregularity which is not covered by this proposal. I believe that what the member for Davenport has proposed is fair and reasonable. Irrespective of the time at which the member is suspended and irrespective of the time of the day the suspension occurs, the suspension is for seven sitting hours, and that is the only fair way to go.

We have moved away from the original Standing Order when the period of suspension was at the discretion of the House. That variation from the Standing Orders came about when a member of this Chamber abused the privileges and quite deliberately had himself suspended from the sittings. He used that for political advantage and was able to highlight an issue by protesting in this House, getting on the wrong side of the Speaker, being named and subsequently

suspended. He then went outside and spoke to the media, saying what a great job he had done. He had fought the issue, even to the extent of being suspended from the sitting of the House. That is why Standing Orders were changed to provide a suspension of one sitting day for a first offence, three sitting days for a second offence, and 11 sitting days for a third offence during one parliamentary session.

Mr S.G. Evans interjecting:

Mr BLACKER: The member for Davenport suggests that if you are suspended during the last hour, you are suspended for the whole of the next day. I will conclude my comments at that point. There are problems, irrespective of which way the House determines it at this time, and it is something that needs to be considered in its totality.

The Hon. D.J. HOPGOOD (Deputy Premier): I thank members for their contributions. In bringing this motion before the Chamber, I was acting as a conduit from the Standing Orders Committee. It seems to me that the two very specific recommendations included in the report are unremarkable and appear generally to have attracted the support of members. The debate has tended, therefore, to centre around the motion of the member for Davenport, seconded by the member for Flinders. There is no gainsaying that they are on to something, that it grabs a kernel of something we should be considering. However, we have seen enough from the debate to feel that perhaps the Chamber is not in the mood today, without further consideration, to endorse the amendment.

In these matters, since we have a Standing Orders Committee, it is always more desirable that such propositions for change should be processed through that committee so that it can in turn put a considered point of view before the House. In addition, I remind members—and the member for Light also spent some time on this in his contribution—that we will be receiving a much more comprehensive report from the Standing Orders Committee in relation to the comprehensive rewrite of its contents, and there is really no reason why the committee could not embody this principle, or something like it, if it attracts the support of the committee in that substantial rewrite.

In the circumstances, although I appreciate the constructive role that the mover and seconder of the amendment are endeavouring to play here, I believe I have a responsibility to recommend to the House that it reject the amendment and proceed to endorse the report, but on the understanding that the Standing Orders Committee can pick up the suggestion. Indeed, the two members can initiate that with the Standing Orders Committee. I commend the motion to the House.

The House divided on the amendment:

Ayes (2)—Messrs Blacker and S.G. Evans (teller).

Noes (35)—Mr Allison, Mrs Appleby, Messrs L.M.F. Arnold, P.B. Arnold, D.S. Baker, S.J. Baker, Becker, Blevins, Crafter, De Laine, Duigan, Eastick, and M.J. Evans, Ms Gayler, Messrs Gregory, Groom, Gunn, Hemmings, Hopgood (teller), Keneally, and Klunder, Ms Lenehan, Messrs Lewis, Mayes, Meier, Olsen, Oswald, Payne, Peterson, Plunkett, Rann, Robertson, Slater, Tyler, and Wotton.

Majority of 33 for the Noes.

Amendment thus negatived; motion carried.

LOCAL GOVERNMENT FINANCE AUTHORITY ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 7 April. Page 3911.)

The Hon. B.C. EASTICK (Light): The Opposition supports the measure that is before the House. It is one of simple proportions and seeks to increase the period for appointment of the trustees from one year to two years. It also allows for a variation in respect of the method of appointment. It will be done not by vote on the floor of the annual general meeting but by postal vote. Having been present at the annual general meeting of the authority, I know that this motion was discussed and supported at the meeting and I believe that it will add a little bit of finesse to the authority's activities and is supportable in every sense.

I take this opportunity to draw attention to the fact that the Local Government Finance Authority is a success story, and a success story for a variety of reasons. First, it was created after a task force set up by the Local Government Association and other people from within the industry gave consideration to the measure. Discussions with the Government indicated an element of interest and support for the measure, and the matter was sold by direct representation to the Opposition prior to its being considered by Parliament. In other words, it went through a thorough consultative process. Undoubtedly, the Government had questions and the then Minister of Local Government (Hon. Terry Hemmings) indicated the bases upon which the Government would proceed to give effect to the measures that the task force had referred to it. From discussions with the Leader of the Opposition and me, and through subsequent discussions by us with our colleagues, which resulted in a message to the Local Government Association support group, minor variations were made that have improved the ability of the organisation to function.

The authority commenced operations in early 1984 and, from the first annual report presented in 1985, I read the charter, as follows:

> The main functions of the authority are to develop and implement investment and borrowing programs for the benefit of councils and prescribed local government bodies and to engage in such other activities relating to the finances of those organisations as are contemplated by the Act or approved by the Minister.

Under the same heading in that report but under the heading 'Guarantee' in the 1987 report, the following appears:

> In accordance with the Act the liabilities of the authority in respect of all borrowings of the authority (including moneys accepted on deposit from local authorities) are guaranteed by the Treasurer of South Australia.

That situation still prevails. There has been useful dialogue between the Treasurer and his representatives and the organisation; in fact, the Treasury is represented on the board by Mr P.J. Emery. The report describes its objectives, as follows:

> Accordingly, the authority's objective is to satisfy the charter and to achieve a growth rate which will permit a regular bonus payment back to those councils who utilise the service.

Once again that has been achieved. Indeed, the report also states:

> The response from councils has been ... the pool of funds invested for councils growing steadily from $14 million in July 1984 to a peak of $65 million in January 1985 and running down to just over $33 million as at balance date. The average council deposits level was $39 million for the year and this exceeded our estimate of $30 million. The number of councils who used our deposit facilities during the year reached 101 (81 per cent) and, in addition, the Local Government Association, the Council Purchasing Authority Pty Ltd, regional organisations, certain community hospitals, Pest Plant Control Boards and some other local government connected organisations have availed of the investment facilities.

It is interesting to note that to balance date 1987 there is an indication in the report of the Chairman, Mr Brian E. Anders (who has been Chairman since its inception), as follows:

The authority continued to dominate the business of providing debenture loans to councils by again achieving a market share of around 90 per cent. Percentage levels of council deposits held are not available but we were delighted to reach a new peak of $130.1 million in December 1986 with an average level for the full year of just over $88 million. Many thanks to all those councils who gave us their full cooperation towards reaching those record figures. It is appropriate to mention that the proposed allocation of Grants Commission Funds from the Commonwealth Government on a quarterly basis will have a detrimental effect on our average deposit level in the future.

I introduce that final comment from the Chairman only to illustrate that it will be unfortunate, but I believe that it will occur, that the figures in the future will not be quite as good as they have been in the past.

The other very interesting aspect of the existence of the organisation is the bonuses that have been available to participating councils. One of the first amounts to be distributed was $300 000, while the report for the 1987 financial year records a profit of $2.8 million and indicates that the board allocated $400 000 for distribution from profits as a bonus payment to those councils and local government bodies concerned. That is additional funding for community services, and it is laudible. In fact, it is a true indication of the local government industry servicing its own needs and benefiting as a result. If the local government industry benefits, so does the community at large.

In the 1987 annual report there is pictorial evidence of where some of the Local Government Finance Authority Funds have been distributed. Indeed, it indicates that assistance was given to the City of Munno Para to finance the construction of its new library, and subsequently the construction of its new council chambers. It also shows that the District Council of Port Elliot and Goolwa received support for a number of recent projects, including the purchase of an Acco tandem compactor used for garbage collection. The City of Elizabeth, having run into difficulties associated with the completion of its swimming pool or aquadome, also obtained funds from this source and it is now very much a functional facility for not just the city of Elizabeth but the northern areas.

A roadworks program for the Marion City Council was financed from the Local Government Finance Authority, and it was extended to include the construction and maintenance of footpaths and bicycle tracks. There is also pictorial evidence in the annual report of funding having been taken up by the District Council of Minlaton to assist the Port Vincent Tourist Association to construct a new amenities and storage complex at the local caravan park. We also find that the Onkaparinga District Council and the District Council of Mount Pleasant have new facilities funded from the same source. There is also the new 40-bed Nerrilda Nursing Home for the City of Port Augusta (the home of the Minister of Transport).

I point out that the funds generated from this source have been readily available and utilised for the benefit of the community. While there was a source of funding from normal institutions in the past to assist local government to provide for the community, accessibility to it was not always as available as has generally been the case with the Local Government Finance Authority. Indeed, from time to time banking institutions have had either a drought of funds and therefore have not been able to assist local government or they have forced it to obtain funding from a number of sources.

It is a fairly messy way to fund projects when a series of debentures and different lending institutions are involved. The new system has been very workable and has certainly had the support of both sides of the House. I am delighted to give my approval to the Bill and to place on record my sincere wish that the benefit of the Local Government Finance Authority to the local government industry will in future be every bit as good as it has been in the past.

The Hon. G.F. KENEALLY (Minister of Transport): I thank the honourable member and the Opposition for their support of this measure, and commend it to the House.

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

STATUTES AMENDMENT (CONSENT TO MEDICAL AND DENTAL PROCEDURES AND MENTAL HEALTH) BILL

Adjourned debate on second reading.

(Continued from 12 April. Page 4032.)

Mr BECKER (Hanson): The dental profession has been concerned for some time about the consent to routine treatment of intellectually disabled patients and, as a result, has sought this amendment to ensure that dental practitioners have the same protection as medical practitioners in this regard. I, too, have been concerned after visiting various institutions in this State at the condition of some residents' teeth. Unfortunately, these residents are prone to accidents and I have always been worried that perhaps they might not be receiving proper medical and/or dental treatment. In many cases these people may come under the Guardianship Board or be wards of the State, but I do not believe that they should be denied first-class dental treatment, particularly in cases of emergency.

The dental profession did not seek amendments to this legislation in relation to emergency treatment as it believed that the common law defence of necessity covered them. However, in drafting the Bill the Government saw fit to cover the emergency situation. On coming home after periods of being away I have received accounts for up to $400 and $500 worth of dental treatment for a member of my family, and I can understand what it is like for some families, in particular, intellectually disabled people in institutions, to not be able to afford that type of treatment.

I accept and appreciate that the dental profession wants to protect itself from the decisions it makes and wants to be able to act in the case of emergency. I hope that the profession will not only take our acceptance and support of this legislation in the manner in which we have presented it to the Parliament but also that it will do all it can, within reasonable costs, to ensure that all citizens of the State are given the best dental treatment (whether they be a ward of the State, come under the Guardianship Board, or whatever). The fact that a person is intellectually disabled should not mean anything; there should be no grounds for discrimination. We support the legislation.

The Hon. G.F. KENEALLY (Minister of Transport): I thank the member for Hanson and the Opposition for their support of this important measure. It brings consistency to an area where previously inconsistency prevailed so that the medical and dental professions now have a clearer understanding of what can be done to assist in emergency situations where treatment is required for children under the age of 16 years. I ask the House to support the second reading.

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

EVIDENCE ACT AMENDMENT BILL (No. 2) (1988)

Adjourned debate on second reading.
(Continued from 12 April. Page 4029.)

Mr S.J. BAKER (Mitcham): This Bill amends the Evidence Act to allow evidence to be taken more simply in overseas courts. Present provisions allow for this process, and the Bill simply tidies up some of those arrangements. If members wish to look at the full ramifications of the Bill, then I refer them to the debate in another place.

Mr S.G. EVANS (Davenport): I realise that some time ago an attempt was made to get some uniformity in relation to taking evidence in this State, having evidence taken in another State on our behalf, or taking evidence in this State on behalf of a country, such as New Zealand. New section 59d and the amendments also carry an obligation with respect to section 69 (which concerns the suppression of evidence).

The Federal Parliament has just passed a law so that cases can be heard against alleged war criminals in relation to a conflict that occurred 40 or more years ago, and this provision might be a part of that overall process—although it is unlikely. It is more likely that the Federal Act, when it is finally gazetted, will be used.

There is concern with this Act, whether it be in relation to section 59d (the taking of evidence) or in relation to section 69 (the court not suppressing certain evidence). I believe that we need to further look at those important parts of the Act, such as courts ruling that a person is in contempt of court in relation to matters likely to identify an alleged offender.

I believe that we should change that and that we as a Parliament should realise that until a person is found guilty he or she should not be placed in a position where sections of society may consider them guilty or disadvantage them or their families because of something which is published to identify them. Section 59 *(d)*, which we are amending, gives the court an opportunity to hear evidence against people who may have offended in another part of the world, whereas in the past we could not have heard that evidence. If section 69 provides that nothing should be published to identify a person so that it would be an offence against our Act to do that within this State, I do not believe—and the Minister handling this Bill, who has a legal background, can correct me on this—that it would stop some organisation publishing that person's name in the country or State where that person resides or where the offence is alleged to have occurred.

I believe that if we take the evidence under section 59 *(d)* of our Act and the court rules that the person cannot be identified, that only applies in this State, because I do not believe that the other States or New Zealand or any other country to whom the Attorney may give the authority for at least part of a case to be heard here would be bound by that suppression order. If this has not been looked at, I believe that the Attorney should take it back to the Attorneys-General meeting on the basis that we either all need to agree that there can be some suppression to apply overall (and they all put it in their Acts) or there is no suppression in that area.

That is something I do not believe has been looked at. I believe that section 69 of our own Act should be changed. To say that no alleged offenders name, address, occupation, sex, colour, or creed or anything likely to identify him or her can be published until that person is found guilty. I believe that strongly. I believe that section 69 has a bearing on section 59 *(d)*, dealing with taking evidence, and if we believe in justice we should attack that area. Many years ago before television and even before wireless, if a person was tainted in a town for allegedly committing an offence but subsequently being found innocent, that person could move to other parts of the country or the world or attempt a fresh start without the bone being pointed.

I do not believe that that is the case in these times of modern communications, in particular when the news media get a thrill out of people taking evidence under section 59 *(d)* as we are amending now and then going out and telling the world that Mary Jane or Bill Harry have been charged with a very serious offence, to find subsequently that it is not proven. It is not only the individual who suffers but also his family as well. He could have a child nearing completion of a tertiary exam and it could affect the child's whole future. The child could be mentally and traumatically destroyed to the extent where he or she fails.

The person involved may be working in the teaching profession or somewhere where it is totally unacceptable for society for that person to be considered guilty. In looking at 59 *(d)* we also need to look at section 69 and, in particular, whether 59 *(d)* is in agreement with the other States and countries that the suppression of identification or the holding of evidence is struck in one State or country it should apply to all of those who have entered into this reciprocal arrangement about transfer of powers to hear evidence in relation to accused persons.

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

That the time for moving the adjournment of the House be extended beyond 5 p.m.

Motion carried.

The Hon. G.J. CRAFTER (Minister of Education): I thank members for their support for this legislation, although the implications of it are important, as the member for Davenport has pointed out. This has substantial implications, although I believe that the interpretations the honourable member has placed may not be entirely correct. First, he has referred to The Hague convention. That convention has not yet been ratified by the Australian Government although I understand discussions are taking place. It certainly has been a recommendation of the Standing Committee of Attorneys-General that that convention be ratified.

However, the legislation we have before us is not dependent on that ratification. A South Australian court can now request a foreign court to take evidence on its behalf. In the absence of something like the Imperial Foreign Tribunals Evidence Act or a convention, a foreign court has no obligation to take evidence but, provided it has the necessary procedures in place, it may accede to that request. When the convention is ratified, State parties to the convention will be obliged to facilitate the taking of evidence for use in South Australian courts.

It should be noted, and I think the member for Davenport referred to alleged criminal activities, that The Hague convention applies only to civil and commercial proceedings. So far as criminal proceedings are concerned, the Australian Government is negotiating Mutual Assistance in Criminal Matters Treaties which, once in place, will oblige the signatories to facilitate the taking of evidence for use in criminal proceedings in South Australian courts.

So the Australian Government is proposing to ratify The Hague convention and is proceeding with the negotiations to which I have referred with respect to criminal matters. On the question of whether complimentary Federal legis-

lation will be required following any ratification, the answer is 'No'. Existing Imperial legislation and the rules of court made thereunder in all jurisdictions make adequate provision for the taking of evidence within Australia. The Commonwealth, however, intends to legislate so that for Commonwealth courts the matter will be governed by Commonwealth law and not Imperial law, as will all other States and Territories.

With respect to the matter of suppression that the honourable member raised, under the law at present, as I understand it, orders are only valid within the jurisdiction of the competent courts that bring down those orders, and that has obviously proved to be inadequate within Australia given the method of communications that we have, particularly by way of television and the print media, where reporting of information has been suppressed in one jurisdiction and that reporting has taken place outside the jurisdiction but it is obviously accessible to those within the jurisdiction. The point the honourable member raises I will most certainly pass on to my colleague in another place for him to consider the matter, to the extent that it is possible within the ambit of the law.

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

WORKMEN'S LIENS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 12 April. Page 4030.)

Mr S.J. BAKER (Mitcham): This is a relatively small measure and will be treated accordingly in the debate. The Bill updates the law concerning workmen's liens. Members would understand that workmen's liens have been around for a long time. They were placed within the ambit of the law to enable those people who worked on properties to secure their wages and the materials that they spent on property. It was a nefarious habit in days gone by for certain owners of property to engage workers and then not pay or reimburse them for the money they spent.

The Act was promulgated to protect the interests of the workers concerned for the labour they had expended, and this Bill simply updates the means of ensuring those interests by allowing the Supreme Court to make certain rules. The Opposition supports the measure although one question will be asked in Committee.

Mr S.G. EVANS (Davenport): I support the Bill but I warn members and people who may be moving into the lien area that they will be leaner if they do so, because we are taking out some stated monetary charges that exist in the old Act and bringing in the modern practice whereby the Government of the day can decide what charges and fees will prevail.

If members look at the present Government's immediate past activities, they will see that it has not hesitated to increase fees dramatically. By supporting this measure, we provide the opportunity for the Government to immediately increase fees by hundreds of per cent. That is inevitable, because the Act refers to sums such as 20c and 50c and similar fees that applied in the past. In supporting the updating of the Act, we are giving the Government—whichever it may be (the present Government has given a good example of how to make money)—the opportunity of introducing another method of backdoor taxation.

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for its support of the measure. I note the comments of the member for Davenport and I disagree with them. The Attorney-General, in another place, indicated in debate that this Bill is the subject of consideration by his office, and the question of whether it should be generally updated is now under active consideration.

Bill read a second time.

In Committee.

Clauses 1 to 9 passed.

Cl 10—'Repeal of section 28.'

Mr S.J. BAKER: Should we have in the statutes an ordering of the priorities of liens? The Minister will remember that in previous debates we have secured interests in a particular way: for example, in a recent debate we talked about motor vehicles and we included in the Motor Vehicle Registration Act some mention of the way in which people who had an interest in a car would be dealt with under the law. Certainly, in a number of other Acts where there have been encumbrances, liens or some form of interest specified against goods there has been a proposition in the Bills involving an ordering process. By repealing section 28, we leave the courts to decide how liens should be dealt with under court rules. Can the Minister explain why it has been left to the courts to determine rather than being within the statutes dealing with this matter?

The Hon. G.J. CRAFTER: I am at a loss to understand the point the member makes in respect of priorities. As I understand it, this provision deals with the consolidation of actions. The provisions are in greater detail in the general rules of court, and I do not think it is a matter of dealing with the priorities that take place with respect to liens to which the honourable member is referring. If there is some further information that the honourable member is seeking, I will attempt to ascertain it for him in due course.

Mr S.J. BAKER: Under existing section 28, if a worker had a number of liens over a property, they could be consolidated under this section. When people are dealing with bad debts or bankruptcies, a priority is given to taxation and wages. Consideration is given as to which debtor shall receive first priority. By the process of consolidation, we do set priorities within the system. The Minister can take the matter on notice to see if there is likely to be any change in the way section 28 operates now as compared to how it will operate if the court determines its own rules.

Clause passed.

Remaining clauses (11 to 14) and title passed.

Bill read a third time and passed.

ELECTRICAL PRODUCTS BILL

Adjourned debate on second reading.

(Continued from 7 April. Page 3909).

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): The Opposition supports this Bill, which incorporates two distinctive features. One is to start to institute a system of energy labelling designed to give consumers some indication of the electrical usage in that appliance and, in the first instance, that will apply to refrigerators and freezers. That is a measure which the Liberal Party has supported for some years, so we have no quarrel with that idea. From the inquiries that I have made, if the system introduced is to be identical with that of the Eastern States, there will be no problem.

I have checked with a couple of major manufacturers, and the only point they raised with me is that the labels which will be required in South Australia on fridges and freezers will be the same as those required in Victoria and

New South Wales. It seems to me that the Minister would have ensured that that was the case anyway, because our products go into those States and their products come here. So, we certainly support that. The idea of energy labelling will, in the fullness of time, I guess, be extended to other appliances as deemed appropriate.

The other feature of the Bill is all about safety testing of electrical equipment. Some of the provisions in other legislation are now being incorporated in this Electrical Products Bill. It is essential that the Government and its instrumentality ETSA be convinced of the safety of electrical equipment, appliances and machines available for use by the public. Nobody for a moment could quarrel with that idea, and ETSA has been charged with the responsibility of testing electrical equipment in the past. It has been put that maybe some independent authority should be charged with testing electrical equipment, although I do not know that there is a great deal to be said for that argument. I believe that my colleagues and I would be satisfied with the efforts that ETSA put into the testing of electrical equipment in terms of safety.

ETSA has done its testing previously when equipment has been given to it for that purpose. In other words, if manufacturers want the required test to be done, they make their equipment available to ETSA and the test is carried out. However, we are told in the explanation of this Bill that there are some fly-by-night operators or traders who must import equipment from overseas, I assume, or elsewhere which has not been through the necessary testing procedures and which is being offered from time to time to the public from flea markets and similar places. It is quite clear that equipment should not be made available to the public by traders whatever the point of sale unless the relevant authority—in this case ETSA—is convinced that the equipment is safe. Any trader who imports large quantities of electrical equipment without being assured that it is safe before he brings it in is taking a big risk.

This Bill goes further in that it gives ETSA the authority to enter premises and seize electrical equipment, appliances, and the like, and take them away and test them. The Bill has the inbuilt safeguard that ETSA cannot keep that equipment for more than a month without getting a magistrate's order to do so. That all seems pretty reasonable to me. I do have some concern about ETSA's ability to enter a dwelling, if it happens to be the trader's home, without a warrant. In due course, I will be moving a fairly simple amendment in relation to that matter. In terms of the general thrust of this Bill, I do not think there can be any real argument. With those remarks, I support the Bill.

The Hon. R.G. PAYNE (Minister of Mines and Energy): I thank the honourable Deputy Leader both for the attitude expressed towards the Bill on behalf of the Opposition and also for his cooperation and willingness on relatively short notice to assist in advancing the Bill to a stage where it can lay over until next session. That will be of some assistance to all parties and members of the public who may want to make some inquiries about it. I note his concern about the entry provisions contained in the Bill. At this stage they are in the Bill because of advice that I have received of their necessity, but I will have another look at that provision just in case it needs tidying up. I will also consider the Deputy Leader's amendment in due course.

It was very heartening to hear his remarks. It was clear that he understands the importance of only safe electrical equipment being available in the community, and this is one way that we propose to try to ensure that that is the situation. I point out that the Bill does go a little further in another way that has not been mentioned which I think all members would support. At present, if a person has purchased an item which subsequently turns out to be faulty, that person is stuck with that item, and may not be able to get anywhere with his or her complaints. Proposed in the Bill is the power to order recall of such an item, and that would ultimately be to the benefit of consumers, who at present would be stuck with an item that they dare not use owing to a safety requirement. As I have said, I thank the Deputy Leader for his accommodation of the matter, and I commend the Bill to members.

Bill read a second time.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

[*Sitting suspended from 5.20 to 9.3 p.m.*]

SITTINGS AND BUSINESS

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

That Standing Orders be so far suspended as to enable those Orders of the Day: Other Business where debate has ensued to be taken into consideration forthwith, and each question to be put forwith without debate.

Motion carried.

MINISTER OF LABOUR

Adjourned debate on motion of Mr S.J. Baker:

That this House condemns the Minister of Labour for the damage he has caused to:

(a) the submarine project by his support for the participation of the Federated Ship Painters and Dockers and the Building Trades Unions in the engineering works;

(b) South Australian employees and employers by his careless implementation of the WorkCover scheme;

(c) the building industry by his failure to take action against militant union elements;

(d) industrial relations by his indifference to union manipulation of safety issues aimed at increased industrial power.

(e) the South Australian economy by his anti-employment legislation and anti-employer attitudes; and

(f) the poorer people in our community by his support for increased prices of consumer goods via wage cost pressures;

and demands that the Premier remove him from the Labour portfolio in the forthcoming Cabinet reshuffle:

which the Minister of Labour has moved to amend by leaving out all words after 'House' and inserting in lieu thereof the words:

congratulates the Minister of Labour for his excellent achievement in maintaining South Australia's unsurpassed industrial relations record and for his positive work for industry and the workers of this State, in particular in the following areas—

(a) the massive saving, both in financial and human terms achieved through his determination to introduce the WorkCover Scheme;

(b) the introduction of the Occupational Saftey Health and Welfare Act which gives every worker the right to a safe work place;

(c) his policy of consultation and negotiation, rather than draconian confrontation, to foster continued development of the building industry;

(d) his support for tripartism to establish a mechanism to help overcome many potential areas of industrial conflict resulting in huge savings to the economy; and

(e) his support for business and consumers by deregulating Government restrictions on petrol retailing, bread baking hours and some areas of shop trading hours;

and further, this House strongly condemns the member for Mitcham for the many inaccurate and misleading statements he has made over the past two years and his inability to check the simplest facts which have resulted in enormous damage to the reputation of South Australia.

(Continued from 7 April. Page 3892.)

The House divided on the amendment:

Ayes (20)—Mrs Appleby, Messrs L.M.F. Arnold, Blevins (teller), De Laine, and Duigan, Ms Gayler, Messrs Gregory, Groom, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Payne, Rann, Robertson, Slater, and Tyler.

Noes (15)—Messrs Allison, D.S. Baker, S.J. Baker (teller), Becker, Blacker, Eastick, S.G. Evans, Goldsworthy, Gunn, Ingerson, Lewis, Meier, Olsen, Oswald, and Wotton.

Majority of 5 for the Ayes.

Amendment thus carried; motion as amended carried.

ARRIVAL AND DEPARTURE TAXES

Adjourned debate on motion of Mr Meier:

That this House calls on the Government to immediately urge the Federal Government to remove the arrival and departure taxes on tourists into and out of South Australia (and by implication of the rest of Australia) because of the untold damage it is causing to this State's tourist industry:

which Mr Ferguson had moved to amend by leaving out all words after 'House' and inserting in lieu thereof the words:

(a) congratulates the Federal Government on its excellent performance in increasing international tourism to Australia by 91 per cent over the past 5 years;

(b) commends the Federal Government on the swift action it took in establishing a task force to review collection difficulties associated with the arrival and departure taxes imposed on tourists flying into Australia; and

(c) urges the Federal Government to review its arrival/departure tax policy and its impact on tourism so that, if necessary, appropriate adjustments may be incorporated in the May economic statement.

(Continued from 24 March. Page 3525.)

Amendment carried; motion as amended carried.

KALYRA HOSPITAL

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

That, in the opinion of this House, the Government's recent decision on Kalyra Hospital is unjustified and should be reversed.

(Continued from 3 March. Page 3292.)

The House divided on the motion:

Ayes (15)—Messrs Allison, D.S. Baker, S.J. Baker, Becker, Blacker, Eastick, S.G. Evans (teller), Goldsworthy, Gunn, Ingerson, Lewis, Meier, Olsen, Oswald, and Wotton.

Noes (21)—Mrs Appleby, Messrs L.M.F. Arnold, Blevins, De Laine, Duigan, and M.J. Evans, Ms Gayler, Messrs Gregory, Groom, Hemmings, Hopgood, Keneally, and Klunder, and Ms Lenehan (teller), Messrs McRae, Mayes, Payne, Rann, Robertson, Slater, and Tyler.

Majority of 6 for the Noes.

Motion thus negatived.

HILLS TRANSPORT SERVICES

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

That in the opinion of this House the Government has ignored the transport needs of many disadvantaged people and everyday commuters with its decision to remove STA public transport from Bridgewater and other Hills residential areas:

which Mr Tyler had moved to amend by leaving out all words after 'That' and inserting in lieu thereof the words:

this House congratulates the State Government for its policy of providing adequate access to public transport throughout the Adelaide metropolitan area; however, this House urges that its commitment to an investigation into viable long-term public transport options should be implemented quickly with full consultation with commuters, community groups, local government and trade unions.

(Continued from 26 November. Page 2190.)

The House divided on the amendment:

Ayes (22)—Mrs Appleby, Messrs L.M.F. Arnold, Blevins, De Laine, Duigan, and M.J. Evans, Ms Gayler, Messrs Gregory, Groom, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Payne, Peterson, Rann, Robertson, Slater, and Tyler (teller).

Noes (15)—Messrs Allison, D.S. Baker, S.J. Baker, Becker, Blacker, Eastick, S.G. Evans (teller), Goldsworthy, Gunn, Ingerson, Lewis, Meier, Olsen, Oswald, and Wotton.

Majority of 7 for the Ayes.

Amendment thus carried.

The House divided on the motion as amended:

Ayes (22)—Mrs Appleby, Messrs L.M.F. Arnold, Blevins, De Laine, Duigan, and M.J. Evans, Ms Gayler, Messrs Gregory, Groom, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Payne, Peterson, Rann, Robertson, Slater, and Tyler (teller).

Noes (15)—Messrs Allison, D.S. Baker, S.J. Baker, Becker, Blacker, Eastick, S.G. Evans (teller), Goldsworthy, Gunn, Ingerson, Lewis, Meier, Olsen, Oswald, and Wotton.

Majority of 7 for the Ayes.

Motion as amended thus carried.

HOSPITAL SERVICES

Adjourned debate on motion of Mr Meier:

That this House expresses alarm at moves to slash hospital services in South Australia including suggestions to close hospitals to save on asset replacement costs and to axe up to 100 beds in the Mid-North area and possibly other areas of the State as part of a rationalisation of assets program and calls on the Government to stop scaling down and progressively decreasing hospital facilities.

(Continued from 3 March. Page 3293.)

The House divided on the motion:

Ayes (15)—Messrs Allison, D.S. Baker, S.J. Baker, Becker, Blacker, Eastick, S.G. Evans, Goldsworthy, Gunn, Ingerson, Lewis, Meier (teller), Olsen, Oswald, and Wotton.

Noes (22)—Mrs Appleby, Messrs L.M.F. Arnold, Blevins, De Laine, Duigan, and M.J. Evans, Ms Gayler, Messrs Gregory, Groom, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan (teller), Messrs McRae, Mayes, Payne, Peterson, Rann, Robertson, Slater, and Tyler.

Majority of 7 for the Noes.

Motion thus negatived.

ADELAIDE GAOL

Adjourned debate on motion of Mr Duigan:

That this House commends the Government and the Minister of Correctional Services for finally closing the notoriously inadequate Adelaide Gaol and for ensuring that South Australians

convicted of offences are sentenced to serve their terms of imprisonment in modern correctional institutions.

(Continued from 18 February. Page 2870.)

Motion carried.

EXOTIC FISH

Adjourned debate on motion of Hon. P.B. Arnold:

That the regulations made under the Fisheries Act 1982 relating to exotic fish, made on 2 April and laid on the table of this House on 7 April 1987, be disallowed.

(Continued from 18 February. Page 2878.)

Motion negatived.

FIREARMS LICENCE FEES

Adjourned debate on motion of Mr Meier:

That this House deplores the duplicity of the Government in raising firearms licence fees by up to 150 per cent when such action will have no effect in alleviating major crime, is a ruse to raising revenue and merely penalises honest citizens.

(Continued from 3 March. Page 3295.)

The House divided on the motion:

Ayes (14)—Messrs Allison, D.S. Baker, S.J. Baker, Becker, Blacker, Eastick, S.G. Evans, Goldsworthy, Ingerson, Lewis, Meier (teller), Olsen, Oswald, and Wotton.

Noes (22)—Mrs Appleby, Messrs L.M.F. Arnold, Blevins, De Laine, Duigan, and M.J. Evans, Ms Gayler, Messrs Gregory (teller), Groom, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Payne, Peterson, Rann, Robertson, Slater, and Tyler.

Majority of 8 for the Noes.

Motion thus negatived.

WORKCOVER

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

That in the opinion of this House the new workers rehabilitation and compensation scheme known as WorkCover is seriously disadvantaging many small businesses, welfare agencies, charities and sporting organisations.

(Continued from 3 March. Page 3298.)

The House divided on the motion:

Ayes (15)—Messrs Allison, D.S. Baker, S.J. Baker, Becker, Blacker, Eastick, S.G Evans (teller), Goldsworthy, Gunn, Ingerson, Lewis, Meier, Olsen, Oswald, and Wotton.

Noes (22)—Mrs Appleby, Messrs L.M.F. Arnold, Blevins, De Laine, Duigan, and M.J. Evans, Ms Gayler, Messrs Gregory (teller), Groom, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Payne, Peterson, Rann, Robertson, Slater, and Tyler.

Majority of 7 for the Noes.

Motion thus negatived.

QUESTION TIME PROCEDURES

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

That in the opinion of this House the practice condoned by the House, since the reduction of Question Time from two hours to one hour, has given the Government a distinct and unfair advantage over the Opposition and ignores the guarantees that were given by Ministers at that time.

(Continued from 26 November. Page 2195.)

The House divided on the motion:

Ayes (15)—Messrs Allison, D.S. Baker, S.J. Baker, Becker, Blacker, Eastick, S.G Evans (teller), Goldsworthy, Gunn, Ingerson, Lewis, Meier, Olsen, Oswald, and Wotton.

Noes (22)—Mrs Appleby, Messrs L.M.F. Arnold, Blevins, De Laine, Duigan, and M.J. Evans, Ms Gayler, Messrs Gregory (teller), Groom, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Payne, Peterson, Rann, Robertson, Slater, and Tyler.

Majority of 7 for the Noes.

Motion thus negatived.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL

(Second reading debate adjourned on 11 February. Page 2702.)

Second reading negatived.

COUNTRY FIRE SERVICES

Adjourned debate on motion of Mr Gregory:

That this House congratulates the Government for the new directions that the Country Fire Services is taking to ensure that firefighters are properly equipped and that all firefighting trucks are roadworthy and capable of providing firefighting capacity and safety for their crew,

which the Hon. B.C. Eastick had moved to amend by adding the words:

but recommends that there exists an urgent need to improve the communication of Country Fire Board policy throughout the community particularly to local government bodies and the volunteer organisation and even more urgent need to assist the majority of currently declared unroadworthy fire vehicles to be restored to roadworthiness for the already existent 1987-88 fire season.

(Continued from 11 February. Page 2704.)

Motion carried.

ANTI-POVERTY FAMILY PACKAGE

Adjourned debate on motion of Ms Lenehan:

That this House congratulates the Federal Government on the recently announced anti-poverty family package which will provide extra assistance to those families most in need and further, the House requests the Federal Government to examine the consequences of the recently implemented policy relating to the payment of widows pensions and supporting parents benefits, such examination to include a review of the effectiveness of training and retraining programs specifically targeted at these groups.

(Continued from 11 February. Page 2704.)

Motion carried.

RENTAL ASSISTANCE

Adjourned debate on motion of Mr Duigan:

That this House acknowledges and endorses the principle that rental assistance reduces the impact of housing costs on low

income families in the private rental market and helps alleviate poverty.

(Continued from 26 November. Page 2190.)

Motion carried.

MILK

Adjourned debate on motion of Mr Gunn:

That this House calls on the Government to—

(a) support existing pricing arrangements for milk in the metropolitan area;

(b) allow continuation of existing delivery arrangements which have operated since the turn of the century and under the control of the Metropolitan Milk Board for the past 40 years; and

(c) release the Milk Price Review Report immediately to all interested bodies,

which Mr Gregory had moved to amend by leaving out all words after the word 'House' and inserting in lieu thereof the words:

congratulates the Government for its action in giving the Metropolitan Milk Board greater flexibility in pricing strategies, which will—

(a) ensure more equitable milk prices for consumers while at the same time maintaining viability for all sections of the milk industry; and

(b) assist the South Australian milk industry to resist interstate intrusion into the South Australian market.

(Continued from 10 September. Page 900.)

Amendment carried; motion as amended carried.

VICTIM TOYS

Adjourned debate on motion of Mr Tyler:

That this House congratulates the Federal Government in establishing an inquiry into whether the characteristics of 'victim' toys are likely to have undesirable or anti-social, psychological effects on children exposed to them and further this House urges the South Australian Government to cooperate fully with this inquiry.

(Continued from 22 October. Page 1502.)

Motion carried.

TOBACCO ADVERTISING (PROHIBITION) BILL

(Second reading debate adjourned on 22 October. Page 1503.)

Second reading negatived.

WATERWORKS CHARGES

Adjourned debate on motion of Mr Meier:

That the regulations under the Waterworks Act 1932 relating to scale of charges, made on 18 June and laid on the table of this House on 6 August 1987, be disallowed.

(Continued from 15 October. Page 1227.)

Motion negatived.

WASTE MANAGEMENT COMMISSION ACT

Adjourned debate on motion of Hon. B.C. Eastick:

That the regulations under the South Australian Waste Management Commission Act 1979 relating to prescribed wastes, made on 26 February and laid on the table of the House on 10 March 1987, be disallowed.

(Continued from 10 September. Page 901.)

Motion negatived.

SHADOW MINISTER OF TRANSPORT

Adjourned debate on motion of Mr Tyler:

That this House urges the Leader of the Opposition to remove the member for Bragg from his responsibilities as shadow Minister of Transport and Recreation and Sport because of his inept performance and inability to grasp the fundamentals of the job,

which Mr Olsen had moved to amend by leaving out all words after 'House' and inserting in lieu thereof the words:

congratulates the shadow Minister of Transport for his role in exposing the failures of the Government to honour promises on public transport fares, its failure to stand up to union demands which have added to pressure for fare increases and its failure to answer questions in Parliament fully and truthfully; and further, this House condemns the Government for mismanagement of transport policy and condemns the member for Fisher for supporting this failed policy which will force many of his constituents to meet public transport fare increases of more than 50 per cent since the election.

(Continued from 27 August. Page 558.)

The House divided on the amendment:

Ayes (15)—Messrs Allison, D.S. Baker, S.J. Baker, Becker, Blacker, Eastick, S.G. Evans, Goldsworthy, Gunn, Ingerson, Lewis, Meier, Olsen (teller), Oswald, and Wotton.

Noes (22)—Mrs Appleby, Messrs L.M.F. Arnold, Blevins, De Laine, Duigan, and M.J. Evans, Ms Gayler, Messrs Gregory, Groom, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Payne, Peterson, Rann, Robertson, Slater, and Tyler (teller).

Majority of 7 for the Noes.

Amendment thus negatived; motion carried.

DAYLIGHT SAVING

Adjourned debate on motion of Mr Blacker:

That the regulations under the Daylight Saving Act 1971 relating to standard time, made on 16 July and laid on the table of this House on 6 August 1987, be disallowed.

The DEPUTY SPEAKER: The question before the Chair is that the motion be agreed to.

Mr MEIER: On a point of order, Mr Deputy Speaker, I thought that motions were allowed to be put only when a member from the other side had spoken.

The DEPUTY SPEAKER: We have had a speaker. If debate has ensued, a division will be taken and, as there has been a speaker on this motion, we must take the vote.

Motion negatived.

SUBMARINE CONTRACT

Adjourned debate on motion of Mr Hamilton:

That this House congratulate the Premier and the Government in achieving yet another success by obtaining the submarine contract for South Australia and the thousands of jobs that will be created as a consequence of this contract.

(Continued from 8 October. Page 1088.)

Motion carried.

MARIJUANA

Adjourned debate on motion of Mr Olsen:

That the regulations under the Controlled Substances Act 1984 relating to expiation of simple cannabis offences, made on 30 April and laid on table of the House on 6 August 1987, be disallowed.

(Continued from 27 August. Page 562.)

The House divided on the motion:

Ayes (17)—Messrs Allison, D.S. Baker, S.G. Baker, Becker, Blacker, Eastick, M.J. Evans, S.G. Evans, Goldsworthy, Gunn, Ingerson, Lewis, Meier, Olsen (teller), Oswald, Peterson, and Wotton.

Noes (20)—Mrs Appleby, Messrs L.M.F. Arnold, Blevins, De Laine, and Duigan, Ms Gayler, Messrs Gregory, Groom, Hemmings, Hopgood (teller), Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Payne, Rann, Robertson, Slater, and Tyler.

Majority of 3 for the Noes.

Motion thus negatived.

WINE AND CITRUS TAX

Adjourned debate on motion of Hon. P.B. Arnold:

That this House condemns the Hawke Government for destroying the viability of the wine and citrus juice industries by the irresponsible introduction of an unsustainable level of taxation which has caused a significant fall in sales and resultant hardship for growers and, therefore, this House demands that the Federal Government abolish the citrus juice tax and reduce the wine tax to 10 per cent forthwith.

(Continued from 27 August. Page 563.)

The House divided on the motion:

Ayes (15)—Messrs Allison, D.S. Baker, S.J. Baker, Becker, Blacker, Eastick, S.G. Evans, Goldsworthy, Gunn, Ingerson, Lewis, Meier, Olsen (teller), Oswald, and Wotton.

Noes (22)—Mrs Appleby, Messrs L.M.F. Arnold, Blevins, De Laine, Duigan, and M.J. Evans, Ms Gayler, Messrs Gregory, Groom, Hemmings, Hopgood (teller), Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Payne, Peterson, Rann, Robertson, Slater, and Tyler.

Majority of 7 for the Noes.

Motion thus negatived.

POLICE COMPLAINTS AND DISCIPLINARY PROCEEDINGS

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

That, in the opinion of this House, the implementation of the Police (Complaints and Disciplinary Proceedings) Act 1985 is having an adverse effect upon the effectiveness of the South Australian Police Force as a criminal investigating authority.

(Continued from 22 October. Page 1503.)

Question—'That the motion be agreed to'—declared negatived.

An honourable member: Divide!

The DEPUTY SPEAKER: A division is required.

While the division was being held:

The DEPUTY SPEAKER: As there is only one member on the side of the Ayes, I declare that the Noes have it.

Motion negatived.

WORKERS REHABILITATION AND COMPENSATION ACT AMENDMENT BILL (1988)

Returned from the Legislative Council with the following amendments:

No. 1. Page 3 (clause 12)—After line 22 insert the following:

(ab) no member of the police force attends at the scene of the accident;.

No. 2. Page 5 (clause 15)—After line 17 insert the following at the end of subsection (1):

(but notification is not required in a case or class of cases excepted by the Corporation from the operation of this subsection).

No. 3. Page 5, line 23 (clause 15)—After 'event' insert 'or such longer period as the regulations may allow'.

No. 4. Page 6, lines 15 and 16 (clause 16)—Leave out paragraph *(eb)*.

No. 5. Page 6, lines 18 and 19 (clause 16)—Leave out paragraph *(b)* and substitute the following:

(b) by inserting after paragraph *(a)* of subsection (5) the following paragraph:

(ab) takes effect on a date fixed by the Corporation;.

No. 6. Page 9 (clause 28)—After line 24 insert subsection as follows:

(2a) Where an expert's report is obtained under subsection (2), the expert must, if a party to the proceedings so requests, be called for examination or cross-examination on the subject matter of the report.

No. 7. Page 10, lines 9 and 10 (clause 32)—Leave out all words after 'amended' in line 9 and insert the following:

by inserting at the end of paragraph *(d)* of subsection (2) '(but a decision as to the date from which such a registration will take effect is not reviewable)'.

No. 8. Page 10—After line 10 insert new clause as follows:

Review by Review Officer

32a. Section 96 of the principal Act is amended by inserting after subsection (1) the following subsection:

(1a) A party to proceedings before a Review Officer must disclose to the Review Officer and all other parties to the proceedings the existence of all material in the party's possession or power that may be relevant to the proceedings and must, if the Review Officer so requests, produce all or any of that material to the Review Officer.

No. 9. Page 10, lines 34 to 38 (clause 33)—Leave out paragraph *(b)* and substitute:

(b) direct the Review Officer to furnish a report (which must be made available to the parties to the appeal) on any aspect of the subject matter of the appeal.

No. 10. Page 10, lines 39 and 40 (clause 33)—Leave out subsection (4d) and substitute:

(4d) Subject to subsection (4e), the appellate authority has a discretion to rehear the whole or any part of the evidence taken before the Review Officer, or to take further evidence.

(4e) The appellate authority must, on the application of a party to the appeal—

(a) rehear evidence taken before the Review Officer if the evidence is relevant to the appeal and the record of the evidence is incomplete or inaccurate in a material particular;

(b) hear oral evidence relevant to the appeal from a witness from whom evidence was taken in documentary form by the Review Officer;

(c) take further evidence if the evidence is relevant to the appeal and the party seeking to introduce it could not reasonably be expected to have done so in the proceedings before the Review Officer;

(d) take evidence if—

(i) the evidence is relevant to the appeal; and

(ii) there is some substantial reason for admitting the evidence in the interests of justice.

(4f) A party must be afforded a reasonable opportunity to examine or cross-examine witnesses appearing before the appellate authority.

No. 11. Page 11, lines 26 to 27 (clause 35)—Leave out subsection (1) and substitute the following subsection:

(1) The Crown is the presumptive employer of persons of a prescribed class who voluntarily perform work of a prescribed class that is of benefit to the State (and the Crown therefore has the liabilities of an exempt employer in relation to persons of that class).

No. 12. Page 12, line 35 (clause 38)—Leave out 'and'.

No. 13. Page 12 (clause 38)—After line 40 insert the following:

and

(c) by inserting after subsection (2) the following subsection:

(2a) A regulation made for the purposes of subsection (2) *(e)* cannot take effect unless it has been laid before both Houses of Parliament and—

(a) no motion for disallowance is moved within the time for such a motion;

or

(b) every motion for disallowance of the regulation has been defeated or withdrawn or has lapsed.

No. 14. Page 14 (clause 44)—After line 36 insert subsection as follows:

(3a) Where a compensating authority—

(a) pays compensation to a claimant under this Act;

(b) becomes entitled to recover a proportion of the payment from an employer by virtue of subrogation to the rights of the claimant under subclause (3) *(a)*;

(c) notifies that employer in writing of the payment,

the amount recoverable from the employer will be increased by interest at the prescribed rate as from the date of the notification.

No. 15. Page 14, lines 37 to 44 and page 15, lines 1 to 13 (clause 44)—Leave out subclauses (4) to (9) and substitute:

(4) the Corporation will, in the first instance, make a determination of—

(a) the extent of a subrogation under subclause (3) *(a)* or a reduction in the amount of compensation under subclause (3) *(b)*;

and

(b) the amount of any consequential liability.

(5) Before making such a determination the Corporation must allow any person whose interests may be affected by the determination a reasonable opportunity to make representations to the Corporation on the subject matter of the determination and when the determination is made the Corporation must give written notification (personally or by post) of the terms of the determination to every person whose interests are affected by it.

(6) Any such person may, by written notice served personally or by post on the Corporation within one month after receiving notice of the determination or such longer period as the Corporation may allow, dispute the determination.

(7) Any such dispute may be referred on the application of any party affected by the determination—

(a) to the Industrial Court;

or

(b) if all parties affected by the determination agree—to an arbitrator appointed under the Commercial Arbitration Act 1986,

(but where the dispute is referred to an arbitrator no part of the costs of the arbitration can be awarded against the worker).

(8) Where a dispute is so referred, the Industrial Court or the arbitrator will review the Corporation's determination and may confirm, vary or revoke it.

(9) Subject to the regulations, a determination by the Corporation under this clause may be enforced in the same way as a judgment of the Industrial Court.

(10) A determination by the Corporation may be enforced notwithstanding that it is disputed, but if it appears from the result of a review that a compensating authority has recovered an amount in pursuance of the determination to which the compensating authority is not entitled, that amount must be repaid together with interest at the prescribed rate.

The Hon. FRANK BLEVINS: I move:

That the Legislative Council's amendments be agreed to.

Mr S.J. BAKER: I am pleased that the Minister has accepted the amendments. Some amendments simply tidy up the workings of the Act and others are important amendments. The two most important amendments relate to the role of the review officer and some of the questions that were asked in this House concerned whether a review officer is the appropriate person to be responsible for the ultimate determination of a compensation case and under what conditions the case should go to the tribunal.

The second most important subject area covered here relates to insurance companies and injuries that have been sustained prior to the commencement of this Act but have rolled into this current time frame. Under the previous proposition put forward by the Minister, the insurance companies would have had to pay over whatever sum WorkCover determined. Under these amendments, the matter will be ultimately determined by the Industrial Court should there be any dispute, and if WorkCover has overcharged, then interest shall accrue to the insurance company concerned. Those two areas have been improved upon.

I am disappointed that the Upper House did not see fit to pass my amendments relating to superannuation, but generally there have been some improvements to the Act including those submitted by the Minister, despite the fact that the Minister said that every clause and every word had the unanimity of the corporation.

Motion carried.

MOTOR VEHICLES ACT AMENDMENT BILL (1988)

Returned from the Legislative Council with the following amendment:

Page 1, lines 15 to 17 (clause 3)—Leave out all words in these lines after 'amended' and insert 'by striking out paragraph *(b)* of subsection (3) and substituting the following paragraph:

(b) a collision, or action taken to avoid a collision, with the vehicle when stationary;'.

Consideration in Committee.

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

That the Legislative Council's amendment be agreed to.

Mr INGERSON: This may well be my final opportunity to ask a question of the Minister of Transport. I understand that the original amendment dealt with the parking of a motor vehicle. This has now been amended to provide for motor vehicle collisions. What areas will be covered by the amendment? Will it cover the opening and closing of doors, the jamming of fingers in a door and passenger involvement or does it relate purely and simply to the collision between two vehicles?

The Hon. G.F. KENEALLY: The amendment removes the Government's original amendment which dealt with the opening and closing of a vehicle door. The amendment extends coverage under the compulsory third party scheme to liability incurred as a result of death or injury caused by or arising out of the use of a motor vehicle where the death or injury is as a consequence of a collision or action taken to avoid a collision with a stationary vehicle. The amendment covers injury to a cyclist caused by the negligent opening of the door of a parked vehicle, and it also covers injury caused as a consequence of a car negligently parked or left in an unsafe place, for example, following a breakdown. In response to the member for Bragg, my advice is that the amendment does not cover the jamming of fingers in a car door.

Motion carried.

WRONGS ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendment:

Page 1, lines 15 to 17 (clause 3)—Leave out all words in these lines after 'amended' and insert 'by striking out paragraph *(b)* of subsection (5) and substituting the following paragraph:

(b) a collision, or action taken to avoid a collision, with a stationary vehicle;'.

Consideration in Committee.

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

That the Legislative Council's amendment be agreed to.

It is consequential on the amendment arising from the substantive amendment just agreed to in the previous Bill.

Motion carried.

SEXUAL REASSIGNMENT BILL

The Legislative Council intimated that it had agreed to the House of Assembly's amendments.

[*Sitting suspended from 10.20 to 11.55 p.m.*]

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

That Standing Orders be so far suspended as to enable the House to sit beyond midnight.

Motion carried.

CRIMINAL LAW (SENTENCING) BILL

The Legislative Council intimated that it had agreed to the House of Assembly's amendments Nos 1, 2 and 5 to 14, and had agreed to amendments Nos 3 and 4 with the following amendments:

House of Assembly's amendment No. 3:

Page 8—Insert new clause 20b as follows:

Habitual criminals

20b. (1) This section applies in relation to offences of the following classes, whether committed before or after the commencement of this Act:

Class I	Sections 21 to 25—Wounding
Class II	Sections 26 and 27—Poisoning
Class III	Sections 48, 49, 56, 59 and 72—Sexual Offences
Class IV	Sections 81 and 82—Abortion
Class V	Sections 155 to 158—Robbery
	Sections 159, 160, 161, 162, 164 and 165—Extortion
	Sections 167 to 172—Burglary
	Sections 131, 132 and 173—Larceny
	Sections 176 to 178 and 182 to 192—Embezzlement, etc.
	Sections 195, 196, 197 and 199—False pretences, receiving
Class VI	Section 85 (1)—Arson
Class VII	Part VI—Forgery

(Classes I to VII refer to offences under the Criminal Law Consolidation Act 1935)

Class VIII Part IV of the Crimes Act 1914 of the Commonwealth—Coinage.

(2) Where—

(a) a defendant is convicted of an offence that falls within Class I, II, III or IV and has had two or more previous convictions of an offence of the same class;

or

(b) a defendant is convicted of an offence that falls within Class V, VI, VII or VIII and has had three or more previous convictions of an offence of the same class,

the Supreme Court may, on application by the Crown, in addition to any other sentence imposed in respect of the offence by the court by which the defendant was convicted, declare that the defendant is an habitual criminal and direct that he or she be detained in custody until further order.

(3) A previous conviction for an offence committed outside South Australia will be regarded as a previous conviction for the purposes of subsection (2) if it is substantially similar to an offence of the relevant class of offences.

(4) The detention of a person under this section will commence on the expiration of all terms of imprisonment that the person is liable to serve.

(5) Subject to subsection (6), a person detained under this section will be detained in such prison as the Minister of Correctional Services from time to time directs.

(6) Subject to the Correctional Services Act 1982, that Act applies to a person detained under this section as if that person were serving a sentence of imprisonment.

(7) Subject to this Act, a person will not be released from detention under this section until the Supreme Court, on application by the Crown or the person, discharges the order for detention.

Legislative Council's amendment thereto:

Clause III—Insert after '59' the number '69'.

House of Assembly's amendment No. 4:

Page 8—Insert new clause 20c as follows:

Offenders incapable of controlling sexual instincts

20c. (1) In this section—

'institution' means—

(a) a prison;

(b) a place declared by the Governor by proclamation to be a place in which persons may be detained under this section;

and

(c) in relation to a child, includes a training centre:

'offence to which this section applies' means—

(a) an offence under section 48, 49, 56, 58, 58a, 59, 72 or 255 of the Criminal Law Consolidation Act 1935;

(b) an offence under section 23 of the Summary Offences Act 1953;

(c) any other offence where the evidence indicates that the defendant may be incapable of controlling his or her sexual instincts.

(2) Where a defendant is convicted of an offence to which this section applies by a District Criminal Court or a court of summary jurisdiction, the court may, if of the opinion that the powers under this section should be exercised in relation to the defendant, remand the defendant in custody or on bail to appear for sentence before the Supreme Court.

(3) The Supreme Court may, in relation to—

(a) a defendant convicted of an offence to which this section applies by the Court;

or

(b) a defendant remanded to appear for sentence before the Court pursuant to subsection (2),

before determining sentence, direct that at least two legally qualified medical practitioners, specified by the Court, inquire into the defendant's mental condition and report to the Court as to whether the defendant is incapable of controlling his or her sexual instincts.

(4) For the purposes of an inquiry under subsection (3), each medical practitioner—

(a) must carry out an independent personal examination of the defendant;

(b) may have access to any evidence before the Court by which the defendant was convicted;

and

(c) may obtain the assistance of a psychologist, social worker, probation officer or any other person.

(5) If—

(a) each of the medical practitioners reports to the Supreme Court, on oath, that the defendant is incapable of controlling his or her sexual instincts;

and

(b) the Court, after hearing any evidence or representations adduced or made by the defendant, is satisfied that the defendant is so incapable,

the Court may declare accordingly and direct that the defendant be detained in custody until further order.

(6) The Supreme Court may exercise its powers under subsection (5) in addition to, or instead of, imposing a sentence of imprisonment for the offence.

(7) If the detention is in addition to a sentence of imprisonment, the detention will commence on the expiration of the term of imprisonment, or of all terms of imprisonment that the person is liable to serve.

(8) A person detained in custody under this section will be detained—

(a) if the defendant is under 18 years of age—in such institution (not being a prison) as the Minister of Community Welfare from time to time directs;

(b) in any other case—in such institution as the Minister of Correctional Services from time to time directs.

(9) The progress and circumstances of a person subject to an order under this section (whether in custody or not) must be reviewed at least once in each period of six months by—

(a) in the case of a person detained in, or released on licence from, a training centre—the Training Centre Review Board;

(b) in any other case—the Parole Board.

(10) The results of a review under subsection (9) must be embodied in a written report, a copy of which must be furnished to the person the subject of the report and—

(a) in the case of a report of the Training Centre Review Board—to the Minister of Community Welfare;

(b) in the case of a report of the Parole Board—to the Minister of Correctional Services.

(11) Subject to this Act, a person will not be released from detention under this section until the Supreme Court, on application by the Crown or the person, discharges the order for detention.

(12) The Supreme Court may not discharge an order for detention under this section unless—

(a) it has first obtained and considered the report of at least two legally qualified medical practitioners each of whom has independently examined the person; and

(b) having taken into account both the interests of the person and of the community, it is of the opinion that the order for detention should be discharged.

Legislative Council's amendment thereto:

In 'offence to which this section applies', after the number '59' insert the number '69'.

Schedule of the reason of the Legislative Council for disagreeing to the House of Assembly's Amendments Nos 3 and 4:

Because section 69 dealing with buggery with animals was omitted from the House of Assembly amendments and the Legislative Council believes that the section should attract the provisions relating to habitual criminals and inability to control sexual instincts.

Consideration in Committee.

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

That the amendments to amendments Nos 3 and 4 be agreed to.

These are amendments to new sections 20b (1) and 20c (1). I understand that the Legislative Council has included among the offences, referred to in those new sections section 69 of the Criminal Law Consolidation Act. The Government accepts that there is merit in the argument that has been advanced in the other place for this inclusion in the Bill, which is indeed a continuation of the existing law.

Motion carried.

STATUTES AMENDMENT AND REPEAL (SENTENCING) BILL

The Legislative Council intimated that it had agreed to the House of Assembly's amendments Nos 1 to 18 and Nos 20 to 29, and had disagreed to amendment No. 19.

Consideration in Committee.

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

That the House of Assembly do not insist on its amendment No. 19 to which the Legislative Council had disagreed.

The Government will not insist on the repeal of sections 134 and 135. It is considered that these provisions still have a role to play, but I point out, as I did during debate last evening, that this may cause some problems particularly for the Legal Services Commission and for clients. Obviously it will have to be monitored as time goes on.

Mr MEIER: I am pleased that the Government is not insisting on the repeal of sections 134 and 135. I know that this area was part of the argument that we had yesterday. As has been alluded to, the amendment should be given further consideration by Parliament because it deals with the substantive law. I am quite surprised that this is the only amendment that the Government is not insisting on. It will be interesting to read the debate in the other place in relation to section 77a and the three new provisions. However, I recognise that by themselves they were acceptable in the normal form. As I said yesterday, the short notice given in respect to these changes was not conducive to good legislation for this State. It is pleasing that the Government is not insisting on the repeal of these sections.

Motion carried.

CORRECTIONAL SERVICES ACT AMENDMENT BILL (No. 2)

Returned from the Legislative Council without amendment.

TOBACCO PRODUCTS CONTROL ACT AMENDMENT BILL

The Legislative Council intimated that it had agreed to the House of Assembly's amendments.

OPTICIANS ACT AMENDMENT BILL

The Legislative Council intimated that it had agreed to the House of Assembly's amendments.

ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT BILL

The Legislative Council intimated that it insisted on its amendments to which the House of Assembly had disagreed.

Consideration in Committee.

The Hon. R.G. PAYNE: I move:

That the House of Assembly do not insist on its disagreement to the Legislative Council's amendments.

It is with a very heavy heart that I move this motion. I suppose after 18 years I should have known better, but I had hoped that some logic might finally have prevailed in the other place. I have been looking forward to it for something like 18 years, but it has not occurred. The Bill, as a result of the motion, will not be in my opinion as effective or efficacious as it could have been. Nevertheless, it contains some provisions which make the situation with respect to ETSA's position and connection with possible bushfires during the fire season somewhat clearer and it will be of some benefit. I indicate to the Committee that on the first occasion available to me I will introduce an amendment along the lines of that which has been defeated this evening.

The Hon. E.R. GOLDSWORTHY: I congratulate the Minister on coming to terms with the reality of the situation. It tends to restore my faith in the political process knowing that we now have a Bill which has the support of Parliament and which strikes a very fair balance in terms of the competing interests. The whole argument has centred around whether or not ETSA should have immunity from civil action if its equipment starts a fire through negligence. As has been pointed out, it was abundantly clear that all witnesses appearing before the select committee, apart from those from ETSA, did not believe that it was fair for landholders to carry the risk of devastation which could be extremely severe if, through no fault of their own, an instrumentality—and in this case a great public utility—negligently started a fire. I think the result is exactly what the Liberal Party wanted, as a result of the deliberations of the select committee. The other place has had the good sense to support that view and we now have an excellent piece of legislation which enhances ETSA's ability to clear lines and get on with the job of making its equipment safe. I congratulate the Minister on his decision, even though it was made grudgingly.

Motion carried.

ADJOURNMENT

At 12.30 p.m. the House adjourned until Tuesday 17 May at 2 p.m.