HOUSE OF ASSEMBLY

Wednesday 7 November 1990

The SPEAKER (Hon. N.T. Peterson) took the Chair at 2 p.m. and read prayers.

PETITION: SEACLIFF TENNIS AND HOCKEY COMPLEX

A petition signed by 316 residents of South Australia requesting that the House urge the Government to support the proposed Seacliff tennis and hockey complex was presented by Mr Matthew.

Petition received.

QUESTIONS

The SPEAKER: I direct that the following written answers to questions without notice be distributed and printed in *Hansard.*

CASINO HIGH ROLLERS

In reply to **Mr BECKER (Hanson)** 24 October.

The Hon. FRANK BLEVINS: The Government receives 20 per cent of the gross revenue of the casino. Gross revenue is the difference between the value of chips sold and the value of chips cashed. The casino is totally responsible for all operating and administration costs, including bad debts. In so far as junkets in particular are concerned, the costs are borne by the casino operators and have no effect on State revenue. Rather than eroding the casino's return to State revenue, junkets have made a positive contribution. Although the profits are erratic in nature, the Government has received $6.3 million from junket operators in the three years during which junkets have been operating. In the last financial year (which was the most successful year for such operations) the Government made $3.1 million out of junkets. Junkets are an activity of most casinos in Australia and of many other casinos in the Asian area and in America.

The Adelaide Casino currently deals with junket operators who are licensed by the Liquor Licensing Commission (following checks made by the South Australian Police Department) to bring groups of players to the casino. The arrangements with the junket operator include a commission calculated on levels of play (turnover) of the players in the group. The commission varies between .5 and .6 per cent of the gross turnover, not 9 per cent as stated in the honourable member's question.

Some of the accommodation and food and beverage costs of the players are paid by the casino. The cost of airfares and other incidental expenses of the players is paid for by the junket operator. The casino does not currently accept personal cheques from players who are members of a junket group. These arrangements have been maintained in principle throughout the period the junket program has been operating, however adjustment to the commission structure and the expense levels which will be paid by the casino have been made to ensure profit margins are maintained in the long run.

Under the Junket Program the commission is paid to the junket operator. Commissions are paid directly to the player if they come within the premium player program in which case no junket operator is involved. In order to obtain the increases in revenue and profit which are provided by the high levels of play that junkets produce, incentives must be offered as already outlined. The commissions paid by the Adelaide Casino are among the lowest of any casino of which they are aware. Many other casinos also accept higher maximum bets than are allowed in Adelaide, and in that sense therefore operate a higher risk business. Legal action to recover $1.2 million in debts has recovered $213 000 to date and significant further recoveries are expected.

There are a number of other issues raised by the honourable member which need clarification. First, the comment was made that the casino contracted a junket coordinator to find a gambler from Taiwan who left a $270 000 debt. I am informed by the casino that it has never contracted with a junket operator to assist in debt collection. In this particular instance the junket operator was contacted to see whether he could supply the current address of the player concerned.

Secondly, the honourable member stated:

> Another (junket coordinator) based interstate has earned up to $2 million in a six-month period by introducing overseas gamblers, while others have reportedly earned up to $800 000 at a time from the Adelaide Casino.

Once again I am informed by the casino that the reference to an interstate junket operator is incorrect. All the operators with which the casino deals are based overseas, predominantly in South-East Asia.

In so far as commissions are concerned, these are dependent on turnover. The casino has again informed me that, although not unheard of, plays at levels which each commission in excess of $800 000 are rare. Finally, I am informed by the casino that there is no truth in the statement that junket players visiting the Adelaide Casino result in higher costs for local patrons. Gaming margins are set by the authorities. Food and beverage pricing is set taking into account costs which result from local supply of goods for sale, and the prevailing prices of our competitors in the local market. In any event, junkets have been profitable for the casino and beneficial for State revenue. The casino would not involve itself in junket operations if the casino operator were not satisfied that they were profitable over the longer term.

MOTOR VEHICLE REGISTRATION CONCESSIONS

In reply to **Mr VENNING (Custance)** 18 October.

The Hon. LYNN ARNOLD: The proposed rationalisation of motor vehicle concessions arising from the 1990 State budget has the effect of discontinuing the concession on primary producers' vehicles such as utilities and small tray top vehicles. Vehicles in this category are the ones often used for purposes other than in connection with the business of primary production. A total of 46 000 vehicles are currently registered at primary producers' concessions. The cost to the Government is an estimated $5.6 million in registration fees in a full year: 25 000 of these vehicles are in the light commercial category and weigh less than 2 tonnes mass. Primary producers' concession will continue to be available on any number of commercial motor vehicles owned by primary producers providing the mass of the vehicles is 2 tonnes or greater. The reduced registration fee on tractors also continues to be available to primary producers.

I would also point out that the reduced rate of third party insurance will continue to be available on all commercial vehicles owned by primary producers irrespective of the mass of the vehicle. For individual owners with vehicles of less than 2 tonnes mass currently registered at primary

producers' concession, the net effect of the Government's decision on a typical vehicle such as a Holden or Ford utility is an additional $60 per annum payable on the registration fees. The fees payable overall by primary producers to register and insure will continue to represent considerable savings over the fees paid by other owners of similar commercial motor vehicles.

QUESTION TIME

PRIVATISATION OF PRISONS

Mr D.S. BAKER (Leader of the Opposition): Will the Minister of Correctional Services give the Department of Correctional Services the approval that it is seeking to investigate options for the privatisation of prisons or other correctional functions?

The Hon. FRANK BLEVINS: I have no knowledge of what the Leader is seeking. As I understand, he suggested that the Department of Correctional Services is seeking the privatisation of prisons. Is that correct?

Mr S.J. Baker interjecting:

The Hon. FRANK BLEVINS: I am sorry. Was that not the question? I am very happy to inform the House of the Government's view on the privatisation of prisons, and I hope that that will answer the Leader's question. In Queensland and, I believe, shortly in New South Wales, provided it gets the appropriate legislation through the Upper House—and there is some doubt about that—private prisons will be introduced. There is no intention in this State by this Government to introduce privatisation of any significance into our prison system. We have a philosophical view that the criminal justice system does not lend itself to the making of profit. I have expanded on this at great length in the media and elsewhere and would be pleased to do so again, but I assume, Sir, that in Question Time you would not appreciate that.

There is absolutely no question that our prisons are very expensive to run: they are probably the most expensive prisons in Australia. Our staffing levels are probably the highest in Australia: in at least two of our prisons there are more staff than prisoners. If that position continues, it seems to me that at some stage the taxpayer will demand that private enterprise take a role in running the prisons. I hope—and I have said this publicly—that we never get to the stage where that occurs. To a great extent, it is in the hands of the unions. It is very easy for members opposite to say, 'Get rid of half the staff.' If we attempted to do that, I imagine that members opposite would be only too pleased to be outside Yatala saying, 'The Government is a disgrace; it does not care about the protection of the community', and those sorts of things.

So, there are some problems with doing this. Nevertheless, we are having very intense discussions with the PSA about some of our staffing levels and other matters. The Executive Director has just been overseas looking at prisons in Canada and the United States. I read his report on that trip a couple of days ago and, from memory, his view is that even on a cost benefit analysis there would not be much in the way of savings by going to the private sector. I am not sure what the Leader meant, if I heard him correctly, when he asked whether I would give the Department of Correctional Services the go-ahead that it wants to privatise prisons. I hope that I have explained briefly and clearly the Government's view.

AGE LINE INFORMATION SERVICE

Mr HAMILTON (Albert Park): Will the Minister of Health advise the House of the success of the Age Line Information Service and the range of services available to senior citizens in this State?

The Hon. D.J. HOPGOOD: I think we can claim some considerable success with the Age Line. I am not sure that the staff will thank me by suggesting that perhaps they could be even busier, that people could make even more use of the service, because I understand that there are times when they are pretty well flat out.

Nonetheless, the dissemination of advice on services to the community is absolutely essential for the effective servicing of the community. Particularly with older people, there is a diverse range of committees with a diverse range of needs, and that is one of the reasons why the Commissioner's office was set up in the first place and why the Premier vested me with this special portfolio responsibility. The Age Line, along with the Age Pages, has been very successful. The Age Pages contain printed material which is made available to people who ring the Age Line, or who come to the office, to community health centres in the city and country, to offices of the Department for Family and Community Welfare and to other such outlets.

Knowing how active the honourable member is in his electorate, I am sure that he has made senior citizens groups in his district aware of the means whereby this information can be made available. I am also sure that most other members have; where they have not, I invite them to do so.

PRISON PERIMETER PATROLS

Mr S.J. BAKER (Deputy Leader of the Opposition): My question is directed to the Minister of Correctional Services. Does the Government intend to approve proposed new security procedures for Yatala and Mobilong prisons which will involve the removal of all towers, except towers Nos. 1 and 8, the intermittent external perimeter patrols at Yatala and the external perimeter patrols around Mobilong prison? If so, what assurances will the Minister give to residents living in the vicinity of these institutions and to the wider South Australian community that adequate security will be maintained, particularly in view of the advice—

An honourable member interjecting:

The SPEAKER: Order!

Mr S.J. BAKER: The Minister should just listen. What assurances will the Minister give, particularly in view of the advice to the Minister from the Executive Director of the Department of Correctional Services that the removal of the Yatala towers will 'to some extent . . . reduce the security of the external walls', and that the removal of the external patrols 'increases the possibility of a successful escape attempt from the prison engineered by an outside person gaining access'?

The SPEAKER: Order! I draw to the honourable member's attention that leave to explain a question must be sought from the House. The Minister of Correctional Services.

The Hon. FRANK BLEVINS: Thank you, Mr Speaker. I welcome the question from the Deputy Leader, because it highlights some of the problems that we have in staffing our gaols and the management of those institutions. The question of towers at Yatala and outside perimeter patrols has been the subject of contention for as long as I have been Minister and probably for many years, if not decades.

The efficacy of them is always open to question, particularly since we paid, from memory, $2 million to put in an additional fence and electronics around Yatala. Since that time, there has been only one incident of escape from Yatala and that was because some building materials were left within the walls during renovations. Those renovations have been completed.

If those measures are taken, additional measures will be put in place at Yatala and Mobilong (although that is not so critical) that will have the effect of quickly warning the institution and the police if the outside walls are tampered with by people from outside, not by people from inside because there are sterile zones and extensive electronic monitoring of the inside fence or between the inside fence and the outside fence, that is, the perimeter fence.

During the Estimates Committee, members opposite, who had been to Mobilong, were critical about prison officers doing nothing else other than running around the perimeter at regular intervals. I agreed with that criticism and I said that I would look at it, suggesting that perhaps it ought not to continue. The fact is that 12 people are engaged in doing nothing else but that. It is possible to have on the outside perimeter wire an electronic device that will alert us if anyone from outside tries to get in.

That is not usually a major problem in prisons, incidentally; nevertheless, it is something that one has to prepare for. It seems to me that in a place such as Mobilong it is particularly cost effective to do that and safety would not be compromised to any degree at all. However, if what the Deputy Leader is saying is that no compromise on safety should be made at all, that no matter how trivial or inconsequential, no compromise could be made, what members opposite should be advocating is greater security, more staff and more armed patrols around Yatala.

There is no doubt that if we involved the Star Force, for example, patrolling the perimeter of Yatala, we would have greater security there than we have now, so it is a matter of degree. We believe that Yatala, with some modification, can be made as secure as it is at the moment with fewer staff. I am absolutely certain that Yatala will not continue as a public sector institution when it has more staff than prisoners. At about $84 000 a year to keep each prisoner, the taxpayer will not tolerate that, and I would have thought that the taxpayers would have the Leader and the Deputy Leader on side with them, but apparently not. In addition, I smell an industrial dispute brewing.

LEAVE LOADING

Mr FERGUSON (Henley Beach): Can the Minister of Labour advise the House whether the State Government will move to end leave loading for South Australian workers, and is the Minister aware of the cost of leave loading compared with the cost of work-related injuries?

The Hon. R.J. GREGORY: I am aware that some political Parties and employer organisations in Australia at the moment are calling for the removal of the 17½ per cent leave loading that is paid to workers when they go on annual leave. I might point out to the House that that has been around since 1972 and, despite what one eminent person said in the newspaper in the past couple of days, it was not he who introduced it. It was a result of negotiations within the metal industry area when the employers agreed with the unions that they would apply that and, as the Speaker knows, the metal industry is a pacesetter for industry in Australia and it flowed through to workers in other industries.

That matter is not peculiar just to Australia: some of the more vibrant economies in Europe, such as Germany, Sweden and Denmark, have leave loading which, in some cases, is more than that paid in Australia. There are also countries that involve the union movement in planning the operations of the factory and the economic operations of their country, and we would do well to emulate them. When it comes to calls for the removal of leave loading, I think it is a matter of what can be done. We have seen Australian workers in the past seven years accept real cuts of around 1 per cent in their wage packet. It is true that the Federal Government has offset a significant amount of those cuts in improvements in the social wage through tax cuts and other payments available to workers and their families.

When we look at the actual cost of leave loading, which makes up about 1 per cent—and, in South Australia, approximately $160 million—and compare that with the human misery caused by injuries that cost over $600 million a year, I think these people would be better served and would better serve Australia if they were to put their efforts towards reducing the spate of injuries occurring in Australia's work places today. Some of those injuries kill workers—

An honourable member interjecting:

The Hon. R.J. GREGORY: You can ask a question later, when I might be able to hear it. Other injuries maim workers and might destroy the family structure. If we were just to reduce those accidents, we would have a better workplace, productivity would be higher and people would be much happier. As far as the Government is concerned, we will not be attempting to remove, or even thinking of removing, the leave loading.

PRISON GUIDELINES

The Hon. D.C. WOTTON (Heysen): Will the Premier say whether the Government intends to introduce sentencing guidelines which explicitly remove imprisonment as a sentencing option for a wide range of offences, as recommended by the Executive Director of the Department of Correctional Services, to reduce departmental running costs and, if so, can the Premier give the House some indication of the range of offences in question?

The Hon. FRANK BLEVINS: The answer is 'No'. I want to enlarge on that.

An honourable member: I am surprised.

The Hon. FRANK BLEVINS: You would not be happy if I just said 'No'.

The SPEAKER: Order!

The Hon. FRANK BLEVINS: I am pleased that the member for Heysen raises this question, because there is considerable debate in the community—and, I might add, a very responsible debate—about the rate of imprisonment and the efficacy of imprisonment as either punishment or having any rehabilitative role at all. There is considerable criticism about the number of people who are in prison for a short time for relatively minor crimes, although what might appear to be relatively minor to one person might appear to be major to another person.

However, there is a serious debate throughout the western world about the number of minor offenders who are imprisoned. Every editorial that I read these days castigates the Government and the courts for gaoling too many people and for not having sufficient alternatives. The Executive Director of the Department of Correctional Services has an important role in advising the Government and putting forward his views on the management of prisoners and prison numbers. It is an important role because prisons are

very expensive to build and operate. Therefore, any suggestion that could relieve the community of some of the cost burden of prisons would indeed be welcome.

It is not just the Executive Director of the department who puts forward these views. Many eminent criminologists (including the Australian Institute of Criminology) have similar views and have advanced those views in learned papers at seminars, and so on. It is a legitimate debate. However, I do not believe that in South Australia—and I am sure the Government would concur in this—even for minor offences against property, there should be a blanket opposition to gaoling because, whilst that incident in itself may be minor in isolation, if it has been preceded by 30 or 40 offences of a similar nature, gaoling may be the only way to bring the people concerned to their senses.

So, I disagree with the Executive Director in those terms. I am also disagreeing with some eminent criminologists, who claim that people who have a point of view like mine, that is, in favour of gaoling people in certain circumstances for minor crime, are reactionary—and there is all the other abuse that they heap on us. It is a complex debate; certainly, on this occasion I disagree with the Executive Director. I respect his point of view—it is a legitimate one—but it is certainly not held by this Government if, for no other reason, than that we believe it would not be acceptable to the community.

BOLIVAR OXYGENATION

Mr QUIRKE (Playford): Can the Minister for Environment and Planning say what progress has been made since oxygenation was commenced at Bolivar in connection with smell reduction, and what other steps are to be contemplated? In recent days, with strong north-westerly winds, foul odours emanating from Bolivar have been noticed in widespread areas, including the north and north-eastern suburbs. The areas affected, according to my constituents, are more widespread than used to be the case.

The Hon. S.M. LENEHAN: I know that my colleague the Minister of Industry, Trade and Technology will also be very interested in this answer, because he brought this matter to my attention when I was first appointed Minister of Water Resources, and he was quite relentless in trying to help get a solution. This has been a longstanding problem; it is not something that has happened just recently. In September last year the department officially opened the oxygenation plant, which is situated several kilometres from the Bolivar plant in the Adelaide to Bolivar main sewer trunk.

It is the largest oxygenation plant which is used to reduce offensive odours in Australia, and by the nature of its size it was experimental. In fact, there were a few teething problems along the way, not the least of which was the fact that this plant caught debris and discarded clothing which, at one stage, caused it to close down. However, I am reliably informed by the department that most of these teething problems have now been overcome.

The oxygenation plant was operating throughout the period referred to by the member for Playford. I am told that no unusual odours have been produced at the Bolivar Sewage Treatment Works itself. However, the honourable member is correct: the department has received complaints from suburbs as far away as Banksia Park, Holden Hill, Renown Park, Stirling and Plympton Park. I think that members would be aware that those suburbs are not necessarily all in the north or north-east. The cause for these complaints could be attributed to the sewerage system. I remind members that we must of necessity have vents in our sewerage system, otherwise we could be prone to enormous explosions which could be detrimental to the health and safety of the community.

A combination of sultry conditions and very hot weather could well be the reason why the honourable member has received complaints from his constituents, and I see the member for Ramsay nodding his head in agreement. I can inform both those members that the department is investigating all the complaints that have been made and, as soon as I have more detailed information about the specific causes in those specific suburbs, I will be very happy to provide it for members.

WORKERS COMPENSATION

Mr INGERSON (Bragg): I address my question to the Minister of Labour. What action will the Government take in response to concerns expressed by the Department of Correctional Services and the Health Commission that the Government's workers compensation policy is allowing too many unjustified claims? The Correctional Services Department document referred to in previous Opposition questions this afternoon also contains comment from the Executive Director, Mr Dawes, which is strongly critical of current workers compensation arrangements which will cost the department a premium of $7 million in 1990-91—a 600 per cent rise in just 12 months. Mr Dawes states:

> Of particular concern to the department is the high number of stress related claims which seem to rest upon doubtful grounds. An urgent review of legislation relating to stress related workers compensation claims is recommended.

The annual report of the Health Commission tabled yesterday is also critical of current policy, and states:

> It is of concern to note the increases in costs of WorkCover claims and numbers of claims reported. These trends reflect the general experience under WorkCover and are indicative of difficulties experienced in returning workers to productive employment following injury sustained at work.

The Hon. R.J. GREGORY: I thank the honourable member for his numerous questions, all of which I will attempt to answer. With respect to general occupational health and safety matters within the Department of Correctional Services, a branch of the Department of Labour which advises Government departments on occupational health and safety matters has introduced a program called 'Penstar', which, when applied—

Members interjecting:

The SPEAKER: Order!

The Hon. R.J. GREGORY: I thank the member for Mitcham for his gratuitous advice. At least my mother taught me some manners which his mother did not teach him. It has been introduced and it will have an effect on injury rates because it trains management and workers to work in a safer manner. It also trains managers to identify when stress and poor work habits are affecting people in their working environment. So, we are confident that we will see a gradual reduction in work-related injuries in the Department of Correctional Services.

With respect to stress, a significant number of stress claims have been lodged with the Department of Correctional Services, and the interesting part is that the definition under which stress is being claimed under the Workers Rehabilitation and Compensation Act is very similar to the definition under the old Workers Compensation Act that was repealed—

Mr Ingerson interjecting:

The Hon. R.J. GREGORY: The member for Bragg is confused between repetitive strain injury of the arm and stress, which is of the mind. He cannot make up his mind—it is one or the other. We are very concerned at the number of stress claims. A recent decision of the tribunal is on appeal to the Supreme Court, and we hope that that matter is finalised shortly. If the Supreme Court finds in favour of the WorkCover organisation, we will not have to worry so much about work stress claims because it will mean a number of them will not succeed. On the other hand, if we are unsuccessful, we will have to consider introducing legislation.

I am of the view that we need to wait until the Supreme Court has determined what can be stress compensatable, because there is an argument in the community as to what can be and what should not be, and as to the way the Act is being interpreted at the moment. Once the court clears up that matter, and if it is unfavourable, we will look at it. As I said earlier, it is inappropriate for the Government to introduce legislation prior to the court's determining the matter.

COOBER PEDY TAFE

Mrs HUTCHISON (Stuart): Will the Minister of Employment and Further Education advise the House whether there are any plans to improve the TAFE facilities at Coober Pedy? It has been put to me, and I agree, that there is a need for a greater emphasis on tourism and hospitality training, and also on developing lapidary skills in the Far North to ensure that the maximum value is gained from our tourism and mining industries in that area. In addition, Aboriginal students and rural women have increasing demands for training. However, the facilities currently in use do not allow any expansion in these courses.

Members interjecting:

The Hon. M.D. RANN: A member opposite inquired why the member for Stuart asked such a question, and whether Coober Pedy was in her electorate. It should be pointed out that the member for Stuart represents both Port Augusta and Port Pirie, and for some years she has been President of the Port Augusta TAFE Council, which includes the Coober Pedy campus of TAFE. Therefore, it is of considerable interest to the member for Stuart as well as to the member for Eyre, who is also a very strong supporter of the Coober Pedy TAFE campus.

I was in Coober Pedy the other day and I fully agree with the honourable member that the old church hall and transportables currently in use are inadequate for TAFE to meet the needs of that community into the 1990s and beyond. Indeed, while visiting Coober Pedy I met with the Mayor and business people, as well as educationalists and members of the Aboriginal community, and I am pleased to be able to announce plans for a new TAFE facility at Coober Pedy. State Government approval is subject to the availability of Commonwealth construction funds, but I am extremely confident that these funds will be approved because the proposal fits totally within the Commonwealth's guidelines for Aboriginal education in a number of areas.

The $2.6 million project will include a multi-purpose workshop, a specialist opal and other jewellery workshop (lapidary), general classrooms, seminar rooms, specialist classrooms, computing, art and craft, library, administration and ancillary areas, with parking for about 30 cars and a service road. The new single storey TAFE campus will be in the main street of Coober Pedy and the design, colour and architecture will emphasise the outback rural setting. The new buildings will be sympathetic to the surroundings and will incorporate low energy considerations suited to the locality. Preliminary sketch plans have been prepared; however, final plans will be developed in consultation with the Coober Pedy community. Extensive consultation has already taken place between staff of the Port Augusta College and residents of Coober Pedy to make sure that their needs are met.

Certainly, the Mayor and the business people with whom I met a week or so ago were delighted to hear that the new facility was on its way. As a result, the provision of Aboriginal education, lapidary, technical and business studies will continue at Coober Pedy, and the new facilities will allow for plans for increased offerings in Aboriginal studies, business studies, tourism and hospitality and women's access programs.

The use of distance education facilities from Port Augusta and lecturers from Port Augusta and Roxby Downs will also be necessary. It is expected that work on the site will begin in July 1991, and occupation of the site is expected in about July 1992. I thank the member for Stuart for her work in the negotiations over the years to achieve this project. Without that work we would not have reached this advanced stage. I hope that the new campus will become very much part of Coober Pedy life in that dynamic community.

ADOPTION LAWS

Mr SUCH (Fisher): My question is to the Minister of Family and Community Services. Following receipt of a letter sent by the department to a young man, who is not adopted, to advise him that his natural mother wanted to contact him, will the Minister initiate an immediate review of procedures within the Department for Family and Community Services for advising people of their rights under the State's revised adoption laws to establish how this most serious mistake occurred and to ensure for the future that incorrect information is not provided and that families are not caused undue and unnecessary stress?

I have in my possession a copy of the letter dated 18 September sent by the department to a constituent of mine, Mr David Wilson of Aberfoyle Park. That letter advises Mr Wilson that his birth mother has applied for and received information to allow her to locate him and has now requested the department to contact him on her behalf. The letter goes on:

> I am aware that this may come as a surprise.

That was an understatement, for Mr Wilson is not adopted. Compounding this is the fact that this letter was opened by Mr Wilson's natural mother, as he is currently working in Western Australia. Furthermore, when contacting the Family Information Service to indicate her concern and anger, she was told that the department sends these letters and 'hopes for the best'. I understand further that the department has incorrectly advised the woman who made the initial inquiry that it has now found 'her son'; namely, David Wilson, the young man to whom the letter I referred to earlier was sent. This has been done with the permission of the family and, in fact, the mother is present today.

Members interjecting:

The SPEAKER: Order! The manner of asking questions is very clearly detailed in the Standing Orders. I ask all members again to be careful about how they phrase questions. The Minister of Family and Community Services.

The Hon. D.J. HOPGOOD: From the information given by the honourable member—and I assume that in good

time he will give me the documentary information that he has—it seems to me that what we are dealing with is an honest mistake rather than any deliberate breach of the legislation which was passed by this House and another place not so very long ago. If the honest mistake relates to a weakness in procedure, I will have that matter corrected to try to ensure that this sort of thing does not happen again. Given that we are dealing with human beings, there is always the possibility that these sorts of mistakes can occur. I will have the whole matter fully investigated before I draw any strong conclusions on it.

EARTH LEAKAGE CIRCUIT BREAKERS

Mr De LAINE (Price): Will the Minister of Mines and Energy investigate the possibility of introducing legislation to ensure that earth leakage circuit breakers are fitted to the electrical circuits of all new buildings? Considerable publicity has been given to the life saving potential of these electrical safety devices, and it seems that, for a relatively low cost, additional protection against electrocution can be provided in homes and other buildings.

The Hon. J.H.C. KLUNDER: I have some information which will provide members with an update of the growing use being made of earth leakage circuit breakers, otherwise known as ELCBs, residual current devices or safety switches. There is no doubt that these devices can significantly improve electrical safety in the home and the workplace. In this State the placement of such circuits is, to a large extent, due to the work that has been done by the Minister of Labour, and they have been made mandatory wherever portable tools and equipment are used in the workplace. In addition, Standards of Australia is currently reviewing its wiring rules and, if the new draft rules are accepted (and I understand there is a good likelihood they will be), ELCBs will be made compulsory in new domestic installations.

While that addresses the main point of the honourable member's question, other things should be said. Recently Cabinet approved a proposal that ELCBs, both fixed and portable, be proclaimed as prescribed classes of electrical products under the Electrical Products Act and regulations. One of the main purposes of this legislation is to ensure that consumers are given protection against unsafe electrical products. By proclaiming ELCBs, ETSA will be in a position to ensure that only those units which comply with the Australian standard are available to the public. Similar action is planned or has already occurred in other States and Territories. The proclamation is now being drafted and it is expected that it will come into effect on 1 December. However, it should be noted that the principal Act allows for a period of six months to apply after the alteration in the regulations to ensure that local industry receives ample warning of the change.

One final cautionary note needs to be sounded in relation to ELCBs. While it is acknowledged that ELCBs can and do provide an increased level of electrical protection in the home and workplace, they do not provide absolute protection. There are specific kinds of electrical faults and situations which can arise against which ELCBs do not ensure protection. These devices will do the job that they are designed to do, and no more. They are not a substitute for adopting safe practices in the home, workplace or any other place where electricity is used and they do not alter the fact that electrical energy, if misused, is potentially dangerous.

RESPIRATORY DISEASES

Dr ARMITAGE (Adelaide): Has the Premier been made aware by the Health Commission of complaints from local residents in the LeFevre Peninsula/Port Adelaide area, which is part of the site for the MFP, of elevated rates of lung cancer, asthma and other respiratory problems in the area? Will these complaints now be considered as a matter of urgency in planning for the MFP? These complaints are referred to in the annual report of the Health Commission tabled yesterday in terms which indicate the commission endorses the concerns to the extent that they are being further investigated through a detailed survey of all year 7 children 'to specify problem frequency, identify risk factors and explore geographic clustering which may suggest a point source'.

The Health Commission annual report indicates that a review of air emissions and pollution concentrations has already been carried out but has 'failed to identify an adequate explanation although elevated levels were highlighted'.

The Hon. D.J. HOPGOOD: What the honourable member read out is a splendid endorsement of the fact that the Health Commission, along with other areas of government, is working very hard to ensure that that which has been announced as a target for the MFP will be realised, and that it will be realised as part of a general addressing of health problems in the north-western suburbs in general. One only has to inspect the social health atlas to note that the incidence—

Members interjecting:

The Hon. D.J. HOPGOOD: Didn't you get your copy? Well, I promise here and now that the honourable member will get his own copy.

Members interjecting:

The SPEAKER: Order! The honourable Minister.

The Hon. D.J. HOPGOOD: I would not be so mean as to make the honourable member pay; I am sure it would be an important part of his education. There is plenty of epidemiological evidence to show that the incidence of thoracic complaints is higher in the north-western suburbs than in other parts of the metropolitan area and that there are certain other things; to a degree, the number of cardiovascular complaints is elevated in that area. Just getting to the source of those problems is very difficult indeed, because it seems to me that we have a complex of factors with which we must deal. First, it is an industrial area. Most people living in that area have lived there for a long time and during a period when environmental consciousness was very much lower than it is at present, when that which was required of industry was very much more *laissez-faire* than that which is required by my colleague the Minister for Environment and Planning these days from those same industries and others like them.

We are also aware that human behaviour has a considerable impact on these epidemiological outputs. We cannot ignore the fact that almost certainly a survey would show that the incidence of smoking is higher in that area than it is in some other parts of the Adelaide metropolitan area or in the country areas. So, we are aware of these problems. It may be that there is no point source, as the report makes clear, although we cannot rule out any of the possibilities. All I can say is that, as the Premier has been at pains to point out on a number of occasions, we have entered into the MFP exercise not ignoring that there is and historically has been significant pollution in that area but as part of an exercise that will seek to redress that in a way that will have

benefits not only for that area but for the whole of the South Australian economy.

RECYCLING SCHEME

Mr HOLLOWAY (Mitchell): Can the Minister for Environment and Planning advise details of the recycling scheme introduced by the District Council of Northern Yorke Peninsula? Last week, I understand the Minister presented the first grant of some $30 000 from the State Government's recycling fund, established to help finance innovative ideas for new products and collection systems, to the Northern Yorke Peninsula council. I recently represented the Minister at the launch of the Marion council recycling scheme and I believe other councils would be interested to learn what has been achieved on northern Yorke Peninsula.

The Hon. S.M. LENEHAN: I thank the honourable member for his question and I acknowledge that this very exciting and, indeed, the first comprehensive recycling scheme in South Australia is in the member for Goyder's electorate: he was present at the launching and at the handing over of one of the first cheques to be presented under the Government's proposals, which I announced some months ago. It is important that we acknowledge what this scheme involves. It is a comprehensive scheme involving kerbside collections, recycling depots and a very comprehensive community education program.

I can inform the House that already the amount of waste that is being dumped at the council rubbish tips—and there are two of those—has been more than halved, so there has been a 50 per cent reduction already. The items collected at the kerbside or accepted at the recycling depots in Kadina and Moonta include paper, glass, cans, sump oil, cardboard, metal and garden waste. The program is a perfect example of the type of initiative that the Government's recycling development fund was established to promote, and I must say that I was incredibly impressed by the community participation in this scheme, which does have an incentive, I would acknowledge. I think that if one does not participate in this scheme and put out one of the large bins or some other bin, one has to pay $4 for the collection.

However, in driving around both of the townships on the morning of the collection scheme, I was incredibly impressed as I saw only two of the large bins. Everyone else seemed to have their rubbish put out with papers neatly stacked, properly folded and sorted ready for collection. On visiting the two recycling depots, I must say that they were beautifully landscaped and well planned, and it was made easy for local residents to deposit their recycling materials. One depot even had a brand new chipper so that residents could bring in their garden prunings, feed them through the chipper, and take home the wood chips to put back on the garden. That is recycling at its best.

The councils and the community, as the member for Goyder—the local member—would know, deserve great credit and praise from other sections of the South Australian community because they have shown the way in terms of how councils can have a comprehensive recycling program in their own areas. I recognise that a number of urban councils—in fact, in some of my own colleagues' electorates, including Enfield and Marion councils—are moving to some form of recycling collection system. I must say that it is always hard to be the first council to initiate something like this and to get the kind of community support that they have managed to achieve.

The Government recognises that the success of schemes such as the one on which the Northern Yorke Peninsula council has embarked depends not only on a combination of a thorough and good collection system but also on ensuring that we have a use for the collected material. I would like to give credit to my colleague the Minister of Industry, Trade and Technology and his department who are working with the Waste Management Commission and the Recycling Advisory Committee to ensure that we have industries that will take recycling material, bearing in mind that at the end of the day we must ensure that we have markets for those products. I would urge all members to give support in any way they can in their own constituencies for the purchase of recycling materials, because we need these three arms of a recycling scheme to make them both economically and environmentally viable.

COUNTRY VEHICLE REGISTRATION

Mr MEIER (Goyder): If Standing Orders permitted, Mr Speaker, I would have taken the opportunity to endorse the Minister's remarks concerning the Northern Yorke Peninsula council.

Is the Premier anticipating visiting country areas in the near future to see for himself the desperate plight most rural industries are in? If he eventually does will he, among other things, reconsider the wisdom and the fairness of his Government's plan to remove the 50 per cent concession on registration fees for commercial motor vehicles of two tonnes and below? From my visits to various rural areas and in all the representations made to me by rural organisations (and strongly by the UF&S last Friday) the need to restore this 50 per cent concession taken away in the recent State budget is constantly sought. Many of these vehicles are used almost exclusively on farms and, in the present rural crisis, even an extra $200 a year in registration fees is an impost farmers can ill afford. It has been put to me that this impost also represents this Government's ignorance of the knife-edge balancing act that farmers are continually facing in this State.

The Hon. J.C. BANNON: It just so happens that yesterday the Minister of Agriculture and I had discussions with the United Farmers and Stockowners Association on a number of issues, including the one that the honourable member has just raised. I indicated then that it would be my intention to visit some country areas, either on my own or in association with the Minister, who himself is of course embarking on a quite active program of visits.

Arrangements are still being made, but I would hope that the first of those visits could take place perhaps towards the end of this month or early next month. As regards the concession, I point out that the Government's various budget measures were part of a carefully constructed package in which we tried to have regard to the impact on particular sectors of the community, and none more so than the rural sector. We did recognise the problems that exist there and the need to minimise impact. We are very conscious of the demand for services in those rural areas: of the need to try to ensure that we have resources to maintain the infrastructure support—the schools and other things that assist the amenity of life in country districts—while, at the same time, contributing to employment and economic activity.

Quite clearly we could not take any revenue measures at all and ensure that the financial shortfall produced by that would be made up by the contraction of services. Rural and country areas would be a part of the State that would suffer quite severely if that practice were adopted. What we have attempted to do is try to balance that and ensure that proper support is provided and that we have the funds to achieve

that. Rationalisation of the concessions was a reasonable thing to undertake in the circumstances, particularly as we have had care for that very basic essential commodity, which is fuel.

In all other States, with the exception of Queensland, fuel excise levies have been increased considerably. In this State we have established a differential zoning system and, while we looked at a number of variations in the compilation of the budget—increasing that, abolishing the zone differential and various other things—in the end we decided that it was most important to maintain that very considerable advantage that country South Australia has in respect of fuel prices.

Mr D.S. Baker: What is that worth?

The Hon. J.C. BANNON: It is worth millions of dollars—millions of dollars more, I would suggest, over time than—

Mr D.S. Baker interjecting:

The Hon. J.C. BANNON: I am told it is minuscule, Mr Speaker. That is a very interesting statement. The fact is that it does represent an advantage. I would also say that we have not abolished the concessions for primary producers. Vehicles over two tonnes continue to attract the concession. There was evidence—and we discussed this with the UF&S—of the concession being provided and utilities being used for vehicles that very rarely saw a farm. The UF&S contends that there are ways and means of eliminating some of those abuses, and that there are submissions it would like to make in relation to the impact of the concession and how it could be better managed. I have invited it to make those submissions. In doing so I stressed that we cannot alter this year's budget and budgetary requirements but, year by year, we keep these things under review and we are prepared to look at reasonable cases to assist that industry.

So, we are in frequent and constant contact with those who represent the rural industry, and we intend to remain so. We stand ready to provide whatever assistance and support is appropriate. The Minister of Agriculture has already reported on his visit to Canberra and the representations made when he was accompanied there by the President of the UF&S, and the very considerable time spent and the range of issues they were able to explore with the Federal Minister. There will be further follow-up of that, and we will ensure that that is reported back to the rural community.

GRAND PRIX

The Hon. J.P. TRAINER (Walsh): I direct my question to the Minister for Environment and Planning in her capacity as the Minister representing the Minister for the Arts. In view of the many complaints about the recent Cher concert for Grand Prix patrons, will the Minister ask her colleagues in the other House, the Minister for the Arts and the Minister of Consumer Affairs, to research developments in the United States whereby concert patrons are to be made aware in advance of purchasing their tickets that parts of a live concert may actually be mimed? It is alleged that last weekend parts of the performance by Cher at the Grand Prix were mimed, including one segment involving a Cher impersonator who was miming to a Cher song.

Members interjecting:

The Hon. J.P. TRAINER: It is sort of a case of Cher and Cher alike! There was a suggestion that it was a transvestite, but that would be more appropriate with an AC/DC concert. I understand that certain State Legislatures in the United States, including New Jersey, New York and California, have introduced legislation so that rock concert performers must make clear to the audience that they are miming on stage rather than providing a 100 per cent genuine live performance. Portion of the New York legislation reads as follows:

> In any public performance involving music or musical accompaniment for which a fee is charged, there shall be clear and conspicuous disclosure in all advertisements as to the use of music that has been recorded or otherwise reproduced.

A paragraph in the New Jersey legislation reads:

> Prior to the sale of any tickets for a musical performance, show, or concert which includes, either in whole or in part, vocal performances, the promoter shall disclose whether the lead vocals, or any portion of those lead vocals, shall consist of played recordings rather than the actual singing of those vocalists during that performance, show or concert.

The Hon. S.M. LENEHAN: I noted the comment during the honourable member's question that it was a joke. However, on reading the reports the day after the Cher concert, obviously a number of people who had paid their money and waited all day to see the concert felt that they had been cheated in a sense because part of the concert was mimed. I guess there is an expectation that, if people pay money to see a live performance, that is in fact what they will see. Therefore, I would be very pleased to refer the honourable member's question to both my colleagues the Minister of Consumer Affairs (Hon. Barbara Wiese) and the Minister for the Arts (Hon. Anne Levy) to see—

Members interjecting:

The SPEAKER: Order!

The Hon. S.M. LENEHAN: —whether this is something that happens quite often in South Australia. I will refer the question to them to see what responses they can provide.

REPLY TO QUESTION ON NOTICE

Mr LEWIS (Murray-Mallee): Does the Minister of Mines and Energy yet have an answer to my question No. 5 on the Notice Paper which has been on notice since shortly after Parliament resumed after the election? As Liberal spokesman on Mines and Energy, it is my responsibility in this place to put to the entire community of South Australia the Opposition opinion about desirable future policy directions for South Australian energy production and distribution. While the Minister and the Government refuse to provide the information sought in the several parts of question No. 5 on the Notice Paper, public debate in the democratic process is prevented.

The Hon. J.H.C. KLUNDER: I acknowledge to the House that the honourable member was not miming that particular question. I shall take whatever steps I can to expedite the answer to his question.

ATSIC ELECTIONS

Mrs HUTCHISON (Stuart): Does the Minister of Aboriginal Affairs have any information on the number of South Australian Aborigines who voted at the Aboriginal and Torres Strait Islander Commission elections held last week? If so, will he inform the House as to the extent of voter turnout?

The Hon. M.D. RANN: I thank the honourable member for her continued interest in this area. I am advised that about 25 per cent of eligible South Australian Aboriginal people voted in Saturday's ATSIC elections. This is a pleasing result for such a new event. The Aboriginal and Torres Strait Islander Commission is a new nationally declared body designed to replace the Commonwealth Department

of Aboriginal Affairs and the Aboriginal Development Commission.

The elections held last week determined the membership of various regional councils. Each of the five regional councils within South Australia—Adelaide, Tarcoola, Indulkana, Leigh Creek and Murray Bridge—has between 11 and 16 members depending on the size of the population. A sixth regional council, Deakin, which is partly in South Australia but also crosses the border into Western Australia, has 10 members.

The regional councils will decide on the allocation of Commonwealth funds within their region and will help to draw up plans to improve the economic, social and cultural life of Aboriginal people. Occupants of these positions, I hasten to add, will not receive a salary; they have nominated because of their commitment to addressing the issues facing Aboriginal people. I understand that, in the five regional councils within South Australia, about 100 people are vying for 65 positions, and the results will be made available shortly.

I have noticed some headlines about a poor voter turnout. This is rather odd, because the election turnout of 25 per cent compares very favourably with South Australia's average 20 per cent turnout for local government elections and, in some local government areas, about 5 per cent. So, I hope that this is the start of greater involvement by Aboriginal people in self-determination and, indeed, in the broader election process in South Australia.

SENIOR SECONDARY ASSESSMENT BOARD OF SOUTH AUSTRALIA ACT AMENDMENT BILL

The Hon. G.J. CRAFTER (Minister of Education) obtained leave and introduced a Bill for an Act to amend the Senior Secondary Assessment Board of South Australia Act 1983. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

It deals with the amendments to the Senior Secondary Assessment Board of South Australia Act 1983, concerning the composition, roles and functions of the board. The amendments are necessary in order to allow the Senior Secondary Assessment Board of South Australia (SSABSA) to take up the responsibility for the organisation and ongoing management of the South Australian Certificate of Education (SACE).

The present Act limits SSABSA's operation to the year 12 level. Its range of operation needs to be extended to encompass year 11, while its powers and functions need to be broadened to permit those additional activities made necessary by the requirements for the new certificate. The proposals associated with the South Australian Certificate of Education were outlined in the first and second reports of the Inquiry into Immediate Post-Compulsory Education (the Gilding Inquiry) which were accepted in principle by the Government in January 1988 and July 1989. This inquiry parallels similar reviews in other States and overseas.

The inquiry involved extensive consultation with the broad community, including parents, industry, the three school sectors, higher education institutions and students. The amendments have been the subject of a wide consultative process. The specifications for the new certificate include curriculum requirements, assessments and public certification for students over a two year period, broadly described as being the year 11 and 12 levels.

This will result in an expansion in the responsibilities of SSABSA. For example, in 1990, SSABSA will provide assessments for approximately 17 500 South Australian students at the year 12 level. The board is currently planning for the provision of assessments for between 19 000 and 20 000 students at the year 11 level (stage 1 of the SACE) while also anticipating a maintenance of the assessment numbers at the year 12 level (stage 2 of the SACE) assessments.

Aims and objectives: The amendments provide for the introduction of a senior secondary education course that is based on four propositions:

1. that there be a coherent structure to senior secondary education which reflects the community's expectations of young people graduating from school;
2. that increasing participation in senior secondary schooling demands that there be studies appropriate to the needs and capabilities of all students;
3. that the means of selection and entry into higher and further education should reflect these changes;
4. that these studies and achievements be certified with the issuing of a certificate—the SACE.

In expanding the role and function of SSABSA to include responsibilities associated with the awarding of the SACE, two significant areas of amendment are necessary. First, changes are made to the composition of the board to reflect better the expectations and aspirations of the wider student population which will be undertaking SACE studies; and secondly, changes are made to the functions of the board to accommodate the stage 1 requirements of the SACE. All current functions of the board at the year 12 level are maintained.

In detail, the size of the board is reduced from the existing 30 members to a total membership of 25. The membership provides a suitable balance with some 36 per cent drawn from secondary schooling (as at present) and 20 per cent from each of tertiary education (higher and further education), employer/union interests and the wider community as represented by parents and the Commissioner for Equal Opportunity. Nominating organisations will be requested to take into account gender and cultural background when proposing members in order that the widest representation may be reflected in the board composition. The profile of the board will be monitored in an ongoing way.

The changes to the function of the board expand the current syllabus preparation and approval functions to the year 11 level of secondary schooling. The power to approve syllabuses prepared by organisations other than SSABSA is maintained, as is the power to recognise, as appropriate, the assessments made by other organisations. The functions are expanded to allow SSABSA to award a certificate on the satisfactory completion of a set of prescribed certification requirements specified in regulations, and to grant status in those certification requirements.

The requirement for publication of syllabus approval criteria is maintained and the promulgation of board policies, processes and certification requirements is now made a formal requirement. The research function of the board is maintained and the current board practice of review and monitoring practices and procedures is formalised. The regulation determination powers of the board are expanded in order that the prescribed certification requirements may be

established under regulation and to enable SSABSA to charge for goods or services thereby allowing the entrepreneurial out-of-State and offshore activities of SSABSA to expand.

Clauses 1 and 2 are formal.

Clause 3 amends section 4, the interpretation provision. A new definition is inserted—senior secondary education is defined as years 11 and 12 levels.

Clause 4 amends section 8 of the Act by substituting the subsection that establishes the membership of the Senior Secondary Assessment Board of South Australia. The amendment provides that the Board is to consist of 25 members—the Chief Executive Officer of the board and 24 members appointed by the Governor on nominations as follows:

Nominating person or body	No. of members
Director-General of Education	4
Director-General of TAFE	1
Universities (in accordance with regulations)	4
South Australian Independent Schools Board Incorporated	1
South Australian Commission for Catholic Schools	1
South Australian Association of State School Organisations Incorporated	1
South Australian Institute of Teachers	2
Association of Non-government Education Employees	1
South Australian Association of School Parents Clubs Incorporated	1
The Federation of Parents and Friends Associations of Independent Schools of South Australia	1
The Federation of Parents and Friends Associations of South Australian Catholic Schools	1
Industrial and Commercial Training Commission	1
United Trades and Labor Council	2
Chamber of Commerce and Industry, South Australia, Incorporated	2
Commissioner for Equal Opportunity	1

Clause 5 amends section 10 to reduce the quorum of the board from 18 members to 15 members.

Clause 6 substitutes section 15 which sets out the functions of the board. The current section provides for functions relating to year 12 level subjects and the assessment of year 12 level students. The substituted section provides for various functions relating to year 11 level and year 12 level of secondary education. The requirements of years 11 and 12 in relation to which the board has functions will be set out in regulations (these are referred to as prescribed certification requirements). The board's functions include the following:

—preparing and approving syllabuses
—assessing and recognising assessment of students
—granting of status to students
—keeping assessment records
—certifying satisfactory completion of the prescribed certification requirements
—providing information to schools, institutions and other authorities as to the board's policies and practices
—publicising the prescribed certification requirements and the board's assessment, recognition and certification processes
—providing syllabuses to members of the public
—researching matters within its responsibilities
—reviewing the operation of the Act and the board's practices and procedures.

The substituted section also gives the board power to deal with any transitional problems that might arise in the changeover to the new system and in any future changes that may occur.

Clause 7 amends section 23, the general regulation-making power. The amendment provides that regulations may only be made on the recommendation of the board. It also enables the regulations to prescribe fees for goods and services provided by the board and to confer discretionary powers on the board.

The schedule contains amendments to the Act of a statute law revision nature.

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

HOUSING COOPERATIVES BILL

The Hon. M.K. MAYES (Minister of Housing and Construction) obtained leave and introduced a Bill for an Act to make provision for the registration, incorporation and regulation of housing cooperatives; and for other purposes. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The Bannon Government has a proud record in the provision of housing to the South Australian community. Under this Government, the Housing Trust has admitted some 62 000 new tenants to trust accommodation, and has added a net 16 747 dwellings to its rental stock, an increase of 36 per cent. Through the Home Scheme and HomeStart the Government has provided 20 000 loans for people to buy housing. More than 5 000 people have received rent relief. Nearly 3 000 households have received mortgage assistance. Over 73 000 households have been granted relief from stamp duty on the purchase of their first home. The Emergency Housing Office has assisted an astonishing 153 000 households to find private rental accommodation. The housing cooperative program and the community housing program have together added nearly 1 200 dwellings; 514 units of Aboriginal accommodation have been added; and over 4 000 units of accommodation for aged people have been constructed.

We have developed a range of responses to help people in special need, including short-term and medium-term housing for women, families and young people in crisis. New forms of housing involving people in the management of their own accommodation have evolved, such as cooperatives. The Housing Trust has continued its policy of diversifying and redeveloping its stock, regionalising its activities and seeking ways of encouraging tenant participation in the trust's activities. But this Government has never been content to rest on its laurels. We have articulated a clear vision of where housing is going in this State. The vision is dynamic and proactive. It does not shy away from hard decisions forced on us by current economic realities. It offers us opportunities to demonstrate the renewed role that housing has to play in the world of tomorrow. It envisages a South Australia in which, despite constraints, there will be greater opportunities to resolve housing problems creatively.

We foresee a State in which there are a greater variety of housing tenures, more mixed public and private ventures, more shared equity between individuals and institutions, a greater diversity of housing stock reflecting the varying needs of community, and we see lower development and

building costs. We see a housing sector in which the poor, the needy and the disabled are offered greater protection and the opportunity for new forms of housing tenure. Within this vision we see a significantly expanded role for cooperative and community housing. We see a more diversified, localised and democratic form of public housing. We see more community involvement. We see greatly improved housing knowledge and better planning. We see well coordinated development processes for new communities. We see housing recognised as essential to economic and social well-being.

The Government will continue to build on the strengths of the South Australian Housing Trust as the main agency to develop and deliver existing and new housing programs. In particular we are seeking to enhance the strategic planning capacity of the Housing Trust. We therefore envisage that there should be strong and complementary strategic links between the trust and the South Australian Cooperative Housing Authority. The Government intends to formalise this partnership by appointing the General Manager of the trust to the position of Chairman of the authority, and also by ensuring further Housing Trust representation on the board of the authority. The Government stresses that these links will in no way compromise the independence of the authority, which will operate separately from the trust and will have full responsibility for all aspects of the cooperative housing program.

Cooperatives form a central and growing component of our vision for housing in South Australia. Cooperative housing in South Australia now has a 10-year history. From very small beginnings in 1980, the sector has grown to encompass 32 cooperatives housing nearly 700 households. Many new cooperatives are in the developmental stage. We have committed ourselves to providing up to 1 200 more units of accommodation through this program during the life of the current Government, depending on demand. This Bill provides the foundation stone on which the cooperative housing tenure will be built in the years to come.

The Government supports cooperative housing for a variety of reasons. It makes available a new alternative which offers some of the advantages of public rental housing and some of the advantages of home ownership. It is targeted primarily at low income groups who would otherwise face great hardship. It provides them with secure, decent and affordable housing. It devolves control over housing down to the people who live in the housing. It taps into the voluntary talents and labours of the users. It fosters a philosophy of mutual assistance and democratic control by the tenants of the cooperative. It helps spread the shrinking public dollar further. It is economically efficient. It offers dignity and pride. It promotes independence, improves self-reliance and encourages people to gain new skills and knowledge which help them in other areas of life such as the labour market. It reduces the stigma associated with so-called welfare housing. It is infinitely flexible and can cater for a wide range of users, including the aged and the disabled. Under the Bannon Government, South Australia has become a nationwide leader in cooperative housing.

This legislation originates in a thorough review of the program carried out over the past two years. The review identified a number of structural, legal, operational and financial deficiencies. The legislation begins the process of ensuring that both Government and cooperatives are adequately protected, and provides a secure foundation for the growth of this sector. The legislation is pioneering. No other State has seen such a rapid growth in the number of cooperatives and the numbers housed. The Government has consequently recognised the need for thorough and purpose-built legislation to directly serve the needs of this fast-growing sector.

The Bill before the House now serves a number of purposes. It creates a Cooperatives Housing Authority to plan, promote, regulate and protect the sector. The Government is satisfied that the cooperative housing sector has grown to the point where existing resources of government should be specifically earmarked to look after the sector. It is appropriate to integrate and coordinate the various functions under one body, instead of having them split among three as at present. The authority will not be an independent body but will be under ministerial control and direction. The authority will bring together representatives of registered housing cooperatives, the Housing Trust, a nominee of a representative body of housing cooperatives, and a number of Government appointees. This format has been adopted because the Government recognises that cooperative housing involves a partnership between the public and voluntary sectors. Government provides the legal and institutional framework within which cooperatives operate, determines key policies such as rents, and provides part of the finance needed. Cooperatives also provide part of the finance, and have responsibility for day-to-day management including development, property maintenance, rent collection, tenant selection, and other duties of landlords.

Neither party can succeed without the active support and cooperation of the other. Already, an advisory committee called the South Australian Cooperative Housing Management Committee has been working to put together this legislation and other features of the new cooperative housing program. This committee, which is structured along similar lines to the proposed authority, has proven highly successful, and it is desirable to set a permanent structure in place. Over the course of time it has been found that existing legislation does not entirely suit the needs of housing cooperatives. Neither the Associations Incorporation Act nor the general Cooperatives Act is suitable. The Bill therefore makes provision for the incorporation and regulation of cooperatives in a manner precisely tailored to their needs.

While it is intended to continue targeting the program at low-income groups, the Government is keen to see that tenants of housing cooperatives have the opportunity to invest their own funds in their housing when and as they have the ability to do so. The Bill provides for a share-equity investment scheme for cooperatives. To prevent speculation, this will be available only to resident tenant-members of the cooperative, except under exceptional circumstances. The tenant will be able to build up a shareholding in stages over time. If the rules of the cooperative allow, it will be possible for the tenant to buy the house from the cooperative. Alternatively, the tenants can eventually turn the cooperative into a private body using their own funds. The proceeds of share sales will be available to the authority for reinvestment so as to provide further housing to low-income people.

The Bill provides for the authority to support housing cooperatives financially. Additionally, the authority will be able to support other bodies which are established to provide assistance to housing cooperatives. This will particularly allow for the provision of management training and education to members of cooperatives. Financial transactions between the authority and cooperatives will be protected by means of a funding contract and a statutory charge over the property of the cooperative. The charge will prevent the cooperative from dealing in secured property without the permission of the authority. The charge can be enforced if there is a breach of the conditions of funding.

Additionally, there will be strengthened accountability provisions for housing cooperatives. The authority will have extensive powers of investigation and intervention into registered housing cooperatives which breach the legislation or conditions of funding. The authority will be able to require compliance with certain standards, and will be able to take action in the event of non-compliance. There are appropriate provisions for winding up cooperatives in certain circumstances. There is a provision for cooperatives to appeal against decisions of the authority to the Minister, and to appeal against decisions of the Minister to an independent appeals tribunal. It is desired to effect amendments to the Residential Tenancies Act in so far as tenant-members of registered housing cooperatives are concerned. This has been achieved by means of a companion Bill amending the Residential Tenancies Act.

Clause 1 is formal.

Clause 2 provides for the commencement of the measure.

Clause 3 sets out the various definitions required for the purposes of the Act. A housing cooperative is defined as an association which is formed on the basis of the principles of cooperation and principally to provide housing accommodation to its members. The principles of cooperation are set out in subclause (2). These principles are based on the six international principles of cooperation.

Clause 4 relates to the concept of statutory price. The statutory price is to be the amount payable to the holder of investment shares issued under Part VI of the Bill when those shares are redeemed or cancelled. The statutory price will be related to changes in the capital value of property.

Clause 5 prescribes the financial year of a registered housing cooperative.

Clause 6 provides that except as otherwise provided under the Act, the Companies (South Australia) Code, the Companies (Acquisition of Shares) (South Australia) Code and the Securities Industry (South Australia) Code do not apply in relation to a registered housing cooperative. However, the regulations may provide for the specific application of any provision of those codes (subject to such modifications, additions or exclusions as may be prescribed).

Clause 7 contains a provision relating to the Minister's powers of delegation.

Clause 8 provides for the creation of the South Australian Cooperative Housing Authority.

Clause 9 provides that the authority will have nine members—six appointed by the Governor and three elected by the members of registered housing cooperatives.

Clause 10 sets out the conditions of office that are to apply to members of the authority.

Clause 11 allows for the payment of allowances and expenses to members of the authority according to determinations of the Governor.

Clause 12 relates to the procedures to be observed at meetings of the authority. Any member of the public will (with the leave of the authority) be entitled to attend a meeting of the authority as an observer.

Clause 13 relates to the situation where a member of the authority may have a personal interest in a matter before the authority.

Clause 14 will make it an offence for a member of the authority to use confidential information gained by virtue of his or her position for the purpose of obtaining a private benefit.

Clause 15 relates to the immunity of a member of the authority from personal liability for an act or omission of the member or the authority in the exercise, performance or discharge (or purported exercise, performance or discharge) of a power, function or duty under the Act.

Clause 16 sets out the functions of the authority. It is proposed that the authority will provide advice or reports to the Minister on matters relating to the cooperative housing sector in this State, support and promote the activities and interests of housing cooperatives, register housing cooperatives and oversee their activities, and generally act in the best interests of the cooperative housing sector in this State. The authority will be subject to the general control and direction of the Minister. The authority will be required to promulgate guidelines to assist registered housing cooperatives and their members to understand their rights and liabilities under the Act.

Clause 17 sets out the authority's powers of delegation.

Clause 18 provides that the authority will have such staff (comprised of persons employed in the Public Service) as is necessary for the purposes of the Act.

Clause 19 will require the authority to keep proper accounts and prepare annual financial statements. Those statements will be audited by the Auditor-General.

Clause 20 will require the authority to provide an annual report to the Minister. The Minister will be required to lay copies of the report before both Houses of Parliament.

Clause 21 will require the authority to keep various registers.

Clause 22 provides that a duly authorised person may apply on behalf of a housing cooperative for registration of the cooperative under the Act.

Clause 23 provides that a housing cooperative becomes, on registration, a body corporate.

Clause 24 provides that, except as may be provided in the relevant rules, or in relation to pre-incorporation debts, a member of a registered housing cooperative is not liable to contribute towards the debts and liabilities of the cooperative, or any costs associated with a winding up of the cooperative.

Clause 25 will allow two or more registered housing cooperatives to amalgamate by special resolution passed by each cooperative.

Clause 26 provides that the rules of a registered housing cooperative bind the cooperative, the members of the cooperative, and any other person who may be occupying any premises of the cooperative. The rules must not contain any provision that is contrary to or inconsistent with the Act. Equally, by-laws must not be contrary to or inconsistent with the rules of the cooperative.

Clause 27 will require any alteration to a rule (other than a by-law) to be registered with the authority. Unless the Act otherwise requires, a special resolution will be required to alter a rule of a registered housing cooperative.

Clause 28 sets out the powers of a registered housing cooperative. A registered housing cooperative will be able to hold or deal with real or personal property, operate accounts, make investments, borrow money and enter into contracts. However, a cooperative will not be able to dispose of real property unless authorised by special resolution of the authority.

Clause 29 sets out the manner in which a registered housing cooperative may carry out transactions.

Clause 30 will validate a contract of a registered housing cooperative that might otherwise be beyond the capacity of the cooperative to enter into.

Clause 31 abolishes the doctrine of constructive notice in relation to registered housing cooperatives.

Clause 32 relates to membership within registered housing cooperatives. The rules of a cooperative may provide for different classes of members. The rules may provide for corporate membership.

Clause 33 will provide that each member of a registered housing cooperative is entitled to one vote (but no more than one vote) on any question put to a meeting of the cooperative. Any variation to this principle will require the specific approval of the authority.

Clause 34 will allow a registered housing cooperative to impose membership fees.

Clause 35 relates to the obligations of members. A member of a registered housing cooperative will be required to take reasonable steps to support the objects of the cooperative to attend meetings and to undertake tasks reasonably required by the cooperative.

Clause 36 restricts the payments that a registered housing cooperative may make for the benefit of a member.

Clause 37 will enable the authority to adjudicate in disputes involving registered housing cooperatives. A comprehensive set of procedures are set out in the provision. The authority will be empowered to decline to hear any proceedings if it considers that the proceedings should have been brought before a court or tribunal, and to stay any proceedings if other proceedings are brought before a court or tribunal.

Clause 38 expressly provides that the rules of natural justice must be observed in relation to the adjudication of any dispute.

Clause 39 provides that a registered housing cooperative must have a committee of management comprised of natural persons who are members of the cooperative. The committee of management will be empowered to manage the affairs of the cooperative and to exercise powers or functions assigned by the cooperative.

Clause 40 sets out the qualifications required of a committee member. Unless the rules of the cooperative otherwise provide, a committee member must be a tenant-member of the cooperative.

Clause 41 provides that committee members must be appointed by a general meeting of the cooperative.

Clause 42 relates to the validity of acts of a committee member.

Clause 43 relates to the situation where a committee member may have a personal interest in a matter before the committee.

Clause 44 relates to meetings of a committee of management and will require the committee to hold meetings as often as may be necessary for the proper conduct of its business.

Clause 45 sets out specific duties that must be discharged by officers and employees of registered housing cooperatives. An officer will be required to act honestly in the exercise or discharge of powers or duties of office, and to exercise a reasonable degree of care and diligence. It will be an offence to make improper use of confidential information acquired by virtue of an official position. Rights of recovery are included in relation to cases of default.

Clause 46 provides that a registered housing cooperative must hold its annual general meeting within five months after the close of its financial year. The rules of a cooperative may provide for the calling of other meetings of the cooperative.

Clause 47 imposes obligations in relation to the implementation of proper accounting procedures by registered housing cooperatives.

Clause 48 will require the preparation and auditing of a financial statement in respect of each financial year. The authority will be able to set accounting standards that each registered housing cooperative will be required to comply with.

Clause 49 requires a committee of management to lay before the annual general meeting of a registered housing cooperative a copy of the audited financial statements for the last financial year, together with such information or reports as the regulations may require.

Clause 50 relates to the provision of returns and information to the authority by registered housing cooperatives.

Clause 51 will require a registered housing cooperative to allow a member of the cooperative to obtain a copy of the rules and records of the cooperative.

Clause 52 provides that the rules of a registered housing cooperative may, if approved by a unanimous resolution, provide for the issue of investment shares in the cooperative. The shares will not be transferable and will not create an entitlement to dividends or interest. However, the shares will be issued in relation to a particular residential property of the cooperative, or in relation to the real property of the cooperative generally, and so the value of the shares will change as the value of the relevant property changes.

Clause 53 will require a registered housing cooperative that issues investment shares to establish a share capital account. Money received from the issue of shares will be required to be paid into the account. If the cooperative is a subsidised cooperative (as defined), the money must then be transferred to the authority to be held in the fund.

Clause 54 will make it unlawful for a registered housing cooperative to finance dealings in its own shares.

Clause 55 will require a registered housing cooperative to assign a distinctive number to any allotment of investment shares.

Clauses 56 and 57 relate to the issue of share certificates.

Clause 58 sets out the circumstances under which investment shares may be redeemed. Shares will be redeemable in certain cases of financial hardship, in the event of the death of the shareholder, if the shareholder ceases to be a member of the cooperative, or if the shares have been issued in relation to specific property and that property is sold. The regulations may also prescribe circumstances in which shares may be redeemed.

Clause 59 regulates the ability of a registered housing cooperative to cancel issued investment shares.

Clause 60 extends to registered housing cooperatives the application of a provision of the Companies Code relating to the offering of shares to the public.

Clause 61 regulates the ability of a person to create a charge over any investment shares that he or she may hold.

Clause 62 will give a special power to the Supreme Court to validate the purported issue of any shares that would otherwise be invalid under the Act.

Clause 63 defines the term 'subsidised premises' for the purposes of Part VII of the Act, the term meaning premises that are acquired or developed through the authority's assistance.

Clause 64 provides for the establishment of the 'Cooperative Housing Development Fund'. The fund will be the central fund under the Act and will be administered by the authority. The fund will be used to assist in the acquisition and improvement of cooperative housing in the State and to satisfy any liabilities of the authority. The fund will be kept at Treasury and the authority will be required to take into account policies and guidelines issued by the Treasurer in relation to the administration of the fund.

Clause 65 relates to financial agreements between the authority and registered housing cooperatives that receive assistance from the authority to acquire or improve residential premises.

Cause 66 will allow the authority to secure the performance of a financial agreement with a registered housing

cooperative by the registration of a charge over the real property of the cooperative.

Clause 67 relates to the enforcement of a charge over real property in a case of default. The authority will be required to give the cooperative reasonable opportunity to remedy any alleged default and will not be able to act to enforce the charge until it has obtained a report from an independent investigator. If the authority decides to act, it will be required to apply to the Minister for an order for the transfer or sale of the property secured by the charge.

Clause 68 provides that the creation of a charge also gives rise to an option in favour of the authority to purchase the relevant property in the event of a proposed sale by the cooperative.

Clause 69 sets out a method by which the charge may be discharged by equity investment in the relevant property and the payment of appropriate amounts to the authority.

Clause 70 empowers the Minister to appoint authorised officers for the purposes of investigations under the Act.

Clause 71 sets out various powers of investigation.

Clause 72 will allow the authority to intervene in the affairs of a cooperative in circumstances specified by the provision. The grounds of intervention include that the cooperative has failed to be administered on the principles of cooperation, that the cooperative is experiencing severe internal disputes or severe difficulties in the administration of its affairs, that committee members have acted in their own interests or in any other manner that appears to be unfair or unjust, that the cooperative has committed a breach of the Act and then failed to remedy the breach within a reasonable time, or that the cooperative has breached a financial agreement with the authority. The authority will be required to obtain the report of an independent investigator before it intervenes in the affairs of the cooperative. The powers of intervention will include the ability to require the cooperative, or members of the cooperative, to take specified action to correct any irregularity, to require the cooperative to adopt specified management practices, to remove a committee member from office or to suspend or terminate a person's membership of the cooperative, to appoint an administrator, and to recommend to the Minister that the cooperative be wound up.

Clause 73 relates to the appointment of an administrator.

Clause 74 adopts provisions of the Companies Code relating to compromises with creditors.

Clause 75 sets out the circumstances under which a registered housing cooperative may be wound up.

Clause 76 will allow a person to appeal to the Supreme Court in relation to an act, omission or decision of a person administering a compromise, of a receiver or receiver manager, or of a liquidator.

Clause 77 sets out a procedure by which a registered housing cooperative can transfer its activities to another body corporate where the cooperative has, in effect, ceased to be operating as a housing cooperative.

Clause 78 regulates the distribution of surplus assets of a registered housing cooperative on the winding up of the cooperative. In particular, the surplus assets of a subsidised cooperative must be distributed to the authority, another registered housing cooperative, or another body with identical or similar aims and objects.

Clause 79 relates to the deregistration of defunct cooperatives.

Clauses 80 and 81 provide for the disposal of property of a cooperative located after the cooperative is wound up.

Clause 82 provides for the removal from the register of the name of a cooperative that has been wound up.

Clause 83 adopts various provisions of the Companies Code that relate to the responsibilities of officers and other persons when an incorporated body is being wound up or is unable to pay its debts.

Clause 84 will require the authority to take action to assist any tenants affected by the winding up of a registered housing cooperative.

Clause 85 sets out procedures for the review of acts and decisions of the authority and the Minister under the Act.

Clause 86 provides that a tenancy agreement between a cooperative and a member of the cooperative must be in writing.

Clause 87 sets out an alternative procedure under which a cooperative may borrow money from its members.

Clause 88 provides that a registered housing cooperative must not issue any kind of shares other than membership shares and investment shares.

Clause 89 will allow a member of a cooperative who is under a disability to appoint a person to act as his or her representative.

Clause 90 facilitates the transfer of associations under the Associations Incorporation Act 1985 to this Act.

Clause 91 allows the use of the abbreviation 'Inc.'.

Clause 92 will make it an offence to falsely represent that a body is a registered housing cooperative under the Act.

Clause 93 relates to the power of the authority to reject documents submitted under the Act.

Clause 94 will make it an offence to include false or misleading information in a document required under the Act.

Clause 95 will allow the authority to grant extensions of time for the purposes of the Act and, with the approval of the Minister, to exempt a cooperative or an officer of a cooperative from the obligation to comply with a provision of the Act.

Clause 96 empowers the authority to convene a special meeting of the cooperative.

Clause 97 is an evidentiary provision.

Clause 98 sets out various methods of effecting service on a registered housing cooperative.

Clause 99 will make it an offence to refuse or neglect to furnish a return or information to the authority under the Act.

Clause 100 creates additional penalties if a person who has been convicted of an offence against the Act continues to act in contravention of the Act.

Clause 101 provides that an officer of a registered housing cooperative must take all reasonable steps to ensure that the cooperative complies with its obligations under the Act.

Clause 102 contains a general defence to proceeding for an offence against the Act in cases where the defendant can show that he or she took reasonable care to avoid commission of the offence.

Clause 103 relates to proceedings for offences under the Act.

Clause 104 provides that the liabilities of the authority are guaranteed by the Treasurer to the extent to which they cannot be satisfied out of the fund.

Clause 105 provides for the remission of taxes in certain circumstances and empowers the Treasurer to exempt the authority, or instruments to which the authority or a registered housing cooperative is a party, from taxes, duties or other imposts.

Clause 106 relates to the payment of fees.

Clause 107 provides that the rule against perpetuities does not apply in relation to a right or interest of the authority in the property of a registered housing cooperative.

Clause 108 relates to regulations under the Act.

The schedule contains a transitional provision to facilitate the election of the first members of the authority.

Mr BRINDAL secured the adjournment of the debate.

RESIDENTIAL TENANCIES ACT AMENDMENT BILL

The Hon. M.K. MAYES (Minister of Housing and Construction) obtained leave and introduced a Bill for an Act to amend the Residential Tenancies Act 1978. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

It is a companion measure to the Housing Cooperatives Bill 1990. It amends the Residential Tenancies Act in respect of tenant-members of housing cooperatives registered under the housing cooperatives legislation. During the recent review of the housing cooperatives program it was found that the Tenancies Act was not entirely appropriate to the needs of housing cooperatives. A practice had arisen over time whereby each new housing cooperative sought specific modifications to the Act so as to suit its needs. The Residential Tenancies Tribunal has generally acceded to these applications although the precise wording of each order has varied over time.

It is now proposed to provide a uniform set of modifications to the Act in respect of registered housing cooperatives. The modifications proposed cover eligibility for membership, variation of rent, responsibility for cleanliness and repairs, rights of assignment and subletting, and termination of tenancy. These amendments generally follow the spirit of modifications previously determined by the Residential Tenancies Tribunal.

In one respect, however, the amendments go further. Section 65 of the Act, which allows a landlord to terminate a tenancy agreement without reason provided 120 days notice is given, will not apply in respect of a residential tenancy agreement between a registered housing cooperative and a member of the cooperative. Cooperative housing is intended to be long-term housing and it is appropriate that members be given adequate protection from arbitrary, capricious or vindictive termination of tenancy. It is proposed that cooperatives will have a right to give notice of termination if a tenant ceases to be a member. This allows the cooperative to terminate the membership of a member in accordance with its rules, and then to issue a notice of termination under section 61.

Clause 1 is formal.

Clause 2 provides for the commencement of the measure.

Clause 3 defines 'registered housing cooperative' for the purposes of the principal Act.

Clause 4 will allow the South Australian Cooperative Housing Authority to intervene in proceedings before the Residential Tenancies Tribunal in appropriate cases.

Clause 5 modifies the operation of section 34 of the principal Act in relation to rent variations where the landlord is a registered housing cooperative and the rent is variable according to variations in the tenant's income.

Clause 6 amends section 46 of the principal Act so that a registered housing cooperative will not be required to maintain or repair items of a prescribed kind.

Clause 7 modifies the application of section 52 of the principal Act. It will be a term of a tenancy agreement between a registered housing cooperative and a member of the cooperative that the right of the member to assign or sublet his or her interest as tenant will be subject to the consent of the landlord, that the landlord will have an absolute discretion to refuse to consent to an assignment, and that the tenant is only entitled to sublet the premises on a reasonable number of occasions for reasonable periods.

Clause 8 provides that where a tenancy agreement is between a registered housing cooperative and a member of the cooperative, the landlord may give notice of termination on the ground that the tenant has ceased to be a member of the cooperative, or has ceased to satisfy a condition prescribed by the agreement as being essential to the continuation of the tenancy. The period of notice will be 14 days.

Clause 9 amends section 65 of the principal Act. This section allows a landlord to terminate a tenancy (other than a fixed term tenancy) without any ground by giving the tenant at least 120 days notice of termination. It is proposed that this provision not apply to a residential tenancy agreement between a registered housing cooperative and a member of the cooperative.

Mr LEWIS secured the adjournment of the debate.

SOIL CONSERVATION AND LAND CARE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 21 August. Page 404.)

Mr MEIER (Goyder): This Bill legitimises the right of the Minister to establish or vary the boundaries of a soil conservation district by ministerial notice in the *Gazette*. As members may recall from last year's debate on the Soil Conservation and Land Care Bill, this was to have been done by proclamation but there is some doubt that proclamations under the Act can be varied or revoked. The Opposition supports the proposed changes to ensure that the Act can be administered smoothly and efficiently.

Because the Act has operated for some time, I have one or two comments to make. Members would be aware that the legislation established 26 local soil conservation boards which were, amongst many other things, to draw up district plans to improve land management and soil conservation by combating erosion, salinity and acidity. Members would recall the extensive debate and the many amendments made to the Bill, and it has been pleasing to see how things have worked. I contacted a few people involved with the soil conservation districts and, without exception, they reported that they felt things were progressing smoothly and that the people in the local areas are seen to be getting on with the work. Therefore, this amendment to make changes to boundaries easier seems to be very sensible.

It must be remembered that degradation of Australia's agricultural and pastoral lands is increasingly recognised as the most serious long-term national conservation issue by conservationists, Governments and the public at large. Last year, Rick Farley, Executive Director of the National Farmers Federation, described land degradation as 'the AIDS of the earth'. Whilst that is a fairly strong statement, evidence tends to support that that is the case. The most recent national survey of land degradation indicated that 51 per cent of Australia's cropping and grazing land has been sub-

jected to moderate erosion or salinisation through a combination of degradation processes.

These complex processes usually begin with the disturbance of the vegetation cover through tree removal, overgrazing or injudicious burning. Unfortunately, for so many years, surveys and analyses indicated that land deterioration was getting worse rather than better. Although soil conservation districts have been rearranged and new provisions have been brought in, it will be some years before we see the overall effect. So, it has been very heartening to be personally involved with a land care group which has associations with other soil care groups and to see the great interest shown by rural producers and farmers in attending to their landscape.

I remember that, back in the early 1970s when I sought to undertake a major tree planting program in a rural area, quite a few farmers said, 'That is excellent, go right ahead,' but when I approached them to have trees planted near their properties, they said, 'We are still paying off our land and we would prefer to have no trees planted there because they could impinge on our production.'

That was some 15 years ago. Those same people and many other farmers are now not only allowing trees to be planted adjacent to their properties but are happy to make sections of their property available for revegetation, and they see the great advantages from which this State and their property will benefit. I am continually reminded that on Yorke Peninsula, the area I represent, the first sheep farmers had to drive their sheep on the beach, in most cases: they could not drive them through the mainland because of the density and thickness of the vegetation. Of course, those who know Yorke Peninsula will appreciate that today there are far too few trees and windbreaks to be seen. That is changing and I know it will benefit the rural community. It is great to see so many farmers actively involved and to see organisations such as Greening Australia and Men of the Trees—

The SPEAKER: Order! The honourable member will resume his seat. The Bill is very specific; it adds a further transitional provision to the Act and refers to proclamations. The comments being made are not relevant to the Bill as such. As Standing Orders provide that comments must be relevant to the Bill, I ask the honourable member to be careful and stay within the Standing Orders.

Mr MEIER: Mr Speaker, I note what you have said, but I also point out that this Bill seeks to vary the boundaries of soil conservation districts. I would have thought that, since we are talking about soil conservation districts, it is only right and proper that we should be able to comment about soil conservation and land degradation in general terms. I do not intend to go on for any great length of time.

The SPEAKER: Order! To clarify that point, I reiterate that the Bill is very specific about proclamations being varied or revoked. It is very specific. I ask the honourable member to be specific in his comments.

Mr MEIER: Mr Speaker, I have no intention of disputing your ruling at this stage. I have made the key points that I wanted to address in this debate. I would simply conclude by saying that it is very heartening to see the way in which people are addressing the general area of soil conservation; if changes need to be made to the soil conservation districts, they can now proceed much more smoothly. I would hope that all members of this House would recognise the importance of their environment, both urban and rural. I hope that my comments can be seen in such a light that things progress in a positive way. It will only be in years to come that we will see whether we have gone far enough or whether more moves must still be made in the future. As I said at the outset, the Opposition supports this Bill.

Mr LEWIS (Murray-Mallee): Not common to this Minister's performance, but certainly common to the Government's performance ever since the election, has been the relevance of the dictum: Do it now and fix it later. As it turns out, that is what this Bill is about. Clearly, the operative part of the measure is the amendment of the schedule so that in fact new boundaries of soil conservation districts or the proclamation of boundaries where they have not existed before can be made lawful. The method by which this is to be done is a bit obscure to me, too. We note that the proclamations made by the Governor under the repealed Act to constitute soil conservation districts will be taken to be in force and may be varied or revoked by the Minister now as if they were notices published by the Minister under section 22 of the Act. That is really changing old arrangements at ministerial prerogative—a very neat, convenient way of having things happen. I can think of circumstances where a citizen might be disadvantaged by this type of change to the law, but I do not know of a particular circumstance in which a person has been disadvantaged.

Let me tell this Minister and, indeed, all members of this House, that I disapprove of this approach to legislation. I strongly disapprove of this approach. It is altogether too slapdash and, what is more, so is fixing it up in this fashion. Whilst I trust this Minister (and he knows I do), there are others amongst his colleagues about whom I would be suspicious. They have taken advantage of opportunities that might be provided by such measures as this to cause embarrassment and inconvenience, if not downright difficulties, to citizens as a direct consequence of the way in which they have been able to get Parliament to fix a problem after it was overlooked in the preparation of initial legislation. It is not good enough. I note that it is important, not only for the reasons mentioned by the member for Goyder but also because it will ensure that boards which have already been formed and which began functioning in the belief that they were lawfully formed to cover the area referred to within (as they thought) their lawfully proclaimed boundaries, can indeed continue to do that once we have passed this measure. I know of no instance in which any such body has attempted to launch prosecutions against any citizen, to this time.

We need those representative organisations in place to do their jobs. As my present Leader said at the time he was our spokesman on such matters, before the last election, these arrangements will not work unless the people out there in the field—in the big paddock—want them to work, and cooperate to make them work. It would be quite inappropriate for Government through paid bureaucrats to attempt to achieve the same result as can now be achieved by using the representative composition of those boards in the soil conservation districts. That is what my colleague, the member for Victoria, now the Leader of the Opposition, said at the time we passed this legislation. We were uncertain about the way in which those boards would obtain their lawful establishment, but we were assured at the time, not by this Minister but by another Minister preceding him, that all was well. As time passed we discovered all was not well and we now need this machinery legislation to make it so.

Mr VENNING (Custance): My contribution will be short. I wish to put on the public record my support for the Bill. As a rural member, I congratulate the Government for the thrust of its Bill. As has been stated earlier, land care is an important issue. In relation to the present boundaries, I

remind the House of what I said a couple of weeks ago in a grievance debate, because those comments are relevant to this Bill. I believe that the boundaries in respect of soil conservation should be continually widened in order to encompass all the issues of land care. I referred especially to the animal and plant control boards and the land management trusts. The whole area could be streamlined and more efficient.

As the Minister knows, these areas are well documented and much of the work is repetitious. Indeed, I am still a member of an animal and plant control board, which replicates much of the work done by soil conservation boards. I asked a national speaker whether he thought that the roles of these two boards should be combined into one. His reply was an emphatic 'Yes'. Although the Government has intimated that it is worth continuing discussions on whether there should be such amalgamation, I believe that the work of such boards would be enhanced by their combining.

I remind the House that soil conservation activity occurs mainly during the dry months when people can work the soil and when no water is running; animal and plant control occurs in the wet months when the weeds are growing. By combining these two activities we could keep the workforce actively engaged over the whole year. Much is to be gained financially and otherwise through combining the activities of these two areas.

I support the Bill and any other measures that the Government wishes to introduce in this place in relation to soil conservation. Finally, I point out that today farmers do not need to be compelled to care for their land or to be reminded of the past destruction of their greatest asset, the soil. Since the early 1930s farmers have been conserving their greatest asset through the construction of contour banks and so on. Such activity has been going on for a long time. This legislation is merely a continuation of Government involvement, putting a seal on what is already happening. I support the Bill.

The Hon. LYNN ARNOLD (Minister of Agriculture): I thank members for their indication of support for the legislation. Certainly, I have noted the comments that they have made in support of the legislation. It is pleasing to note that by and large this legislation is receiving applause in terms of its application to soil conservation and the provisions of a legislative framework within which the producing community of this State can seek to enhance land management and soil conservation.

I, too, am very pleased about the work that has been done since the legislation was passed, and I convey my congratulations to all those people in the producing community and in other sections of the community who have been supporting them, for example, the Soil Conservation Council, the boards and the various land care groups that are working actively. They are proving that the spirit of the legislation was about getting those people who are closest to the soil to actually do the work, taking advantage of their enthusiasm and their wish to work in that area.

Before I refer to the one negative comment, I note the reference of the member for Custance to the amalgamation of various boards. He has raised this matter before: he spoke about it at the Hart field day and he has also spoken about it on other occasions and in his previous capacity on the advisory board. While it may be a long-term goal toward which we should move, we must be sensitive to the players in the various fields. Right now, it is not seen that we should move down that track at this time, because we want input from the people who are involved in land care at the farm level.

They must feel that the entire legislative and committee framework that is built up is something in which they have absolute confidence, that they are part owners and part drivers of it. Because there have been statements that they would lack confidence in an amalgamation of the committees, it is not the agenda for today, but I believe it would be clearly an agenda for some stage in the future. I note the honourable member's comments concerning his future willingness to support that development. I hope we can reach that stage where everyone says, 'This is the sensible thing to do; let's do it.'

I turn to the negative comment as to why this Bill has been introduced and why this hallmark legislation is to be amended after the event. It is certainly not a good thing to propose an amendment so soon, albeit that it is not a fundamental amendment: it is purely an administrative matter to enable a transitional arrangement to be completed. There has been a difference of opinion about the necessity for the legislation, and one member of the Soil Conservation Council argues strongly that this Bill is not necessary, that the transitional arrangements are covered under the existing legislation. However, in the way of lawyers' counter viewpoints, an alternative view has been that, just for the sake of total certainty and assurance, it would be better to insert this provision just in case at some future time someone took issue and obtained a judgment in a court that would find the measure wanting.

That would be so far down the track that other consequences might be more significant. Surely the best thing to do is to cross the 't' or dot the 'i' now, rather than working on the presumption that perhaps it will be okay. It is not a unanimous view that this Bill is essential: to be totally sure that everything is correct, we are introducing the legislation so that we cannot possibly have problems further down the track. That is the strong and considered view of Parliamentary Counsel, although I think they acknowledge that there is a possibility that it might not be necessary.

I certainly thank members for their comments and I look forward to ongoing support from the Opposition in the area of soil conservation and land care. Most clearly, this Government is committed to it and has shown that by its introduction of and support for this legislation, by the expenditure decisions it has made with respect to soil conservation and also by the way in which we cooperate with the Federal Government in trying to promote this important area for Australia's future.

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

SUMMARY OFFENCES ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 9 August. Page 185.)

Mr INGERSON (Bragg): This Bill repeals the Pawnbrokers Act 1888. As can be seen, the Act is more than 100 years old and has been amended only on very few occasions. The Pawnbrokers Act provides for pawnbrokers to be licensed by the local court, which determines the fitness of the applicant to be licensed and the suitability of the premises from which the business is carried on. The fee for a licence is $50, and the Act applies only to loans of up to $40.

The Consumer Credit Act exempts from the provisions of the Act a licensed pawnbroker who provides credit in the course of his or her business. There is some debate as

to whether this applies only in respect of transactions involving up to $40, thus requiring a pawnbroker to have a credit provider's licence in relation to transactions over $40. In other words, there is a requirement for two licences.

The repealing of the Pawnbrokers Act leaves the protection of the public to the provisions of the Summary Offences Act in a way similar to the legislation relating to second-hand dealers, and the Opposition supports that move. There are 22 licensed pawnbrokers in this State. I have written to several of them and have received no objection and, therefore, I presume that they would not oppose the repeal of the Act.

The only question I have is in relation to pawnbrokers being required to be licensed under the Consumer Credit Act when the Pawnbrokers Act is repealed. The second reading explanation gives an undertaking that no pawnbroker will be prosecuted under the Consumer Credit Act as a result of losing the exemption consequent upon the repeal of the Pawnbrokers Act. A code of practice is to be developed between pawnbrokers and the Consumer Affairs Commissioner, and in the new Credit Act which the Government proposes to introduce later in the session the recommendation is that pawnbrokers will not be regulated.

In these circumstances it is my belief that the Government should delay proclamation of the Bill to repeal the Pawnbrokers Act because, even though there is an undertaking that pawnbrokers will not be prosecuted for failing to have a credit provider's licence, those paying fees to leave goods with a pawnbroker will be prejudiced. I support the Bill.

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

ROAD TRAFFIC ACT AMENDMENT BILL (No. 3)

Adjourned debate on second reading.

(Continued from 24 October. Page 1357.)

The Hon. D.C. WOTTON (Heysen): The Opposition supports this Bill generally, but we have a number of questions that we wish to ask the Minister. At the appropriate time we will seek to amend the legislation and would seek the support of members in doing so. The Bill deals with seven distinct matters: road closing and exemptions for road events; breath testing stations; offences in relation to owning, selling, using or possessing radar detectors or jammers; driving on footpaths; traffic lights and signs; offences detected by photographic detection devices; and regulations. A number of broad issues are referred to in this Bill, and I recognise the need for introducing a number of them at this time. In regard to road closing and exemptions for road events, the Bill provides a new definition of 'event' as follows:

> . . . an organised sporting, recreational or other similar activity whether those taking part are in competition with another person or not . . .

The Bill also allows organisers of events to apply to the Minister of Transport for appropriate orders in relation to the closure of roads and the exemption of participants from the application of relevant traffic rules. I am not quite sure how often this provision will need to be implemented. I know of a number of sporting events where it would be appropriate and where it would be much safer to be able to close roads.

I have personally received representations concerning matters like cycling racing events being held in my electorate. I do not suggest that every time there is to be a bike race through the Hills we close off the major roads, but I am sure that there would be occasions, particularly if it is a national event, when this might occur. So, this provision is necessary. I also understand that other events on the sporting calendar require the closing of roads, and this provision is supported.

I understand that there is the opportunity for complete consultation with councils and I think that that is essential. I ask the Minister, when he replies, to indicate how it is proposed that those councils consult with their ratepayers. Quite often we see in legislation the necessity for consultation between the two tiers of government—State and local—and it is essential that local government accept that responsibility and consult with those who might be affected by this legislation. People who live in streets that are to be closed may be disadvantaged if they are not made aware that those street closures will occur. New section 33 (3) provides:

> At least two clear days before an order to close a road under subsection (1) takes effect, the Minister must, at the cost of the applicant, advertise a copy of the order in two newspapers, one being a newspaper circulating generally in the State.

I support that provision. I think that that is quite appropriate. Further, new subsection (4) provides:

> An order under this section is subject to any conditions which the Minister thinks fit to impose and, upon breach of any condition, ceases to have effect.

However, my main concern is that people who live in a street that is to be closed could be disadvantaged, and it is essential that these people be made aware of the closure in good time. While there is the opportunity, through newspaper advertisements, to inform them of this, there would have to be some responsibility on the part of local government to make sure that that happens. While the Bill intends that the Minister, in approving applications and giving orders, will act through the Commissioner of Police and consult with relevant councils, the need for residents affected by the event to be consulted must be spelt out. While the Minister may attach conditions to an order, the Bill contains no reference to a time limit. I think it is important that we consider that as well, and I would support such a provision.

In relation to breath testing stations, the Bill extends from three months to six months after the end of each calendar year the time in which a report on the operation of the stations can be prepared for laying before both Houses. Again, that is a very practical provision, with which the Opposition has no problem. We then come to the offence to own, sell, use or possess a radar detector or jammer. We will have a few questions and some other concerns to put to the Minister concerning that matter. The definition of a radar detector or jammer, as provided in the legislation:

> . . . means a device the sole or principal purpose of which is to detect when a traffic speed analyser is being used or to prevent the effective use of a traffic speed analyser.

Detectors identifying the presence of a traffic radar unit by emitting a visual or audible warning in advance of the radar beam of course allows the driver—many would suggest unfairly—to alter the speed according to the legal limit. Jammers operate by emitting impulses which jam the radar unit and prevent a reading of the speed. We realise that, with improved technology, many new devices are now on the market, and we know that there will be much more sophisticated equipment in these areas in the future.

At a meeting of the Australian Transport Advisory Council in May this year, I understand that Ministers agreed to introduce legislation to make it illegal to own, sell, use or possess a radar detector, and the Bill in its present form reflects this recommendation. It also includes a prohibition on the offering for sale of a radar detector or jammer, and the amendments complement provisions in the Common-

wealth Radiocommunications Act, which prohibits the use of radar jammers.

Strong measures are proposed to enforce the ban, including a provision whereby it may be assumed, in the absence of proof to the contrary, that a specified device is a radar detector or jammer; a provision authorising mandatory confiscation of the device if a person is found to be using or to be in possession of a device suspected of being a radar detector or jammer; and a provision giving police the power to enter land or premises which it is suspected contain radar detectors or jammers. Some fairly strong conditions are laid down in the legislation in that regard. It is a very controversial area: it always has been. As long as they have been available, people have used these devices, and I wonder how effective this legislation will be when there are no controls on the drivers of heavy transports, for example. Those drivers are able to have two-way radios and all sorts of equipment to provide them with information as to the likely whereabouts of speed detectors.

I spend a lot of time on the South Eastern Freeway, and there is no doubt in my mind that these transport drivers have a fairly good system of keeping each other informed. It concerns me, particularly when one travels a little farther out into the country, when these drivers quite often exceed the speed limit. The driver of a car who, conscious of the possibility of radar or another detector being in the area, is driving at the correct speed quite often has his or her car showered with stones or other materials when a heavy transport drives past. Before long, it is noticed that the transport driver has slowed down considerably, and you can bet your bottom dollar that one of these speed detection devices will be around the corner.

It is a hypocritical situation, because we are considering introducing legislation to remove these devices from cars, yet there are no controls with regard to heavy vehicles. The Minister might like to comment on that matter. I understand from my colleague the shadow Minister in another place that we may soon receive some answers on this matter, but I am interested in a response from the Minister. I understand that there has been strong representation from distributors opposing the measure to make it illegal to own, sell, offer for sale, use or possess the devices. They have argued that the amendments we are now considering are retrospective and represent an infringement of civil liberties, and that they will be unduly harsh on people who depend on their vehicles for a livelihood.

There has also been strong representation, I believe, from the South Australian road transport industry organisation, the Livestock Transport Association, the South Australian Taxi Association and the Royal Automobile Association, all supporting the measure on road safety grounds, and that must be taken into consideration as the major priority. Excessive speed is a major cause of the incidence and severity of road accidents—there is no doubt about that—yet the devices give drivers the advantage of being able to avoid detection and exceed speed limits with very little difficulty. I understand that about 40 000 people in South Australia own these speed detection devices, and one can see that this matter is a concern for the distributors.

On the other side of the debate, the organisations I have mentioned see the need for such legislation to be introduced. At the appropriate time, the Opposition will move to amend the relevant clause. We are concerned about the retrospectivity in the legislation and believe that an amendment is appropriate, especially as we understand that a significant number of claims have been made for compensation.

The Bill then refers to the use of bicycles and low-powered motorcycles on footpaths. I understand that submissions regarding this provision have been received from Australia Post and also, for example, disadvantaged people who use motorised wheelchairs. I am led to believe that Australia Post has asked to be able to allow employees using low-powered motorcycles to use the footpaths. I also understand that the Australian Transport Advisory Council has approved amendments to the National Road Traffic Code involving a speed of 7 km/h. Again, I do not see any major problems with this provision. I see the necessity on the part of Australia Post for such a provision. I do not spend much time on footpaths, but one of my major concerns these days with respect to footpaths would be the use of skateboards. The speed that some of the younger members of the community can reach on a skateboard makes them—

The Hon. T.H. Hemmings interjecting:

The Hon. D.C. WOTTON: I would like to see the member for Henley Beach on a skateboard, but that would not overcome the problem whereby these younger members of the community can be a danger to people walking along footpaths. This matter may need to be considered on a future occasion. We support the thrust of the legislation in regard to this matter, but we will look to reinstate reference to a 10 km/h speed limit as provided under the Road Traffic Act 1961. Under 'driving on footpaths' it provides that a person must not operate a self-propelled wheelchair on a footpath at a speed exceeding 10 km/h. We believe that that speed limit should be reinstated in the legislation.

I now refer to traffic lights and signs. The Bill extends to riders of pedal cycles an obligation to comply with the general requirements of traffic signs and road markings etc. It incorporates also a definition of 'traffic sign' so that the traffic signals installed on, for instance, Flagstaff Road can be referred to in the regulations. I am not too sure what will happen as far as Flagstaff Road is concerned. I am aware that some major roadworks are to be carried out in that vicinity, and I can only presume that this provision will still be required under the circumstances relating to that road. The Minister might like to provide more information on that matter, but the Opposition has no problem at all with that clause.

During the Committee stage a number of questions will be asked in regard to photographic detection devices. Owner-onus legislation came into operation in South Australia on 1 July 1988 following the introduction of the red light camera. This device has been controversial, but we are told that, according to police records, it has been effective. As I said, a number of questions will be asked later in regard to these detection devices.

The Bill seeks to widen the definition of 'registered owner' to include a person to whom the ownership of a vehicle has been transferred, but who is not yet registered or recorded as the owner, and to any other person who has possession of the vehicle by virtue of the hire or bailment of the vehicle. The Bill aims also to redress defence provisions which deal differently with natural persons and corporate bodies charged with an offence as the registered owner. Currently, where the registered owner is a natural person, the owner is not required to name the driver. A statutory declaration to this effect is all that is required to ensure that the owner is not liable; yet, where a body corporate is involved, a statutory declaration is required stating either the name of the officer or the employee or that no officer or employee was driving the vehicle at the time and, where an officer or employee cannot be identified as such, the body corporate remains liable.

The Bill requires a registered owner, who is a natural person, to state the name of the person who was driving the vehicle at the time and, with respect to both natural

persons and bodies corporate, where the identity of the driver is not known, a statutory declaration must explain why the driver's identity is not known. The first of these amendments will overcome a deficiency in road safety practices. Currently, no demerit points are attached to an offence which is expiated by the payment of a fine. Demerit points apply only if the owner nominates the offending driver. This means that, if an owner elects to pay the fine and refuses to nominate the driver, the driver can get away with offending without fear of losing any points. The Opposition has some concerns about that matter.

While personally I find the owner-onus provision a difficult concept to accept, the system is very much entrenched with respect to motor vehicle offences, including parking offences. There has been a lot of controversy about this subject. However, there are operational issues that need to be questioned and we will do this in more detail, given the appropriate opportunity. We need to question matters such as the accuracy of the detection equipment; the Government's plan for the installation of more red light and speed cameras; projected expenditure and revenue gains; the introduction of laser cameras; and departmental practices for the payment of fines—for example, the Police Department will pay the fine and, where the driver does not have a valid defence for a speeding offence, the department will deduct the sum of the fine from the driver's wages. A number of questions will be asked in Committee, and I hope that the Minister will refer to some of these matters when he replies to the second reading debate.

The costs associated with the provision of these devices are very real. As a local member, I have received representations regarding how much it costs to provide these devices. Again, questions will be asked in Committee about specific devices. The whole question of the revenue-raising aspect of these devices also needs to be brought into question. A number of people in the community are concerned. One has only to look at the budget papers brought down earlier this year to see that it is anticipated that there will be a significant increase in the returns to Government coffers as a result of these devices being introduced. It is quite obvious that there will be a significant increase in the number of devices to be used—the Minister has referred to this publicly on a number of occasions—and that general revenue will improve significantly as a result of some of the fines that will be imposed. There is quite a bit of concern about that, as well. What we are really saying about this provision is that there is no concern for a person who drives within the parameters of the law.

Mr Lewis: There is.

The Hon. D.C. WOTTON: Well, I know that the member for Murray-Mallee wants to raise a number of issues in this debate but, generally, I believe that, providing a person abides by the law, that person does not have a lot to worry about. I have some personal concerns and I received quite a bit of representation when the new cameras were placed again on the South Eastern Freeway. It has been brought to my notice by a number of people who believe them to be—

The Hon. Frank Blevins: You are talking about truck drivers.

The Hon. D.C. WOTTON: No, I am not talking about truck drivers: I am talking about people who drive ordinary cars. The cameras are seen to be sneaky and offensive by a lot of people who have remarked to me about those devices. It is a personal issue and I know that a number of members on this side of the House want to refer to that provision. At the appropriate time, the Opposition will move amendments in that regard.

I turn to the provision whereby certain offences are detected by photographic detection devices (clause 11) and the interference with photographic detection devices (clause 12). Those clauses need to be discussed generally. Concerns have been expressed about the way in which photographs are taken and the position from which photographs are taken. The Opposition will seek to amend the legislation to take into account the need for photographic evidence to be made available. If photographic evidence regarding the commission of an offence is available, the person aggrieved can go to the Holden Hill Police Station and look at that evidence. The Opposition does not believe that is satisfactory.

For one reason or another, a number of people have indicated to the police that they are unable to get to Holden Hill during working hours or because of the distance they need to travel. The Opposition believes that it is necessary to amend the legislation so that, on written application by the person on whom the traffic infringement notice or summons has been served, the police can send by post to the address nominated in the application a copy of the photograph. I do not believe that to be unreasonable, and it would help a number of people. The Opposition will seek to amend the legislation in that regard.

The matter of the position of the photographing, either from the front or the rear, is very controversial, and members on this side of the House will speak specifically about that. At present, I understand that it is only a policy decision on the part of the police. Because of the discussions I have had, I know that the police are concerned about the infringement of civil liberties. It is necessary to spell out in the legislation that the photographs can be taken from the front and the rear and, at the appropriate time I will move amendments in that regard.

The Opposition supports the legislation, although amendments will be moved. As has been said on a number of occasions, considerable evidence suggests that speed and alcohol are the two major factors that cause accidents in this State and generally. Recently I have compared the driving habits of South Australians with those of people in other places, particularly the United States of America. I was flabbergasted at the speed with which people travel in the United States and their direct approach to driving. I know that the Minister shares my concern in regard to the Mount Barker Road. I believe strongly that more problems are associated with the habits of drivers than with the structure of the road. That has been proven time after time. However, there is an urgency to restructure or replace that section of Mount Barker Road between Crafers and Cross Road, mainly because it will be only a matter of time before traffic cannot be carried on that section. I know that we are in the process of doing that very slowly, but it depends on the provision of funds.

It really gets back to driving habits and it does not matter what legislation provides or what precautions are taken on the part of those people who drive on the roads of this State. It all comes back to driving habits. I believe that much of what is in the legislation is inoffensive if people stick to the law and drive within the boundaries of the law. The Opposition supports the legislation.

Mr LEWIS (Murray-Mallee): My comments will relate to the technologies that are implicitly referred to by this legislation, to what I think is the Government's real misunderstanding of them, and also to my belief that the Government is not fair dinkum about road safety. The Minister is a wimp in the way in which he deals with the Federal Minister for Land Transport—he has indicated that on other occasions—and this measure is part of that package.

He accedes to the rantings of Mr Brown, the Federal Minister, who does not know what he is talking about and who has insisted on a lot of populist garbage, nonsense and drivel as being the basis for his posturing in public, ostensibly to reduce road deaths in Australia.

More would be achieved in that regard if the Minister prevailed upon his Federal colleagues to reduce the levels of stress in people's lives caused by other policies they are pursuing, such as economic policies, and so on. More would be achieved in that direction if he were to take greater account of the general use of unsafe and obsolete vehicles, if there were to be greater public education about road safety and if there were greater levels of driver education to cope with difficult circumstances instantaneously and unpredictably arising or difficult circumstances which they know will arise in consequence of the weather or other environmental factors when they are driving a vehicle. Those factors include the type of road surface, for instance, not just the weather but the alternatives available in the choice of materials with which we can seal or not seal but otherwise construct the surface of our roadways.

The Act directs itself to some provisions for road closure and exemptions for road events. I do not mind people having their fun, but I have serious concerns about what has been done in this regard in the past. I want to address them immediately before going on to the sociological, technological and economic implications of the legislation in other parts. I am not happy with the ways in which roadways have been closed in country areas in the past. I know very well that the Minister does not like to hear what I have to say very often and this is obviously no exception; he has decided to leave the front benches completely bereft of anybody in attendance. I do not mind; he can insult the House in that way—

The ACTING SPEAKER (Mr Gunn): Order! The honourable member for Murray-Mallee will resume his seat. There is no requirement for the Minister to occupy the Government benches; therefore, I ask the honourable member to address himself to the matter before the House.

Mr LEWIS: I recognise that, Mr Acting Speaker; it is not a bad idea to put on record what happens historically—

The ACTING SPEAKER: Order! The honourable member must not attempt to reflect upon the Chair or he may have a short duration in the Chamber. The member for Murray-Mallee.

Mr LEWIS: I regret that you understood me to be doing that, Mr Acting Speaker; I would not dream of doing it.

The ACTING SPEAKER: Order! I suggest that the honourable member address himself to the matter before the House.

Mr LEWIS: Presently, the way in which roadways in country areas can be closed off without consultation with people whom the closure will affect disturbs and appalls me. A mother came to me in tears with her children earlier this year after the only access road to her property—her home—had been closed without her knowledge and without any attempt being made to notify her of that closure. In so far as I was able to check it, I ascertained that, because they could not work out who it was who lived in that house, the people in authority responsible for checking it simply did not bother. They did not find her at home when they happened to call prior to the closure of this road for an event, so they simply falsified their return; they perjured themselves.

That is not a charge I make lightly. They were required to make a statutory declaration pointing out that they had told everybody of their desire to close the road and what arrangements would be made for them in the event that closure was finally agreed to by the people in authority. In consequence of that, my constituent could not get to her home with her toddler and her baby, who needed to be fed. She had nowhere else to go.

It was about 12 miles out of Murray Bridge and her home was more than a mile along the road that had been closed. It was a very hot day and she had to walk across the paddocks; in fact, she had to go through several fences to get to her home, because the policeman on point duty (and I note that the powers of the police on point duty in these circumstances are still not in any way tempered with the capacity for the exercise of compassion and commonsense) refused to let her through, even though he knew after checking on his two-way radio that the first vehicle would not arrive at that point until some two hours later. All she wanted to do was to travel about 1½ miles along that road to get home with her shopping—which contained frozen as well as chilled goods—and her children so that she could feed her baby. So much for the foresight of the Minister and the other fools who advise him on these matters!

The next matter to which I now wish to address myself is new section 53 *(b)*. That would prevent anyone from owning, selling, offering for sale, using or possessing radar detectors or jammers. Let me place on record a non-pecuniary interest of any kind in this matter, whereas it was improperly and scurrilously alleged earlier this year that I was an importer and seller of these items, I am not and have not been. These devices have been available from overseas at prices that are very competitive with those offered by Australian retailers and, because of the number of friends I have in different countries overseas, particularly in this instance in the US, I was able to place people wanting to get such a piece of equipment in contact with someone from the US who could supply them. The equipment was simply consigned to those people through the post in the usual way and those people collected it and paid the sales tax and duty on it in postal customs. It was always theirs from the outset; at no time did these pieces of property ever belong to me, in any sense.

Let us now look at what those devices are, now that everybody understands that I have no pecuniary interest in the matter. They are said to be items of equipment that can detect the presence of certain wavelengths in the ether (that is, the space around us), a certain intensity of signal and certain frequencies. I do not have any fuss about that, particularly as I know about the physics of those devices. If members took the trouble to check the physics and technology that is being applied in the use of radar detectors for people who are said to be speeding along the road, they would discover that it is possible to be certain that they will be accurate for something in excess of 90 per cent of the time.

It is equally certain that about 1 per cent of the time they will be inaccurate, so 1 per cent of people will be improperly sent expiation notices for offences which have not been committed but which have been 'detected' by these devices (that is, the hair dryer held by the police constable on the roadside pointing at a vehicle) or the speed camera. Statistically, because of the nature of the signals they are picking up, they send out a signal and it is reflected off objects in the immediate plane of broadcast.

I am trying to use terms that all members and anyone else who may care to listen to or read what I have to say can understand. It bounces back off those solid objects that may be in the immediate plane and field of operation to come back to the transmitter, the thing that sends it out (the hairdryer or the camera). It is on a specific frequency. However, there is no way that that machine can detect other

transmissions already on that frequency or harmonics of that frequency coming back into its reception device. That is where the error arises.

That is why I believe the devices ought not be used until we have the far more accurate, reliable and therefore just and fair speed detection equipment that uses lasers. That technology is available and is now being developed to a far greater degree of sophistication in the United States for use there following a United States Supreme Court case in which the use of the speed cameras, for instance, was simply found to be unlawful because it was so inaccurate and unreliable.

Yet the Minister and the Government here blandly, blithely and happily accept that it is legitimate to use this kind of equipment and persecute—not prosecute—innocent citizens. I know that the vast majority of the people who are alleged to have been apprehended for speeding as detected by these devices will be guilty of an offence but, just because the Government gets about 90 per cent that are right, it does not mean that it is just or fair to expect the other 10 per cent to cop it sweet. That is exactly what the Government implies and that is exactly what I object to. It is crook and it has never been valid for the Government to presume that what that twit Minister Brown in the Federal Parliament said was a good idea ought to be adopted willy-nilly.

I know that the Government wants the revenue: there is no question about that. These speed cameras, hand-held speed guns, radar detectors or hair driers (call them what you like) pay for themselves in next to no time. For instance, after meeting all capital costs—about $35 000 to $38 000—and all variable costs of film and servicing, these cameras pay for themselves within the first 80 hours of operation if they are placed on a roadway where there is significant traffic density, that is, something in the order of 4 000 or more vehicles a day going past, and also where there is the likelihood that motorists will inadvertently exceed the speed limit.

I have noticed that speed cameras have been placed where motorists are more likely to do that. They are placed in situations not where there is any hazard to traffic in consequence of speed limits being exceeded. No, not in the least: they are placed where it is most likely to find someone exceeding the speed limit and, therefore, it means that they are more about collecting revenue by trying to catch people who are inadvertently going through the speed limit than those who by some foolish decision on their part are causing a hazard when they do break the speed limit. Why not put these cameras where there are real hazards from people who break the speed limit if we are going to use them and if we accept that it is fair to get it right nine times out of 10—and poor sucker the other person? I seek leave to have inserted in *Hansard* without my reading it a small table which sets out the wave lengths and frequencies that exist in the ether around us and of which the transmissions by these devices are simply a part.

The ACTING SPEAKER: Is it of a purely statistical nature?

Mr LEWIS: Absolutely.

Leave granted.

Radiation Effects on Matter

	Frequency (hertz)	Wavelength (centimetres)
	10^{24} particles	
cosmic rays	10^{23}	
		10^{12}
	10^{22}	
gamma rays	10^{21}	
		10^{10}
X-rays : hard	10^{20}	
	10^{19}	
	10^{18}	
X-rays : soft	10^{17} particles	10^{7}
vacuum ultraviolet ultraviolet	10^{16} waves	10^{6}
visible	10^{15}	10^{5}
	10^{14}	
infra red	10^{13}	
	10^{12}	
	10^{11}	1
radar	10^{10}	
	10^{9}	
FM	10^{8}	$10^{2}=100$ (=1 metre)
television	10^{7}	
	10^{6}	10^{4}
shortwave		
	10^{5} waves	10^{5}
	10^{4} fields	
	10^{3}	
power lines	10^{2}	
	10	
	1	

Source: Encyclopaedia Britannica

Mr LEWIS: There are three broad groups into which radiation of this kind can be broken up. First, the particle group, where the frequency is 10-17 hertz to 10-24 hertz, and it extends then from soft X-rays to hard X-rays, gamma rays, cosmic rays (they are the shortest in wave length and the greatest in frequency) and the area where we have visible light. That is a wave in this broad range of things called radiation, zapping around in the ether, the space on and above this earth and throughout the universe.

We have visible light that is about 10-16 in its frequency. From that figure it goes mostly to the general order of 10-15. In fact, the range of 760 nanometers is red to 380 nanometers and that is violet. There is infrared 10-11 and 10-14, and then radar, which is where we find these devices operating. There is then frequency modulated transmissions in the group 10-8, television 10-7, and short-wave 10-5 and 10-6, with powerlines below 10-4. With powerlines we find that the wave lengths are greater than 1 kilometre, whereas it is between 1 centimetre and 1 metre that we find the length of waves in the area of the so-called speed detection devices.

Further, other items of equipment operate in that same range. If we used a scanner to pick up frequencies (such as I have just referred to and drove around the road) we would pick up not only speed detection devices but many other signals and, more than half the time (in fact, about 80 per cent of the time), the signals would not be coming from police equipment—

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

Mr MEIER (Goyder): As members would know, there are a variety of provisions in this Bill and the Opposition's lead speaker, the member for Heysen, has summed up the situation well. I simply want to comment on the provision relating to radar detectors. Members know that strong measures are proposed to enforce the ban on radar detectors and jammers. Such measures include the evidentiary assumption in absence of proof to the contrary that a specified device is a radar detector or jammer; the mandatory confiscation of a device, if a person is found to be using, or in possession of, a device suspected of being a radar detector or jammer;

and the power for the police to enter land or premises suspected of containing radar detectors or jammers.

This clearly indicates that people who continue to use radar detectors or jammers, after this Bill comes into effect, will be treated worse than criminals. Criminals will be able to avoid detection much more easily than the people who continue to use radar detectors, because police cannot enter land or premises where they suspect a criminal or a person who has committed an offence is hiding; however, under this legislation, a person suspected of having a radar detector is worse off.

I believe that the Government has overacted in this matter. It comes on top of attempts to try to force unwanted and unnecessary provisions on the general public in other areas. We could think back to the Government's recent attempt to ban the possession of firearms, certainly automatic firearms. The Government made every effort to do just that, but it was not successful. I am thankful that that was the case because, again, the Government sought to take away what I would describe as a democratic freedom that this country has had for a long time.

Now we find the Government deciding that radar detectors are to go. What are the arguments against this? I received from a United States company called Argenall, which I assume is a distributor of this equipment, information which puts radar detectors in their proper perspective. It is very important for this House to consider the alternative side of the argument. The Argenall group of companies set out many arguments, and I cite a few from its document:

In fact, traffic radar itself doesn't have a lot to do with safety. Studies by the National Highway Traffic Safety Administration (NHTSA) and several major research institutions indicate that radar alone has little or no effect on speed behaviour or accidents. Radar's usefulness is in making arrests easier and quicker. An officer can write more tickets in a given time with it than without it.

And don't we know that only too well! In fact, now that cameras have been set up, I believe the police do not even have to stop motorists; they are simply sent a notice saying that their vehicle was detected speeding by the camera. The document continues:

Interestingly, there isn't much connection between tickets and traffic speeds, either. In a study by the Transportation Research Board of the National Academy of Science it was found that many of the States with the highest penalties for speeding also had the highest average speeds. One of the States with low penalties had lower speeds than 14 States with the highest penalties. The TRB also discovered a peculiar relationship between traffic tickets and speed. 'Instead of demonstrating that the States that issue fewer citations have more speeding, the correlation indicates that the States that issue citations most frequently also have the most speeding,' the TRB concluded.

I guess we could think along similar lines in relation to the situation in New Zealand. I have not been there myself, but I believe that the speed limit in New Zealand is considerably lower than the speed limit in this State, yet the average speed that has been determined on New Zealand roads equates very much to the average speed on South Australian roads where we have a limit of 110 km/h. The document continues:

None of this proves that enforcement is not important. Obviously, it is. What it helps to illustrate—and what the research proves—is that the principal benefit of enforcement lies in its visibility to the public. It is the visible patrol car that does most to suppress hostile and aggressive driving, and to assure the orderly flow of traffic. Not just writing tickets.

It all comes down to a question of whether the purpose of enforcement is to lie in hiding—and by remaining out of sight, to encourage higher speeds—or to deter unsafe behaviour. If safety alone is the goal, then radar detectors are a benefit to and in partnership with enforcement by making police more visible on the road.

Detector owners also are safe drivers. A survey by the nationally known research firm of Yankelovich Clancy Shulman showed that detector users had 23 per cent fewer accidents per mile than non-owners and drove almost 60 000 miles farther between accidents. (They also wear their safety belts more often.) The survey concluded that radar detector owners are at least as safe drivers as non-owners.

That is very interesting statistical information. The document continues:

We're happy to report that legislators in most States agree. More than 110 attempts to ban radar detectors in 33 States have been defeated in recent years. Only Connecticut, Virginia and the District of Columbia continue to deny citizens the right to be aware of their own police enforcement activities. We think that this record speaks for itself.

It is a great shame that a country such as Australia—and I suppose we can say Australia because this State is mirroring legislation in the other States—is endeavouring to take away one of the basic rights that I believe the citizens of this country should continue to have. The document further states:

It's commonly presumed that police radar is a valuable instrument of traffic enforcement, and that without it highway safety would suffer. This isn't necessarily the case. In California, where radar is not used to patrol freeways or interstate highways, the fatality rate is the same as or slightly lower than the national average.

Several attempts have been made to measure the effects of radar on traffic speeds and accidents. So far, no direct relationship has been found. When the University of North Carolina's Highway Safety Research Center (HSRC) investigated 'Radar As A Speed Deterrent', they compared the effects of a visible patrol car, radar, and media publicity in 43 communities of various size. The investigators found no evidence that radar alone reduced either average traffic speeds or the incidence of 'reckless' speeding.

That is a very interesting conclusion. Therefore, it seems obvious that this Government, in collusion with the Federal Government, is introducing this measure to make money. There is no indication that this legislation will do anything to affect traffic speeds or reckless speeding. Surely, if we are to introduce legislation in this House it should have a positive purpose and not just be a revenue raising measure. Most members would be aware, if they have spoken to any policemen, that those officers feel it is a revenue raising measure, that that is what they are being sent out for—it helps pay the bills to keep the police on the roads.

I remember reading some time ago where a particular country used police cardboard cutouts—the same shape, size and appearance of an actual policeman—and stuck them up every now and then, and people driving along would suddenly see the 'policeman' and would slow down. It would remind them that they must obey the traffic laws and adhere to the speed limit. That sort of a visual presence would have a much greater effect on those who speed and would remind people much more of their obligations.

With traffic cameras, we know that it would be some days, if not weeks, before a person received a notice that they had been detected speeding. It would be a long time after the offence, and it is a bit like a parent punishing a child a week or so after the child has misbehaved. When the parent suddenly belts the child, it has not the foggiest idea of what it is for. The document continues:

When used effectively, radar can help promote effective traffic enforcement. A visible radar patrol can act as a deterrent to hostile and aggressive drivers. In circumstances where pacing is difficult or dangerous, properly operated radar can assist in speed readings.

Unfortunately, radar is almost never used this way. Far more often it is used where driving conditions are safest and where speed limits are unreasonably low. In extreme circumstances, posted limits may be manipulated to make almost every car a candidate for a ticket...

I guess that does not occur too often in South Australia. I have had representations from police to decrease speed limits on approaches to some towns, but I have had to

disagree on some occasions because I believe it would simply be a mechanism for them to apprehend more people and would not contribute to safety. As a country member of Parliament, I travel many tens of thousands of kilometres each year. There is no doubt that I have a much greater chance of being caught for a traffic infringement, because I cover more kilometres than most other members of Parliament (although, Mr Acting Speaker, you would far exceed the number of kilometres that I travel). According to the law of averages, more often than not we will be caught if we exceed the speed limit.

The article I quoted indicating that radar traps are so often located on the open road, refers to those road sections where a slightly higher speed than the speed limit can easily be achieved without endangering the safety of anyone else. The last time I was booked for speeding happened to be in the metropolitan area, but there was hardly any traffic around and I was informed that I was detected travelling at 79 km/h in a 60 km/h zone, yet I would argue strongly that I had not endangered anyone's safety. The law has since changed, but several years ago if you could prove that you did not endanger the safety of other people, that was a defence to the charge. It is a great shame that the law is now different, but I guess our courts would have too much of an imposition put on them if that situation were reversed.

The alternative for this Government is to bring in more restrictions, ban radar detectors and make sure it gets money and more money. There is no doubt that the coffers will increase enormously. The Minister of Finance will be a very happy man this time next year when he reports that our budget is looking much better than we thought it would in that area. But should that be the case? No, of course it should not. What he should say is, 'We have had a record low income. The speed detectors are working. The banning of radar detectors is working. People are adhering to the law. Very few people are transgressing and exceeding the speed limit. It is great for this State. Road safety is improving.' That is what we hope he will report, but I will be amazed if that is what he reports this time next year after this legislation has been in operation. He is almost certain to report that there has been an increase in revenue.

Many other things could be said about radar detectors. The evidence all seems to point to the fact that radar detector owners actually have a safer driving record than those who do not use them, and that they are more conscious of road safety requirements. These people are not arrogant law breakers. I guess it is very similar to having a cardboard mock-up of a policeman put on the side of the road. People may say, 'That's unfair; it's not a real policeman. If you were speeding and went past the cardboard mock-up, you should have been booked but you weren't.' No, we need reminders.

The way radar units are positioned these days, the reminders are few and far between. I guess it is a sad indictment on our society that to try to combat the lack of revenue the Government must resort to this tactic. I acknowledge that this measure is part of a Federal package and that the other provisions in it by and large are sensible. Therefore, I guess I have had to weigh up personally whether or not I support the legislation as a whole. I hope I have made my point very clear. I am totally opposed to the banning of radar detectors, but I recognise that perhaps the Minister has had his arm twisted. Maybe he finds it a little hard to present this legislation (although he rarely finds it difficult to present legislation): in truth, perhaps he would have rather received the money from the Federal Government without the inclusion of this provision. I guess the Minister will not disclose that information and I am not looking for him to do so one way or the other. I have made my point very clear, and I am sorry that this provision has to be included in the Bill.

Mr S.G. EVANS (Davenport): The first matter to which I will refer is that of radar detectors. There are always those people who will seek to outwit their opponents, whether they be politicians on different sides of politics or whether they be people who believe they can drive a vehicle at a greater speed than the law allows, especially when there is little traffic around. If they have a radar detector and they exceed the speed limit, it will warn them when the authorities are present. That in itself has a slowing effect. It makes these people conscious all the time that they must respond if that radar equipment warns them of police surveillance in the area.

Mr Lewis: Or anything else that might be similar.

Mr S.G. EVANS: The member for Murray-Mallee has, I believe, explained more fully his knowledge in this area and mentioned other devices that might be similar. I cannot comment on that because I do not know enough about technology. It is appropriate that Parliament does say, 'Sorry, you cannot use these devices as a means of warning yourself that somebody may apprehend you for breaking the law.'

It is a very fine point to say that you cannot have a device that could warn you that someone might apprehend you for breaking the law. Under the Bill, it is an offence to own such a device. I do not see this as something bad or something that should be banned by law, but to sell, deal in or use such a device could be banned in law by this method. One is entitled to have a licence to own a gun and to shoot certain things, but it is illegal to shoot native species. A gun may be kept, but one is not allowed to use it for an unlawful purpose. The unlawful use of a radar detector is similar to the law that applies to guns, and we should tackle the actual use or the offering for sale of the device. That means that a significant number of people who own a radar detector will have to leave it in the back shed or use it as a paperweight, because if they use it in their vehicle they will break the law.

Last Thursday, I was passed by a ministerial car. I was travelling just over the speed limit, so the ministerial car was travelling considerably over the speed limit, but the Minister did not seem to be concerned. That is by the way, because at times we all exceed the speed limit. I have had to send off a cheque at times because someone has sent me a note about it—I think it is four times in 22 years. If we can eliminate the point about owning such a device, I think the Bill is quite appropriate.

We speak of allowing Australia Post employees to ride motor scooters on footpaths. I think these motor scooters are 100 or 125 cc, or even less, and I am reminded that in Europe there are mopeds with motors of about 50 cc which are helped along by pedalling up slight inclines. Mopeds are allowed to travel on footpaths. They may be used on the footpath not just by postal delivery people but by any citizen. When I first saw these mopeds travelling on the footpath, I thought it was a bit unusual. I asked the authorities whether they had many problems with them and they said that they did not because it was the rider's responsibility to ride with due care.

I am concerned that the Bill will give Australia Post employees the opportunity to ride on footpaths and not just to deliver the mail to letterboxes. Some people run businesses which involve the use of motorcycles to deliver material to letterboxes. Some of these people work under contract and I might say from what I have heard that they earn pretty poor wages—I do not know whether they even

pay for their fuel. I am amazed at the rates they are paid. Under this Bill, they will not be allowed to travel on footpaths yet they carry out the same role as Australia Post employees. So, in that sense, this law is discriminatory. I will not seek to amend it—that might be an action for the future—but there are some other aspects at which I want to look.

At times in the Hills area one will find on good footpaths—and we do not have a lot of them—a tendency for people to ride skateboards or to use roller skates. It appears that people using roller skates have more control than those using skateboards. I cannot condemn them for using roller-skates because I used to do a mail delivery on roller-skates in the 1940s. Pushbikes are also ridden on the footpaths; in fact, it might be safer if they are ridden on the footpath rather than on some of the bad roads in the foggy, steep and windy parts of the Hills.

This practice puts at risk elderly people or people pushing children in prams, and this is one of the problems that I have in mind. If a person is travelling at seven, eight, nine or 10 km/h on a motor scooter and an elderly person with not very good hearing is walking in the same direction and, for whatever reason, moves out a fraction, a lot of commonsense and care would need to be used by the rider of that vehicle. Not all people have hearing or sight and some have a dual disability, although those who do not have sight would probably carry a white stick or would have a seeing eye dog which would give an indication of their disability. I have no qualms with this provision, but a speed limit must be defined in the legislation, and I hope that the shadow Minister will amend it in this area.

An honourable member interjecting:

Mr S.G. EVANS: I am advised across the Chamber that this speed limit is defined in the regulations. This will be clarified later in Committee when the matter may be sorted out. My next area of concern relates to cameras and modern technology which allows an individual to be photographed without their knowing it. This is great for revenue; it is a form of involuntary tax by people who travel above the speed limit, but there is a principle involved. This is a bad principle, one that I find objectionable, but one that has been practised. A person may not have been driving the vehicle; they may not even be able, without a lot of book work, to define clearly who was driving the vehicle at a particular time. I will give some examples in a moment. They receive through the post a note saying, 'Your vehicle was detected speeding and you have to pay a fine of $130 or $160 as the owner of the vehicle or identify the driver.' The authorities do not send the photograph. All they say is that the offence occurred at a certain spot at a certain time of the day—either a.m. or p.m. (we do not have cameras at night yet, but I believe infra-red cameras will be available soon).

The individual then looks at this note and says, 'I am not sure that this was me; I was not there.' This person could have been in Singapore at the time, not even in the State. They ring the authorities and say, 'I want a copy of the photograph,' but the authorities say, 'Come out to Holden Hill and have a look.' This person might live at Strathalbyn or Timbuktu, or miles away from Holden Hill, and they are told to go to Holden Hill to look at a photograph that someone has taken. The authorities do not have the courtesy or the decency to send the photograph and to say, 'This is the vehicle that we photographed at such and such a time; we believe it is yours. If you cannot tell us who was driving it, you will have to pay the fine or send a statutory declaration stating that you are unable to identify the driver.' The authorities then decide whether or not they will let you off the hook.

I cite the example of a used car yard. Three weeks ago I bought a vehicle. In the 20-minute period on that Saturday morning before I took the vehicle I eventually bought for a trial, four other people drove out of the yard to trial vehicles. Mine was the fifth vehicle to be taken from the yard in 20 minutes. I do not know how the other people tested their vehicle but I took mine along South Road and up Cocks Road to Piggott Range Road. I know that, in my enthusiasm to see how the vehicle performed, I went over the speed limit. I wanted to know how it behaved under braking coming down the hill. The vehicle in question was a small tray top, not a car.

I could have been booked for exceeding the speed limit, perhaps both going up and coming down that section of Piggott Range Road. However, it would have been the car yard on South Road that received the two fines. The car yard would not have had a clue who was driving the vehicle at the time except for the fact that I bought it, and the same applies to other vehicles taken for a test drive.

I know of a person who runs a vanity supply business and who has been booked in this manner. The company uses a little van and, when clients buy goods, they may use the van to take the goods home. This person has copped a fine, yet neither he, his wife nor any one of his family was driving the van at the time. They do not know who was driving the van. When he contacted the Holden Hill Police Station and asked to be sent a photograph, he was informed that he had to come to have a look. That really is unprincipled. Parliament cannot condone that.

If a person is alleged to have committed an offence, that person is entitled to a photograph. The number plate might be misread or the plates might be used on a vehicle of the same type. That happened in the days when people carted wood through the Hills, using the same model truck with only one registration. While one truck was being unloaded, they would load the other one, and switch the plates. It was a common practice. There was only one vehicle on the road at the one time and it saved the expense of registering a second vehicle. All sorts of things can happen.

Recently in Belair a vehicle was illegally used. The vehicle was taken from a house while the people were out and it was returned before they came home. However, neighbours saw the vehicle being returned. It was not reported to the police, but three lads had taken the vehicle and used it for three hours. The owner of the vehicle is liable and must write a letter explaining that he was not driving it at the time and that he was not sure who was driving it.

Another point is that the photographs are taken from behind. It is a policy decision of the Police Department so as not to infringe on people's privacy. For example, the person driving a vehicle might be a lady who is out with another man, and she does not want it known. The police have decided not to take photographs from in front of the vehicle because, although the photograph has a fudged effect, it could be used to identify the characteristics of the people in the car.

Members interjecting:

Mr S.G. EVANS: My colleagues, with their wide experience, suggest that, the more fudged the photograph is, the better. There is no doubt that it presents a problem, but the department should take a front-on photograph and send it to the person who owns the vehicle to assist in identification of the driver. The number of the vehicle can be shown first and, if there is any argument, the whole photograph can be displayed. If the people concerned are caught committing an immoral crime and a road traffic offence, so be it. I

believe that we should photograph the front of the vehicle as much as possible.

If we were fair dinkum about doing justice to people, we would man the cameras, have people down the road, and stop alleged offenders informing them that they have been through a speed camera which showed them to have exceeded the limit and that, in due course, they will receive a photograph. I am told that takes manpower and money. However, it does not necessarily have to be a police officer.

We could change the law to employ technicians, and we have done so with radar units. I have a nagging doubt about how this impinges on the rights of individuals. A camera can take a photograph and the owner might not know for several weeks that his vehicle has been photographed. Several offences may have been committed in that vehicle by the time notification is received, and the owner may not have been involved, as is the case with used car yards. With radar, drivers are told immediately that they have infringed, and an expiation fee is issued on the spot or sent in the post. In this case, it may be that the police have to wait for photographs to be developed before notification can be sent out. Whatever the case, whether it is photographs or an expiation notice, the process is slowed down for several weeks, anyway.

My last point is not covered in the Bill. Now that the Government has devices to slow down the traffic and hit people heavily who exceed the speed limit, I ask the Minister to consider increasing the speed limit on major metropolitan roads to 70 km/h, if not in peak periods at least in off periods. I suggest that Port Road, Anzac Highway, South Road and Glen Osmond Road could be designated in this way, because traffic travels along those roads at 70 km/h. There is a need to start thinking about increasing the speed along major arterial roads, at least outside peak hours.

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

Mr BRINDAL (Hayward): The Road Traffic Act deals primarily with safety and the safe passage of people on our roads. Many of the provisions of this Bill are aimed at the safety of people using our roads and not merely at measures to raise revenue for the Government. It is in that context that I speak today and refer to the answers of the Minister of Transport to questions asked about the Road Safety Centre at Oaklands Park.

I believe that road safety is an important issue and there must be two components to it: the educative component and the punitive component. This legislation is not as well devised as it might be because it concentrates on the punitive aspects of the Road Traffic Act and does not deal with the educative aspects. I am concerned that the Government is dealing less and less with educative aspects. The Minister and I have had a somewhat public debate about the future of the Road Safety Centre and I have always had very good and very frank correspondence from him in regard to any letter I have written him.

The Hon. Frank Blevins: Very frank!

Mr BRINDAL: Yes, they were very frank responses. The Minister says, and I accept his word, that there is no intention to close the Road Safety Centre. He did say however that there is surplus land at the Road Safety Centre and that I believe is the heart of the issue, because the surplus land at the Road Safety Centre is, I believe, that network of roads, signs, hills and carriageways that makes the Road Safety Centre unique in Australia and a very valuable acquisition in South Australia. I am reliably informed that the surveyors were there last week examining and measuring that network of roads, hills and signs that constitutes the Road Safety Centre. I believe that that is the land described by the Minister in his answer to the question asked on 18 October 1990, as follows:

> The Department of Road Transport is currently identifying the area of land encompassed in the Road Safety Centre that is surplus to present and future requirements.

And the Minister at the table referred to a large area of land. I reiterate that I believe that that land encompasses the network of roads that is the hub of the Road Safety Centre. I accept the Minister's answer that the centre will not close and that it will continue to perform its present functions, but what stresses me is that over the years it has ceased to perform those functions which it performed with great value to the community, that is, education on that network of roads. I believe it does very little of that at present. I would urge the Minister to look at this area and revitalise it, because it is in educating our young people at a unique facility such as this that a great deal can be accomplished in road safety in South Australia. It has long been understood by teachers that the best way to teach anybody anything is to proceed from the concrete to the abstract, from the known to the unknown.

I can think of no better way of learning to drive than going on to what amounts to a simulated traffic area, free from the encumbrance of other traffic, and learning to deal first with road signs, road rules and methods of turning without having to worry about other vehicles, and then proceeding onto our public roads. We have a unique opportunity in South Australia through the Road Safety Centre to do that and, if that area of land is sold off, that opportunity will be lost forever. I for one—and I know all other electors in my electorate and I am sure that the people of South Australia—would deplore such a loss. I accept that the Government must husband its resources and sell those that are surplus to requirements but I do believe that, in this matter of road safety, something as important as the Road Safety Centre and that network of roads should never be considered surplus to requirements.

In making statements on this matter I do not believe that the Minister or this Government has an unlimited budget. I am quite sure that, from the entrepreneurial approach that the Minister has shown hitherto in some of his portfolio areas, he is capable of coming up with a unique solution to this problem, a solution that may not involve selling the land. To help the Minister, I point out that a group called 'Drive to Live' has on a number of occasions made representations to the Road Safety Centre to hire the network. Because it has been unsuccessful, it currently conducts its courses at the Adelaide International Raceway. I know that the gentleman in charge of 'Drive to Live', whose name I can give to the Minister, would be most anxious to hire the whole of the road network from the Road Safety Centre at a fee which I believe the Minister might find attractive.

So that the Minister might be assured that this group is doing a valuable job, I point out that last year this school trained some 4 000 drivers and that that they include 2 000 to 3 000 public servants from the following departments (and this list is not complete): Health, Mines and Energy, SACON, Aviation, Education, Agriculture, E&WS and ETSA. The public servants from those departments and all the Government chauffeurs who drive the Ministers around so ably were all trained at this school. The gentleman concerned claims that the results of his work can be seen in a downturn in collision and accident damage that accrues to the drivers whom he trains. So, I contend that the Road Safety Centre can be better utilised and can be utilised for the purpose of road safety, and that the better utilisation of that centre stands in stark contrast to the measures that this

Government is trying to pursue in the amendments it is proposing in this Bill to amend the Road Traffic Act 1961.

The budget papers show that, using the new photographic device, the Police Department of South Australia is estimated to have another $13 million in revenue accruing this year. The Minister and all Ministers of this Government become offended when Opposition members suggest that what they are introducing is a revenue raising measure and that it is using officers of our Police Force to collect any form of hidden taxation. However, I would point out that $13 million is a lot of money and that if, on the one hand, the Government can collect $13 million and argue as it does persistently that it is collecting that money not for its own sake but in the interests of public safety and a diminished road toll, that must be balanced by the money it is prepared to spend on road safety. If the Government argues that it collects this money in the interests of road safety, it rings very hollow when we see the Government selling the means of educating people in the very safety that it says it upholds.

I do not wish to occupy the time of this House for very long but at this stage I draw the attention of the House to another part of the Bill which I do not believe has been canvassed by members on this side of the House. It is the clause dealing with the closure of roads and exemptions for road events. I have recently been contacted by Father John Fleming, who is an elector of mine and who wrote a most unusual letter of complaint. It concerns his right as a practising Christian to attend his church on Sundays and he wrote because he had been somewhat offended that, in trying to take his mother from Southern Cross Homes to St Francis Xavier Cathedral, where they worship, he had been detoured by the City to Bay fun run, had had to go many miles out of his way, and had initially missed Mass because of it. He argued in his letter that it should be the right of anybody to practise their religion unfettered, that the use of the roads for fun runs was not a legitimate use and that something should be done about it.

I do not necessarily wholly concur with his remarks but I do point out to the Minister that he did make some points. I have written to the Minister of Recreation and Sport about it, because I believe that the Government quite rightly would not allow a fun run to be held on a major Adelaide road on a normal business day on which people have to go to work and school and go about their normal commerce. I therefore accept, at least in principle, part of what Father John said, namely, that on Sunday people who are Christian and who wish to attend church have some right to do so, and I would urge the Government at least to consider this matter. An alternative that could easily be suggested is the holding of fun runs on public holidays, which are normally week days on which people are not engaged in their commerce. The disruption to people's routine activities, such as attending church, would therefore be minimised and the use of our parklands increased.

Adelaide is endowed with parklands like few other cities on this earth. One suggestion is that fun-runs could be planned around our parklands and thus intrude less onto the flow of traffic. As I said, I do not subscribe entirely to the matter raised by my elector, but it is a valid matter and it is something to which the Minister might draw attention. My colleagues have dealt well with the worries that members on this side of the House have about some of the new devices, and I am sure that we will deal with them again in Committee.

Mr GUNN (Eyre): I want to make some brief comments about this measure without unduly taking up the time of the House. I am a member who spends a great deal of time travelling on our roads and for a long time I have believed that on the open road, particularly in the isolated areas of the State, the speed limit is too low and should be increased at least to 120 km/h. I have been particularly perturbed that the Police Department has been encouraged, because it is so easy to issue these dreadful on the spot tickets, to use these modern devices. Tickets can be posted to drivers who pass cameras or other installations to provide a great source of revenue to the Government. Indeed, the Police Department is putting its resources into that area while allowing other areas of the law to go begging.

In recent days I have received a number of complaints from constituents who are most concerned about unruly larrikins and hoodlums who have been vandalising their towns and carrying on in an annoying manner, damaging property and threatening my constituents. Yet people are being pulled up and getting tickets for having a faulty number plate light and all that sort of nonsense. Too many tickets are issued when commonsense should prevail. I can refer to examples of a police officer pulling someone up for speeding, because it is an easy thing to do, booking them and then speeding off above the speed limit without any repercussion.

I normally support the Police Department strongly but, because of the general trend in issuing these tickets, much annoyance has been caused in the community about such activities. Certainly, the role of members of Parliament, who are elected to this place, is to bring such matters to the attention of Parliament. If we do not, we should not be here. I believe that the speed limit should be increased to 120 km/h. Any members who have driven between Adelaide and Yalata, Coober Pedy or Leigh Creek will know that 99 out of 100 drivers exceed the speed limit. I defy them to say otherwise.

It is difficult to keep a Falcon, Commodore or similar car under 110 km/h. Anyone but a fool knows that such cars are only cruising when they do 120 km/h and, therefore, the overwhelming majority of people who are driving on these roads are technically breaking the law without, in my view, causing any real danger to the public or themselves. The Police Department sets up these devices as a means to raise revenue. That is certainly not in the interests of the department, because it will bring the department into more and more conflict with the public. People are being issued with expensive tickets at a time of grave economic difficulty and in many cases this creates unnecessary and undue hardship.

There is no consideration given by a young, arrogant new officer without the benefit of experience in the world when he starts handing out such tickets. I could cite some examples to the House. I received a complaint in my Ceduna office about the activities of one young officer and I have to decide in the next day or two whether to bring the matter to the attention of the House or to handle it in some other way.

I always try to be reasonable in these matters but, if commonsense is not going to be applied, there is only one course of action, that is, to bring the matter before the House, to name the individual and explain the situation. True, that gets fairly extreme, but the person who was unduly harassed is angered that in his town more than 900 windows have been broken within 12 months and up to 45 youths have been rambling through the streets and harassing people. The house of one constituent was vandalised by these hoodlums and my constituent was then charged with assault because he retaliated and gave the intruders a whack under the ear and a kick in the backside, which is what he

should have done. Nothing was done to the villians, yet the police can set up huge roadblocks.

I can give the House another example. The police can stop all the traffic and one can go through without trouble, but I could not get out of the car. I had members of the public highlighting cars travelling up and down the highway unmarked. They asked me whether those cars were travelling within the speed limit. These things annoy the public—not that radar detectors will be outlawed. People recognise that the police have a job to do, but commonsense ought to apply. These are the things that create difficulties and problems. For a long time I have believed that setting up these devices on the open highway is not an intelligent thing to do because, frankly, the speed limit should be increased and I will continue to advocate that as long as I am in this place.

The same frustration applies concerning trucks. Truck drivers know where speed entrapment devices are located. I can guarantee to the House that one of the first indicators of police presence is trucks travelling at 100 km/h. I know that, if trucks are travelling at 100 km/h, there will be a radar device in the area, or an amphometer or a patrol car on the road. If the trucks are ripping past, we know that it is open go. What will the Government do about that in the near future? Will it seek to impose speed restrictions on trucks?

The Hon. H. Allison: He'll be outlawing radios next.

Mr GUNN: I am a great supporter of radios; they are an effective tool in the hands of people involved in many industries, particularly in times of bushfires. I understand that the Government is going to impose speed restrictors on trucks, but what will happen in the case of people who use trucks for only a few thousand kilometres a year? Will all owners be forced to put these devices on farm trucks? I have had a couple of trucks for 10 years and each would not have done more than 40 000 kilometres. I cannot get 100 km/h out of them, because they are governed. Will all such vehicles be caught in the net? Will all farmers be up for thousands of dollars to fit speed restrictors? Those are the questions that the Government ought to address.

I have no problem with people using pushbikes or other limited forms of transport on footpaths. That does not bother me at all. In many instances it has much going for it. In respect of jammers and radar detectors, if there are the estimated 40 000 devices in the community, the Government will be lucky to get many of them and it is outrageous that there has been an attempt in this Parliament to give the police or anyone else the right to break into a person's house to see whether they have such a device. What is wrong with someone owning such a device? People are committing an offence only when they use it. Not only is this measure draconian but it is the sort of jack-booted approach that I thought we were finished with in this country. We should not put up with such an approach. I have never seen one of these things. What is the rationale behind this provision? Who recommended to the Government that it should go down this track? I believe that whoever made that recommendation is unfit to make recommendations to the Government. They have voided that right and they are irresponsible and devoid of any rational or sensible thinking.

The Hon. H. Allison: You can point a gun, but you can't own one of these.

Mr GUNN: People can commit all sorts of criminal offences yet the police have all sorts of restrictions before they can go in. We appear to be going down quite a ludicrous path in relation to the law. This is how crazy the Government has got. Last week, when visiting police cells in the northern part of the State, I saw that intercoms have now been installed in case prisoners get lonely—and the cost of these intercoms is about $15 000. This is the nonsense that is going on. If people are put into police cells I think that they should stay there for the night. I will have one or two things to say in Committee about these measures.

The Hon. T.H. Hemmings: Get it off your chest now, Graham.

Mr GUNN: I am always a very reasonable man, a man of few words—until I am provoked. The honourable member knows that. If I have something to say, this is the place to say it—and I will say it as often as is necessary until the problem is rectified. However, I am particularly concerned about the course of action that the Government is adopting. We seem to be making it easier to penalise the long-suffering motorist but doing nothing about other far more serious law-breakers. People's homes are being broken into and vandalised. The police do not have enough resources. The courts are too lenient.

The Hon. H. Allison: Milking the motorist!

Mr GUNN: Yes. The motorist is easy to catch and is easy to get money out of. I do not think that that is the right way to go. I look forward to the Minister's response. I could give a number of examples I am concerned about.

The Hon. T.H. Hemmings interjecting:

The DEPUTY SPEAKER: Order! I call the honourable member for Napier to order. The honourable member for Eyre has the call.

Mr GUNN: I do not want to be provoked into replying to unruly interjections, otherwise I could take the rest of the evening. I do not want to do that because I think we will be long enough as it is. I want to know what will happen to all those trucks in South Australia that will not be allowed to exceed the speed limit. Will they have to be fitted with speed restriction devices? I want to know why people cannot own radar detectors if they are not illegally using them (although I have never seen one and have no desire to own one because I always thought them to be a fairly futile exercise).

I am concerned about the cameras that are now in operation. Who tests their accuracy? How often are they tested and who certifies that they are reading correctly? I believe that people should have the photograph sent to them. I understand that there have been embarrassing situations in Victoria where people have been photographed with someone they should not have had in their car. But, that is an occupational hazard for those who carry on in that fashion. However, I believe a photograph should be sent so that there can be no doubt as to who committed the offence.

I want to know whether it is the Government's policy to ensure that the police issue as many on-the-spot fines and traffic infringement notices as they possibly can. Are instructions given either by the Government or by the senior management of the Police Department? I put a question on notice, and I must say that whoever drafted the response was nearly as good as Fred Astaire: they were pretty quick on their feet and skirted around it. Although I believe I know the answer, I will not desist from raising this issue until I am given what I believe to be an accurate reply. I know that I have been critical of the police. However, I am elected to this place to do my job. I look forward to the Minister's response and I will have a number of things to say in Committee.

Mr FERGUSON (Henley Beach): It is not my intention to rebut the remarks of the member for Eyre. He is always a very entertaining speaker, and I am sure that the Minister

will rebut his remarks in due course. I wish to refer to the owner onus provisions in this legislation. Similar provisions were first introduced into the Local Government Act in connection with parking expiation fees. They caused a great deal of trouble when they were first introduced because quite often the owner of the vehicle had no idea who was driving that vehicle.

The former member for Hayward (June Appleby), the member for Light and I took up the problem with respect to the owner onus legislation. What we found was that often, in the case of couples who had separated, the *de facto* husband would take the vehicle, even though it was owned by the wife, and would drive it around, and infringements were taking place. However, because the wife was the registered owner she received the expiation notice. Not only did she receive the expiation notice but, because she knew she did not commit the offence, she took no notice of it.

So, it would be very easy to turn an expiation fee of $60, $70 or $80 into $600, $700 or $800 if it was ignored and the matter taken through the courts. Quite often the people concerned, although they receive a summons, say, 'That has nothing to do with me; a mistake must have been made', and they do not attend court which, in turn, creates further offences.

On one occasion a lady constituent came to see me because she had run up a fine of something like $3 000, and was in severe difficulties at that time. This led to trying to provide a defence in the case of an expiation fee being issued to the owner of the vehicle who was not the offender. It took some time—something like two years—to actually change the legislation, which involved the Local Government Act particularly. However, we did manage to prevail and the legislation has now been changed to provide a defence for anyone not driving the vehicle at the time the offence is committed. The Minister's second reading explanation, at page 1355 of *Hansard* of 24 October, states:

> However, where the owner is a natural person, a statutory declaration from the owner stating that the name of the driver is not known is all that is required in practice.

I find that very satisfying because the owner onus provisions are spreading. They were first used, as I have said, in relation to parking offences in the Local Government Act; they were then introduced in legislation concerning radar offences; and they have now been introduced so far as camera offences are concerned.

So far as local government and the State Government are concerned, this method of being able to hand out expiation fees is so easy that it would not surprise me at all to see this type of legislation spread into other areas. I am extremely pleased that the Minister and his department have been prepared to accept a statutory declaration as being all that is required as a defence when a person was not in fact driving the vehicle. As I stated earlier in this debate, it has meant that some very large accounts have been sent to people in necessitous circumstances who have no knowledge of the law or how to go about solving a problem such as this, and this provision in the legislation will assist in that regard.

I believe that the campaign of the former member for Hayward was correct, assisted by the member for Light, and I congratulate the Minister and his department on including this provision in the legislation.

The Hon. P.B. ARNOLD (Chaffey): This legislation is part and parcel of the Government's intention which was made clear in the budget that it intends to double the revenue to the State collected through infringement notices. Members on this side of the House accept the overall thrust of the legislation, but we cannot agree with certain aspects of it. I certainly cannot accept that it is now an offence to actually own a piece of equipment that was legally bought and sold in this country. I am not arguing about banning the use of radar detectors or jammers—that is a decision for the Parliament to make—but I take up the argument that the State, having allowed people to purchase a particular piece of equipment, should then outlaw it and say that it is an offence to have it in your garage or your home, and that you are liable to a penalty for possessing it. What does one do with these pieces of equipment? Perhaps the Government would like to purchase them, for instance. I am not arguing the fact of making the use of that piece of equipment illegal, but I am arguing with the principle of making it an offence now to actually have possession of such a device.

Members on this side have referred to the need, as we see it, to have a photograph supplied on request. That is the right of each individual who has been served with an infringement notice. The police are very much involved in endeavouring to improve their public image, but the Government's decision that the Police Force in this State will be required to double the revenue collected through infringement notices makes it that much more difficult for the police to actually improve their image.

The manner in which they go about that will be absolutely critical. Over the years, people in my electorate have had an excellent working relationship with the Police Force in the Riverland, and that continues. However, incidents occur from time to time. Just recently, an associate of mine was apprehended for exceeding the speed limit in a 60 km/h zone. That person has no argument with the fact that the 60 km/h was being exceeded in that zone, but the manner in which the police officer issued the infringement notice left a great deal to be desired. When the notice was being issued, my name came into the discussion and the officer concerned made the smart comment, 'Yes, we've got him once or twice also.' The person who received the infringement notice said, 'But you'll have trouble getting him in the future because he now has a vehicle with a cruise control and he locks it into whatever speed is required.' The response was, 'Don't worry, we'll get him anyway.' If that is the way the Police Force is endeavouring to improve its image, it will not succeed.

I take it that that smart alec comment is representative of only a very few police officers in the force, but the Police Force would be much better off without that calibre of police officer. I do not like being threatened by the police or anyone else, and even if it is said in a smart alec manner I take a dim view of comments of that nature. If things like that are being said to members of the public, much of the good work that the majority of police officers are trying to do is being wasted.

A week or so ago the Riverland celebrated Police Week. It was an excellent public relations exercise, very well supported by the community at large, and it did a great deal to improve the image of the Police Force. I suggest to the Minister that my comments in relation to that incident be taken on board, and it would be worth while for the Government to advise police officers who want to act in that way that they are not really acting in the best interests of the Police Force or of the people of South Australia.

While I fundamentally support the legislation, I come back to my original point: in banning radar detectors, once again we are victimising the motoring section of the community. There is no doubt that there are a number of irresponsible truck drivers on the roads who know exactly where the police are at any time.

There is no suggestion that CB or two-way radios should be banned, but they are used for exactly the same purpose as radar detectors. As the member for Eyre said, an irresponsible truck driver travelling at 125 km/h passes a vehicle sitting on the speed limit and showers that vehicle with rocks. The vacuum created by a pantechnicon passing a vehicle at that speed draws in stones from both sides of the road, and the vehicle is covered in a shower of rocks. I do not think that any motorists would appreciate that occurring or the danger of receiving a smashed windscreen and other associated problems when there is a lot of traffic about. I trust that that problem will be addressed and that ultimately irresponsible truck drivers will be put on a level playing field with the many responsible truck drivers and operators in this country.

The Hon. T.H. HEMMINGS (Napier): I rise to support the Bill. Many of the provisions in the Bill are long overdue, and most of these have been canvassed by previous speakers. I have some misgivings about the attitude of members opposite, but perhaps I have not heard correctly some of their comments with regard to people who break the law. In particular, my very good friend the member for Eyre said that 99 per cent of people exceed the speed limit on the open road, and many of them are truck drivers. He went on to say that because 99 per cent of people exceed the speed limit, it should be lifted to 120 km/h.

The SPEAKER: Order! I assume that the honourable member will relate these comments to the Bill.

The Hon. T.H. HEMMINGS: I am, Sir, because I am talking about the contribution of the member for Eyre and, in effect, I am rebutting his comments. I would hate to think that people who read *Hansard* will get the impression that certain members of Parliament have a cavalier attitude: that, because truck drivers break the existing 110 km/h speed limit, the Government should meekly come in here and introduce legislation to increase the limit. Statistics tell us that most of the horrific road accidents occur on country roads and, despite the efforts of any Government to keep that figure down, unfortunately that is not possible.

In relation to radar detectors or jammers, I find it rather strange that there was almost a plea by the member for Chaffey that, because those devices are to be banned, there should be some form of reimbursement to those people who, in the first instance, deliberately purchased a piece of equipment to try to foil the South Australian Police Force, which does a damned good job of trying to enforce the speed limits in our State. The police do this in a very correct and proper way, and I do not join with the member for Chaffey who says that some police officers say, 'I will get that fellow some way or another despite the fact that he has cruise control.' I notice that this is not in my personal file held by the Opposition, but I admit that I transgressed once and broke the speed limit. I was travelling at 74 km/h—

The Hon. D.C. Wotton interjecting:

The Hon. T.H. HEMMINGS: I can seek leave. I was doing 74 km/h in a 60 km/h zone, and I was picked up. I had a very good excuse, but that did not help me in any way. My excuse was that in the morning's paper we had received very good coverage of the very successful launch of HomeStart. Members may recall that Randall Ashbourne gave us very good coverage and said that it was the best thing since sliced bread. I was in a state of euphoria as I was driving down Main North Road and bingo, I got done. I paid up without any problems because the Police Force had caught me fair and square with one of its radar devices. If I had been trying to transgress and to circumvent the law by having a radar detector or jammer, I gather from what the members for Chaffey, Eyre and Murray-Mallee have said that I would have been well within my rights to do so. My attitude to the law is obviously different from that of members opposite. I congratulate the Minister for that part of the legislation which bans radar detectors and I urge all members to support it.

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

TOBACCO PRODUCTS CONTROL ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

LANDLORD AND TENANT ACT AMENDMENT BILL (No. 2)

Returned from the Legislative Council without amendment.

TECHNICAL AND FURTHER EDUCATION ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

ROAD TRAFFIC ACT AMENDMENT BILL (No. 3)

Second reading debate resumed.

Mr BLACKER (Flinders): This Bill is basically a Committee Bill and the detail should be picked up at the Committee stage because it deals with at least seven significant and different matters. The first issue concerns the regulation or control of sporting events on roads, and I do not think that members have great concern about that provision. We all know that, when sporting groups use the roads, there is a danger; yet we do not want to dissuade those people from embarking on such ventures. There must be proper control, and that control should be placed in the hands of the road traffic authorities, and local government authorities should have some input.

The next provision is the requirement to report on the operation of random breath testing stations, and I do not see that that presents any great problem. Another provision in the Bill concerns the banning of the possession, use and sale of radar detectors and jammers. There is some controversy about this point and I, for one, am not satisfied that we are heading down the right track. I am not of the opinion that we should do anything to prevent people from evading the law. What we must be perfectly clear about is that any appliance used in detecting speeding is 100 per cent accurate, can be proved to be 100 per cent accurate and cannot be tampered with by the use of other appliances, be that intentional or unintentional.

I am given to understand that the effectiveness of radar guns can be influenced by other machines, and not just those which this legislation sets out to ban. Further, I see nothing wrong with a person buying a legal appliance to monitor his or her driving practice. After all, we have monitors on our own cars. Even the speedometer is an indicator or a guide by which people monitor the operation

of their vehicle. A cruise control switch does exactly the same thing. The driver can set the speed and, if that is set above the limit, what is wrong with that? There is nothing untoward about using a radar detector if a driver is travelling at excessive speed. However, a jamming device is a different matter, and it presents a problem for officers carrying out their duty in trying to apprehend people who are speeding. There is no indication that that process is foolproof.

Another aspect that has been mentioned concerns the use of low powered motorcycles, and particular reference has been made to Australia Post. In my capacity as Chairman of the Eyre Disability Coordinating Group, I am particularly interested in this provision as it applies to wheelchairs. The proposed law adequately covers usual wheelchair operation. However, a number of other vehicles powered by a small motor and used by handicapped persons are almost of the capacity mentioned in the Bill. A motorised vehicle has been developed which carries a wheelchair. The wheelchair is run up on ramps at the back, locked into position, and the vehicle is driven from the seat of the wheelchair. That raises another issue because higher horsepower engines will be used, bringing a different range of vehicles into the ambit of the debate. No doubt that matter will have to be addressed in future.

The speed limit that has been mentioned is adequate for motorised vehicles, particularly for wheelchair operation, where people may be aged and infirm. The slower the speed, the better, providing there is reasonable access to get out of danger should a person be confronted with it. Members would be aware that most Australia Post mail is delivered by persons riding motorcycles or motor scooters. In the main, there has not been a problem with that, although the practice represented a technical infringement of the law. If the Bill seeks merely to tidy up that part of the legislation, I can see no problem with it.

The next measure concerns cameras and detection devices. I have no great objection to them because, after all, if drivers do not speed and do not infringe the traffic laws, they have nothing to fear from the cameras. It is only fair and proper that, should a prosecution or an infringement notice be served on the basis of a photograph, the person against whom the infringement has been lodged is given a copy of the photograph. As has been mentioned in this debate, it is particularly important that where a person other than the registered owner is driving—it might be a family member, an employee of a large company, or someone else—that person be identified. It could also be embarrassing when a person is travelling with another person with whom he or she should not be travelling. There are two sides to the story but, nevertheless, if the evidence is provided to both sides of the equation, that should be seen to be fair. I do not intend to pursue this matter any further at this stage, but I will raise some questions at the Committee stage because, as I mentioned, it is really a Committee Bill.

The Hon. JENNIFER CASHMORE (Coles): I support the Bill, and I will speak particularly in support of the clause which deals with radar detectors and jammers. I find it hard to support the argument that because something has been purchased legally it can be used legally to avoid or thwart the law. I believe that, in taking action to prevent that occurring in future, the Government and Parliament are taking a correct course. There is no doubt whatsoever that when these devices were purchased they were purchased by the buyers with the clear intention of their being used to thwart the law, the law which the rest of us who choose not to purchase a device or cannot afford it (even if we do choose to spend what I understand is several hundred dollars, or possibly less) are bound to obey. The law is there for a purpose, that is, to ensure safety on the roads. To suggest that the notion of thwarting the law could in any way be condoned is in my opinion irresponsible, and I want no part of it. There is no doubt that excessive speed is a major cause of the incidence and severity of road accidents and those who wish to maintain high speeds and avoid detection by using those devices are, I believe, performing antisocial acts and I am glad that those acts will be made illegal in future.

I do accept, however, the argument that the goods were purchased legally and, therefore, to make their possession illegal presents a difficulty if one is looking at the consistency and logic that goes with the normal compensation that would apply when the State makes possession of anything illegal. I am not suggesting that anyone should be compensated, but I think that, if these goods are to be prohibited in future, the actual collection of the devices represents a problem. I suppose that, just like carving knives, pistols and any other device that could be used for an illegal purpose, it is the use, not the possession, that should be made illegal. I see the Minister shaking his head and no doubt he has an argument to refute that proposition, but that is the way I feel about it in terms of the consistency of what the State does in regard to people's possessions.

In respect of the clauses regarding the use of bicycles and low-powered motorcycles on footpaths, I can see that this is simply a tidying up measure and it is one that we have no difficulty in supporting. The requirement for riders of pedal cycles to comply with general traffic signs is one that will be welcomed by every pedestrian who has waited at intersections, particularly at city or heavy traffic suburban intersections, and found cyclists diverting through the traffic when the opportunity presented itself, in a way that was potentially dangerous. That is also a deliberate, blatant and flagrant thwarting of the law that should not be allowed to occur.

The clause that relates to photographic detection devices is again what one might call a technical amendment to ensure that the law operates effectively. The intersection with which I am most familiar where these devices are installed is the intersection of Portrush, Payneham and Lower Portrush Roads, a broad, exceptionally busy intersection carrying a huge volume of traffic. Because it is so broad, it is relatively easy for a driver to enter the intersection on a caution light or, perhaps, at the last second of a green light, and complete the intersection against a red light. I can see that the knowledge that those devices are installed is a deterrent to committing that potentially very dangerous act, and the evidence proves that these devices have indeed reduced the level of road accidents and, therefore, one can applaud the outcome.

I share with some others the regret, I suppose, that we are being controlled to a considerable extent by technology and machinery, that human actions are being governed by non-human means. I recognise that once we get behind the wheel of a car we are making use of a mechanical device and that it requires similar technology to govern the use of that device, but I suppose one can only say that we are well past 1984 now; we are into 1990 and these things are part and parcel of life.

The justice of the application of the other clauses in the Bill that deal with the owner onus provisions in regard to photographic detection devices is, I think, debatable. However, my principal support for this Bill is based on my support for the outlawing of radar detectors and jammers. I think that the feeling of natural justice in the community

among law-abiding people reflects deep concern that there should be outlets for people who choose to disobey the law, who choose to make the work of an exceptionally hard-pressed Police Force even more difficult and who choose to exhibit what could be described as extremely self-centred attitudes on the roads. I do not think we should condone that for a minute, and it is an expression of that opinion that has prompted me to rise to speak in this debate and to support the Bill.

The Hon. FRANK BLEVINS (Minister of Transport): I thank all members who have taken part in the second reading debate. I did not expect quite so many; in fact, I went to the trouble of asking how many speakers there were and at one stage there were none, so I thought, 'This is all right; we will be home for dinner' but it did not work out that way. Never mind, the debate was interesting, to say the least. The diversity of views that were expressed was quite surprising and entertaining and, at one stage, it almost became anarchic in the Liberal Party. I felt quite at home. As has been stated on many occasions during the debate, this is essentially a Committee Bill, and we do tend to have the same debate in Committee that we have in the second reading on a Bill of this nature. So, I will not respond in any great detail to the specific queries the Opposition may have, because I know that those queries will be put in the Committee stage when amendments will be moved. It would only be tedious for me to give my responses twice.

A number of questions were asked that I do not anticipate coming up again in the Committee stage when we deal with the amendments that have been foreshadowed, so I will respond to those. The member for Heysen, who led for the Opposition, went through the Bill in some detail. He had a number of queries, one of which was the question of consultation on road closures for sporting events.

Consultation between ratepayers and councils was one point that was raised. Essentially, it is for local government itself as to how it goes through that consultation process. Local government officers, councillors and aldermen are careful not to raise the ire of residents, and we can safely leave it in their hands to devise their own system of consultation. If they do not, then, like the rest of us, they face elections and I am sure that the ratepayers will deal with them if they feel that consultation has been inadequate on occasions.

I do not believe that that will become a major issue. It is not as if it is going to happen every week or other week: the roads will be closed on rare occasions and there will be extensive advertising, as is laid down in the Bill. I do not see that as a problem. If it becomes a problem, I am sure that local councils, residents and constituents of all members will soon let us know and we can deal with it then if it becomes necessary.

The riding of bicycles or low powered motorcycles on footpaths did not elicit any great objection. The reality is that in every Australian State the local posties drive on footpaths, so we might as well regularise something that is perfectly sensible. I have never heard of any postie doing wheelies or U-ies or generally lairising around; they seem to be going about their business quietly and efficiently without bothering anyone. The fact that that practice is presently illegal is one reason why the Bill is before the House. The change will assist postmen to do their job in a legal manner. There was a query about that clause that will be pursued in Committee, because there is an amendment on file, so I will not deal with that matter further now.

Some members referred to roller skates and skateboards. This is a vexed question. I do not think anyone has got a total answer to that. I suppose it is a question of manners more than anything else that young people ought not put other people at risk of having an accident, but I am afraid that from time to time their manners are not evident.

The member for Hayward mentioned the Oaklands Park Centre and the speed with which one of his constituents could get to Mass. Neither of those matters (with respect to the Chair) seem to have anything to do with the Bill but, if the member for Hayward wishes to take up these questions with me, I will do what I can to assist him.

The most substantial issue is the question of speed cameras. Members opposite determined that this measure is merely a revenue-raising device and that that is the only reason why the Government has introduced it. That is certainly not the case. The evidence from Victoria is not empirical but is anecdotal from people I know in the Victorian Department of Transport. While initially speed cameras raise a significant amount of money, the experience in Victoria is that that tapered off rapidly. Victoria has over 20 of these cameras compared with two in South Australia. The Victorian driving public has learnt quickly that if they speed there is a high chance of getting caught. I understand that the speed of the traffic in general has decreased considerably and that the Victorian road toll this year is down greatly as well.

I am not saying that there is necessarily a connection, but commonsense seems to tell us that the slower the speed, the fewer the accidents that occur and the less damage that is done to persons when accidents unfortunately do occur. I understand that that has been the experience in Victoria. I hope that I can stand here in a year and say that as a revenue raiser the speed cameras have been an absolute flop but that as a lifesaver they have been a huge success.

It will give me a great deal of pleasure to do that, because there are other parts of the budget, other than revenue from traffic infringement notices, that are affected; I refer to the impact on the budget of accidents—and that is quite alarming particularly in our hospitals—and related costs. I would be happy indeed if no-one was caught speeding, because there would be a corresponding reduction in the number of accidents.

The member for Coles made her usual interesting contribution on the question of radar, and this seemed to be the most contentious issue. I recognise the respectability of the arguments put in opposition to the Bill. I do not agree with those arguments, but they were respectable arguments, and I will attempt to deal with them. The member for Coles drew an analogy between someone who had bought a radar detector and had it confiscated because it could be used for an illegal purpose and someone who had carving knives in their possession that also could be used for an illegal purpose. That analogy does not stand up at all, because a carving knife has a legitimate purpose. We all have carving knives, and the fact that we can use them for an illegitimate purpose does not in any way equate with radar detectors that can be used only to thwart the law, to use the words of the member for Coles.

No-one buys a radar detector because they have not broken the speed limit. They buy detectors with the expectation that they can drive as fast as they like irrespective of, first, their capabilities and, secondly, the road conditions at the time; they have no respect for other people on the road, and they hope they can do all these things without fear of detection by radar. That is the only purpose for which they are bought.

I have heard stories today about the motives of people who buy detectors, of their wanting to stay within the law but, frankly, those stories are a lot of nonsense. Drivers buy

detectors only so that they can break the law by exceeding the speed limit and get away with it. It does not seem to matter if they slaughter other people on the road or even themselves. I do not suppose they are concerned about themselves, but what about other people on the road?

I have no sympathy at all with that argument that there should be some kind of compensation or that people should be allowed to keep detectors. If we allow them to be in people's possession, but legislate that they cannot be used, we might as well forget the Bill. As I understand it, the only way we can detect someone using a detector or jammer is to be in the vehicle with them. Obviously, that is not practical for the police, and the police have enough problems as it is. So, I will not accept that it is satisfactory to be allowed to keep these things. They can be disposed of very quickly and easily.

One surprising feature of the debate was the testiness of some members who spoke. I think it is quite obvious that those members were smarting from experiences with the law, involving speeding. Some of them were very testy, and that was perfectly clear. Nobody likes to be fined. I confess that in 1977 I, too, was booked for speeding, and that is the only traffic offence I have ever had—it is certainly the only one I can remember.

Mr D.S. Baker interjecting:

The Hon. FRANK BLEVINS: Unlike the Leader, I do not use my official car outside Adelaide. I use my own vehicle in my electorate. So, I am not chauffeur driven at all, or very rarely. I will not tell everyone the gory details of my brush with the law, but I firmly blame it on the member for Morphett. However, he does not know that I have held this against him for 13 years. It occurred when I came back from the declaration of the 1977 poll in Port Pirie when the Federal member Laurie Wallis was re-elected by about 63 votes. Had the member for Morphett won on that occasion, I would not have been there, and so I would not have been caught speeding! I paid up with a smile, although it was rather a tight smile, I admit. The member for Napier suggested that he was not upset and paid up happily, but I do not know whether I totally believed him, either. That was my experience with the law and driving. It was one occasion, and it was not very much over the limit. I had a good tale to tell at the time, but that did me no good.

There are some reasonably important provisions in this Bill; it is not totally rats and mice. I appreciate the way that members have dealt with it and the thought that has been put into most of the contributions made to the debate. I commend the second reading to members and look forward to a very brief Committee stage.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Road closing and exemptions for road events.'

The Hon. D.C. WOTTON: I appreciate the Minister's comments on the involvement of local government in relation to this clause. However, I repeat what I said earlier: I think it comes back to councils to make sure that their ratepayers are aware when roads are to be closed, because of difficulties that might arise. I note that the Bill provides an opportunity for the Minister to attach conditions to an order. I am not looking for the exact details, but how often does the Minister anticipate this will have to happen? Has he given any consideration to the time limits on the conditions that are laid down? Obviously, it would be important that such conditions not be in force any longer than is absolutely necessary.

The Hon. FRANK BLEVINS: It is very difficult to say how often this will occur. I can try to get an estimation for the member for Heysen, but otherwise I would be guessing and it would be a worthless guess. The same is true as regards the conditions. It is something none of us has any experience of but, guided by the police, the local councils and the Office of Road Safety, the conditions will only be those that are necessary and road closures will only be for the absolute minimum period. I am quite sure that nobody would wish to abuse this legislation and close down a road for two days when it may be needed for only an hour. I am sure that, otherwise, our constituents be on the telephone very quickly. If something detrimental did occur inadvertently, I am sure our constituents would not let it happen again.

Mr LEWIS: I regret that I was not present to hear whether the Minister responded to the remarks I made about this clause during my second reading contribution. Is there any way in which we can oblige the people seeking an order to close a road to ensure that they do not isolate families from their dwellings? The Minister may recall the situation of a young woman (indeed, she is still there) who worked, as did her husband: she had a baby and a toddler of two or three years, and returned about midday to find that the road to her home had been closed. Having no prior knowledge of this, she was cut off with all her shopping, with frozen and chilled goods in the car and the baby needed feeding, yet she was prevented by the duty officer from the organisation involved, as well as by the policeman in attendance, from driving the 1½ miles or thereabouts along the road into her home.

The woman had to walk a mile across the paddocks and had to get through several fences with her baby in her arms, the toddler and her frozen goods. It struck me that that was grossly unfair on her. It was quite an uncivilised thing to do, and she had no knowledge of the road closure. After I took up the matter to find out what had happened, she was told that when attempts had been made to contact her she had not been at home. Naturally she was not; she was at work, having been in part-time employment, although I point out it was more than half-time employment. Is there any way in which we can avoid such a recurrence, where the only road citizens have to get to their homes is closed?

The Hon. FRANK BLEVINS: I do not know that I can guarantee that. I cannot foresee every possible circumstance. It does seem to me that if a road is to be closed there ought to be adequate advertising, and provision is made for that. It can only be done with the permission of the local councils and the police. I think there are enough safeguards in the legislation. I cannot guarantee that position: the only way it could be guaranteed is never to close a road, and that is quite contrary to what we are trying to do. I am sure that nobody wishes to cause any people distress, and certainly there should be only a minimum of inconvenience. However, there is no doubt that if you close a road, at some stage some people will be inconvenienced albeit for only a very short time it is hoped.

Clause passed.

Clause 5—'Breath testing stations.'

The Hon. JENNIFER CASHMORE: A few weeks ago I attended a seminar organised by a group known as Advocacy for the Brain Injured. The seminar was addressed by a senior police officer and also by the Minister. If I recall correctly, my interpretation of what the police officer said was that every citizen in South Australia had one chance in four in this current financial year of being picked up at a random breath testing station. I want to establish whether I had heard that correctly. Is it an advance on previous

years? Does the Government hope to increase the chances of drivers being picked up and, if so, how much further? It seemed to me that a one chance in four represents a fairly high level of deterrent. I was agreeably surprised. I did not think the chances were as good as that. Will the Minister indicate how that position compares with that in the immediate past, the more distant past and what he foresees in the future?

The Hon. FRANK BLEVINS: The member for Coles will be pleased to know that the position is even better than when she was at the seminar. It is now one chance in three.

The Hon. Jennifer Cashmore: In any 12 months?

The Hon. FRANK BLEVINS: Yes. I notice a look of horror on some of the faces opposite, but it is one in three. It has gradually increased over the period that random breath tests have been conducted, to the eternal credit of Michael Wilson, with the assistance of the Labor Party through the select committee system of the Legislative Council, when it was an honest select committee system, not like today. We will be guided very much by the Police Force as to where it feels the resources available to it can be best used.

Mr S.G. Evans interjecting:

The Hon. FRANK BLEVINS: The member for Davenport made some remarks about raising money. We are now talking about random breath testing. The question related to random breath testing and that is quite an expensive operation. I would expect that the Government comes out on the wrong side of the ledger in strictly dollar terms with respect to random breath testing. We do keep these things constantly under review, and the pressure is constantly on. I was very pleased at one of the ATAC meetings which I attended, when the Federal Government was insisting on a certain level of random breath testing, and we had already exceeded that level—and exceeded it by far.

The Hon. Jennifer Cashmore interjecting:

The CHAIRMAN: Order! The Committee should come back to order and adhere to the terms of the clause. The honourable member for Coles.

The Hon. JENNIFER CASHMORE: I did incorporate this question in part of my first question, and I realise I should not have interjected. I asked the Minister whether he could advise the Committee of the comparison between the risk of being picked up now, which is even higher at one chance in three, and that which applied, if not in 1982, roughly at the commencement of this legislation and also in the comparatively recent past.

The Hon. FRANK BLEVINS: I will obtain that information for the honourable member.

The Hon. D.C. WOTTON: Further to the matter raised by the member for Coles, on a number of occasions I have received representation from people who, like myself, have been brought in for breath testing. On each of those occasions, the representation I have received would suggest that there seemed to be an abundance of police officers. I realise that the Minister at the table is not the Minister for Police and responsible for police numbers, but the point has been made to me on a number of occasions that there seemed to be an over-abundance of police officers in those testing operations. Perhaps if fewer police were involved on each occasion, we might be able to use them in more testing stations. Can the Minister comment on that?

The Hon. FRANK BLEVINS: As the member for Heysen has stated, it is entirely a question for the police as to how they organise a random breath testing station. Some of the methods vary. I believe that one method being used currently is block testing, where the police completely block off several lanes of a road and bring in all the cars. That requires considerably more police resources. The police obviously do their sums on these things and they must feel it is more effective and efficient to do it that way. Really, I do not know. I am not an expert in this area. Every time I have passed a breath testing station or when I have been pulled into a breath testing station, I have been in the very happy position so far of never having been the least bit concerned. In fact, I have been quite pleased to have been pulled in.

The Hon. D.C. Wotton: It's not quite so bad when you have a chauffeur.

The Hon. FRANK BLEVINS: It has nothing to do with a chauffeur. I do not have a chauffeur where I live. Any time I go near a radar unit, even when I am not speeding, the heart goes. I can be travelling at only 20 km/h, but the heart still goes. That does not apply with the breath testing stations.

Mr LEWIS: Alcohol is one of the drugs that has a detrimental effect on the behaviour of drivers and on their capacity to perform the task with competence in a way that enables other road users to trust their judgment, but there are other drugs apart from alcohol. How long will it be before we also incorporate tests for those other drugs which have serious effects on the physical performance of a driver, drugs such as tetrahydrocannabinol or drugs currently used as stimulants by semitrailer drivers to keep themselves functioning (in their opinion)? Such drivers may be behind the steering wheel of a moving vehicle but they are not necessarily in control in any way that makes us feel comfortable. How long before we can test for those drugs and begin doing so, since any one of them is just as dangerous as alcohol itself? Just because more people do not use them does not mean that they are not dangerous.

The Hon. FRANK BLEVINS: We do, of course, test for those drugs. It is equally as illegal to drive while under the influence of drugs as it is to drive under the influence of alcohol. Of course, the problem is the instant testing. As far as I know, we do not have a method of accurately instant testing drivers. As I understand it, blood testing must be done in a laboratory, and that is why we do not use an instant testing procedure—because there is not one. I am pleased to see the member for Bragg present. He may be able to enlighten us as to how far we have progressed with producing some sort of device that can instantly test for drugs other than alcohol.

Clause passed.

Clause 6—'Offence to own, sell, use or possess radar detector or jammer.'

The Hon. D.C. WOTTON: I move:

Page 2, lines 38 to 46—Leave out subsections (1), (2) and (3) and substitute new subsection as follows:

(1) A person must not—

(a) sell, offer for sale or use a radar detector or jammer; or

(b) drive a motor vehicle that contains a radar detector or jammer.

As the Minister indicated in his reply to the second reading debate, this matter has been dealt with in some detail. The Opposition feels very strongly about this amendment which seeks to remove the word 'possess' and the enter and search provisions on the part of the police. Dealing with the latter aspect first, we feel that the enter and search provisions of the Bill are very draconian and unnecessary and, in other pieces of similar legislation, we have moved in the same way.

As far as the other aspect is concerned, a number of my colleagues have referred to this matter already. This clause is seen to be retrospective. We understand that some 40 000 people already own one of these devices and we believe that

it is totally inappropriate that a person who legitimately purchased one of these devices should now be penalised in any way. The amendment spells out quite clearly that it should be an offence to sell, to offer for sale or to use a radar detector or jammer. As many of my colleagues indicated during the second reading debate, we feel strongly that radar detectors or jammers should not be used in any way, shape or form.

It has been suggested also that there is a strong demand for compensation. I would not support compensation being paid to people who own such a device, but we feel strongly that the legislation should be amended to take that into account, particularly in the case of those people who quite legitimately over time purchased a radar detector or jammer. They have not done anything wrong, so they should not be penalised at this stage. It is totally inappropriate that these devices should continue to be sold or to be used, but unless the Government is considering the payment of compensation—and I suggest that that would be inappropriate—we believe that this clause in its present form is totally unacceptable, and I therefore seek the support of the Committee for my amendment.

The Hon. FRANK BLEVINS: As I explained during the second reading debate, without this provision we may as well not go ahead with the Bill because it is almost impossible for the police to detect the use of these devices. So, if the Opposition supports the banning of radar detectors and jammers, however distasteful it may find this particular provision, it follows logically and it is an inevitable consequence, otherwise the use of these devices will carry on as before. It is just not possible for the police effectively to detect use of these devices unless they happen to pull up alongside a person using one in a vehicle. Quite clearly, that will not happen; so, as distasteful as the provision may appear, it is absolutely necessary if the Opposition agrees with the banning of detectors and jammers.

People did not buy these devices to stay within the law. I have heard that nonsense time after time over the past few months. The reason they bought them was to enable them to thwart the law and to behave in a manner which was described quite accurately by the member for Coles as antisocial. They wanted to break the law, to speed and to get away with it. So, I do not have a great deal of sympathy for the people who have outlayed several hundred dollars for the purchase of these devices and now find that that money has gone down the drain, that they have done it cold. It is absolutely essential that this amendment be defeated if the Opposition supports the thrust of the Bill.

The Hon. D.C. WOTTON: I find that answer totally unacceptable. As I mentioned during the second reading debate, we have a hypocritical situation where we suggest that people in private cars are not allowed to have these devices, yet nothing is being done—and certainly the Minister did not indicate in his reply that anything is being done—about CB radios in heavy vehicles, for example.

Mr D.S. Baker: Or cars.

The Hon. D.C. WOTTON: Or cars. The situation is—and I reiterate what I said before—that these people quite legitimately purchased these devices, and did nothing wrong in doing so. We have stipulated quite clearly that we do not support the use of these devices for the purpose referred to by the Minister, that is, to break the law. Many people purchased them legitimately and, as such, should not be penalised.

The Hon. FRANK BLEVINS: The member for Heysen did not contest my argument that, if this amendment is passed, it will completely negate the intention of the Bill. He may as well not bother because there is no way—

The Hon. D.C. Wotton interjecting:

The Hon. FRANK BLEVINS: They are only illegal to use, and that use cannot be detected—that is the dilemma. No one likes provisions of this kind. If someone is allowed to possess such a device, they can say—

Mr D.S. Baker: It is the same as guns.

The Hon. FRANK BLEVINS: I do not know what the Leader is on about.

Mr D.S. Baker: If you possess a gun, you must have a licence to use it.

The Hon. FRANK BLEVINS: I am sorry, I cannot follow the argument.

The CHAIRMAN: Order! The Chair will not allow interjections.

The Hon. FRANK BLEVINS: I concede that the use of CB radios in heavy vehicles is a problem, but again they have a legitimate use as was explained by the member for Eyre, which is something we all know anyway. They have a legitimate use, the same as a carving knife. The fact that they are used to advise other drivers of Department of Road Transport inspectors is unfortunate, but we are making speed limiters for heavy vehicles mandatory. We have all had horrible experiences on the road with heavy vehicles travelling far in excess of the speed limit. They are a danger to themselves, but that is probably less important than the danger they are to others, including us. At times it is quite terrifying to be on the road with them and near them. We could all recount experiences that we have had with heavy vehicles. The Government will be introducing legislation to ensure that heavy vehicles are governed so that they cannot exceed the provision contained in the Bill, which is 100 or 105 km/h.

The Hon. JENNIFER CASHMORE: I support the amendment and I reject totally the Minister's claim that this clause as it is presently written is the inevitable consequence of banning radar detectors or jammers. There is never anything inevitable about a provision which enables the police to enter and search any land or premises for any reason. There is nothing inevitable about that; it is the most serious intrusion into civil liberties that any Government can place in legislation.

It is one that the Liberal Party has traditionally rejected on very, very sound grounds, that have historical justification and, as I said recently about other pieces of legislation, are deeply rooted in Magna Carta and the Bill of Rights. It is not good enough to say that, just because something has the potential for illegal use, the police have the right to enter a person's home and confiscate the device. For a Party that prides itself, as the Labor Party has done occasionally in the past, on its attitude to civil liberties, I find it amazing that it should be attempting to justify this kind of intrusion into the most personal place in a person's life, that is, a person's home.

If the devices are illegal, their use is illegal. The Minister said that they cannot be detected. Presumably, they are being used in cars, and the Opposition is not suggesting that the police should not have the right to stop a car where use is suspected. I have never seen one of these devices. What do you do with them? Do you burn them or bury them? How do you get rid of them? I do not know. However, as long as they are not being used, the law is not being broken, as far as the Opposition is concerned. There is no logic in claiming that, because they are illegal, the police should have the right to enter a person's home and search for and seize them. As I said, that is justifiable in the case of a criminal act, but we are not talking about a criminal act. We are talking about illegal use in a circumstance which does not and cannot by its very nature occur in a person's

home. For that reason, I support the amendment and I oppose the clause as it stands.

The Hon. FRANK BLEVINS: I applaud the strength of conviction of the member for Coles but at times we have to make a choice. If the ban on radar detection devices and jammers is to be effective and to have any meaning at all, we must have this provision because there is no way that the police can detect these devices in use. They are switched on and they are switched off in the car. It is as simple as that. I do not know how the police can actually catch a driver using a device, because it takes only a second to switch it off. If we do not have this provision, that is fair enough, and it may well be that the member for Coles believes that the civil libertarian problems that arise out of this outweigh the evils of radar detectors and jammers. That is fine.

However, the honourable member cannot have it both ways. She may well be right. I disagree with the honourable member but it may be that the intrusion into a person's civil liberties is too severe to outweigh the damage that is done by the use of these devices. That is a perfectly legitimate argument and a perfectly legitimate conclusion to draw, but the member for Coles cannot have it both ways: she cannot say that she supports an effective ban on these devices and, at the same time, not support a provision that makes the ban effective.

The Hon. JENNIFER CASHMORE: If I cannot have it both ways, the Minister cannot have it both ways, either. If these devices are impossible to detect in a moving vehicle, I suggest they are even more impossible to detect inside a person's home. Will the Minister outline to the Committee how he proposes to ensure that the police obtain information about the possession of these devices? Will it be a universal search and destroy in every home in South Australia? What evidence will the police use? On what basis will they prepare their warrants to go into people's homes to seize these devices? If they are not evident in motor cars, it is obvious that it must be impossible to deduce whether they will be found in someone's home.

The Hon. H. Allison: The Jews laughed in 1936.

The Hon. JENNIFER CASHMORE: The member for Mount Gambier refers to the Jews in 1936. The Minister spoke about comparative values and greater evils. I suggest it is a very great evil to establish a situation in South Australia in which police can enter people's homes and seize goods when they cannot possibly have any indication, greater than they would have if the device were in a car, of evidence justifying that act. In attempting to enact this clause, the Minister is setting up a situation in which warrants can be issued to search any land or premises where a police officer has reasonable cause to suspect that an offence has been committed. The Minister said that the devices cannot be detected in cars. If that is the case—

The Hon. Frank Blevins: In use in cars.

The Hon. JENNIFER CASHMORE: Yes, I suggest that that goes without saying, that they cannot be detected in use in cars. How will the police get evidence to obtain the warrants necesary to search houses? I suggest that the Opposition's amendment, which deletes the word 'possess', gives the police all the power they could reasonably need, given the gravity of the offence. We are not talking about murder. I maintain that the Liberal Party's amendment, which covers the offence when it comes to selling, offering for sale or using a radar detector, is as adequate as can reasonably be expected.

The Minister knows from the conviction with which I spoke at the second reading stage that I regard the use of these devices as totally unacceptable, but I also regard the provision for police to search people's homes as being one that should be granted only in the rarest of rare circumstances and where a criminal offence is suspected. This is not such a case and I do not believe that Parliament should accept this clause as it stands.

The Hon. FRANK BLEVINS: The provisions that protect the community are adequate, and I will read them out. With respect, I do not believe that the member for Coles read them all until she was on her feet.

The Hon. Jennifer Cashmore: That wasn't deliberate.

The Hon. FRANK BLEVINS: No, I am not saying it was. Proposed new section 53*b* provides:

(2) A member of the Police Force may, on the authority of a warrant issued by a justice, enter and search any land or premises where he or she has reasonable cause to suspect that an offence against this section has been committed or that there is a radar detector or jammer or any evidence of the commission of an offence against this section.

(3) A justice must not issue a warrant under subsection (2) unless satisfied, on information given on oath, that the warrant is reasonably required in the circumstances.

Those safeguards are very strong, as they ought to be. The provision is very strong. It is an intrusion; there is no question about that. The Government is not denying that. However, the Government is saying that unless there is a prohibition on possession of the device, and because of the nature of the device, there is no way that there could be an effective ban on its use, given the inability to detect it in use. The member for Coles is trying to have it both ways and, on this occasion, she cannot.

The effect of the amendment will be that people will still have the radar jammers in their cars and there is no way that the police can detect their use. We have to balance one evil against another; we make those choices every day in Parliament. It is not an easy world. If one believes—

Members interjecting:

The Hon. FRANK BLEVINS: Okay. If this amendment is carried, if both Houses of Parliament pass this amendment, jammers and radar detectors will be used exactly as they were used yesterday—no differently. That is the effect. I regret that; it is very sad. I wish we had some kind of device so that we could detect these things in operation, but we do not. We can detect jammers, to some extent, but not detectors.

Mr Lewis: You haven't read the amendment.

The Hon. FRANK BLEVINS: I have read the amendment.

The Hon. D.C. WOTTON: I agree with the member for Murray Mallee; I do not think the Minister has read the amendment. The argument he is putting does not hold water. Let me remind him again what we are doing, and what we want to achieve. We are saying that a person must not sell—that means that there can be no further sales—use a radar detector or jammer or offer one for sale. We are saying it is illegal to use such a device. We then go on to say that to drive a motor vehicle containing a radar detector or jammer is illegal. Surely, we cannot be any more specific than that. We are concerned that they should not be used. It will be illegal as a result of this amendment to use such a device. What can be clearer than that? Surely, that is what we are all trying to achieve; we are all trying to say that, for the reasons that the Minister has indicated and that we on this side of the Committee have given, it must be illegal for people to have such a device in their car or to use one. Nothing could be clearer than that. The only reason that we want to remove the onus is purely because, as we have said so many times, these devices were purchased quite legally. Nobody was committing any offence when they purchased them and our main aim and, I would suggest, the main aim of every member of this place is to

ensure that they are not used or contained in a motor vehicle.

Mr S.G. EVANS: I support this amendment very strongly. The Minister states that it is difficult to detect anybody having one of these devices in the car. That is the case with many laws, and I give one example. It is not illegal to have poker machines but it is illegal to use them for gambling purposes but they are in many homes in this State, and I would be surprised if the Minister has not been in a home somewhere where there is a poker machine. They may be old or outdated by eastern States standards, but they are there, and it is illegal to use them for gambling purposes but not illegal to own them. We are arguing exactly the same principle here, namely, that we should not have these devices in our motor cars and we should not use them. It would not be much good using them unless they were in the motor car. People can keep them at home and, if they can detect blowflies going up the wall good luck to them. I do not think it would work, but they can keep them; they can use them for paperweights. But they have bought them within the law and we are saying that they can no longer use them for the purpose of detecting police radar that is trying to detect speeding motor vehicles.

There was also an argument about heavy vehicles. When we put speed controls of heavy vehicles, the maximum speed will apply. There are many other speeds that one still has to abide by, and the same applies to those who have radar detectors. We know that they will be able to pick up speed if they are allowed to use them and, when the police are there, they will be warned that they have to reduce speed. I find it amazing that the Minister would write into the Bill the power to go into people's homes to look for a radar detector when someone swears on oath that they think that somebody has a radar detector in their home. Who would swear that on oath? Some person who has been jilted by a lover or somebody who has been involved in a family argument? If that is the case, will they not also swear on oath or inform the police that the device is in a motor car? Surely, all we are talking about is stopping people from using the device. If we are to say to people that we will confiscate them if they are in the home, I believe we should say that we will pay for them. Those people bought them quite legitimately. I do not condone their use, and I support strongly the idea that is encompassed in the amendment, that is, that we should just ban the use as well as sale or offering for sale.

The Minister keeps saying that they are difficult to detect. Let me say that in our community we are not catching one in 20 of the people who break into people's homes; we do not detect them. It is the same with nearly every confounded law we pass. It is difficult to detect people in most cases and, in this case, if the police suspect that there is something in a motor car, they can inspect it: we are not denying them that right. We are not denying that at all. So, why do we say that we want to give the police the power to inspect somebody's home but that police are not likely to inspect motor cars? Why are the police likely to get a tip-off about something in a home but not about something in a motor car? It is obvious that we are going too far in the law.

The Minister and most of us know that within a very short time the law will mean nothing anyway, because we will be using lasers, and radar detectors or jammers will not be effective; they will be useless. For the sake of that short period of time—a couple of years—why put foward a draconian piece of legislation that gives the police the power to move into one's home because somebody has told them, and signed on oath, that a detector might be there. What do we do to the person? Do we make them liable because they have signed on oath that they believe a detector is there or do we make them sign on oath that it is there, because the clause provides that a justice may not issue a warrant under subsection (2) unless satisfied on information given on oath that the warrant is reasonably required in the circumstances? The person on oath is not even obliged to prove that the detector is there; they can do it out of sheer spite. It might be a police officer who signs the oath; I agree with that, but that person has no responsibility to prove the point—they can just have a suspicion.

So, I say in the strongest terms that I do not condone people using these devices to beat the law and I will support that concept. We have similar laws relating to poker machines, under which people may own them. I say the same in this case: people have bought the devices and from now on nobody else can buy them. People who own them cannot sell them. If the Liberal Party's amendments are carried, people will not be able to sell or buy them in this State but, if they do (let us come back to the Minister's point), how do we detect them? That is the case with nearly every law. I support the amendment in the strongest terms.

Mr LEWIS: Naturally, I support what the Opposition is saying about this matter. Before I leave that, let me underline what the member for Coles and the member for Davenport have said. Clearly, in the amendments proposed by the member for Heysen, one is not allowed to drive a motor vehicle that contains a radar detector or a jammer.

That is what the Minister wants. He does not need to have the draconian provision wherein it is possible to go and search the dwelling of the person who is allegedly in possession of one of these things. They will not be stuck away in the chook house or at the back of the egg box. I do not know where one would hide such a device. If a person owns a detector and wants to use it, it has to be in the vehicle. If it is not in the vehicle, it is not causing any harm to anyone, anywhere. So much for that. The Minister and the Government seem unwilling or unable to accept that.

It is desirable to restrict the ambit of the examination, inquiry or search to the place where the offence can only be committed, and that is in a motor vehicle. One cannot even have them in one's pocket in a motor vehicle. That is the effect—

The Hon. Frank Blevins interjecting:

Mr LEWIS: People cannot sell them, as the Opposition would put it—

The Hon. Frank Blevins interjecting:

Mr LEWIS: It is an offence to sell them. That is what the Opposition is putting: it is an offence to sell, an offence to offer for sale and an offence to use, and an offence to drive a vehicle that contains such a detector. That is all the Government wants to do. Under this provision the 40 000 people who presently own them cannot sell them even interstate or overseas to get rid of them, yet they are worth about $400 or $500. They have to go through a cruncher or go under an axe or whatever.

The police merely need to investigate the circumstances in which the offence is likely to be committed and search for the equipment that is so involved in the committal of the offence; in those circumstances, that piece of property, which is clearly a motor car, is searched. There is no point in putting detectors in the Premier's jogging shoes: he might be fast but he is not that fast and, apart from that, he does not need to be concerned about it. I am simply saying that people use detectors in motor vehicles.

Having made plain that I support what the Opposition is trying to do through this amendment, let me further explain to the Committee what I was attempting to explain during

the course of the second reading. These devices, unlike what most members think, are not precise. They are not pieces of measured equipment such as the digitector strips that were put across the roadway at measured distances apart to check the time taken from the point of impact of the front wheels as a vehicle crosses them, the time taken to move from one strip to the other being determined by a computer chip which also calculates the speed travelled by the vehicle.

They are not precise in that form at all. They happen to rely on the belief that there is no other wavelength or harmonic of that wavelength in the space in which the police equipment is operating at that time. If the Minister and other members do not know, let me tell them that it cannot be assured. What can be assured is that from time to time everywhere there will be electromagnetic radiation (and that is what it is) in this radar band in the ether, the space around about, at the same time as the police equipment is operating. That will be most of the time.

The intensity of the signal will be so light most of the time as to have no impact whatsoever and 90 per cent plus of the time for which those devices for detecting the speed of vehicles are used by the police they will be accurate to a tolerable degree. However, for the other 10 per cent there is some measure of uncertainty, and that depends not only upon whether someone else has a radar transmitter somewhere in the vicinity but also upon the weather and whether there are other electromagnetic waves being created like the insulators on high tension power lines.

All members will know the effect that thundery weather has on their radio reception at home from time to time or, more particularly, on their television reception. They can go to the Department of Transport and Communications and obtain a copy of this chart that I have. I do not display it to the Committee, but I make plain that this chart exists to enable members to understand the simple physics of what I am trying to explain. Would the Minister be surprised to learn that the wavelengths that we see, that our nerves in our eyes have evolved to detect, are electromagnetic radiation? They are. Logarithmically they fall just over half the way through the spectrum: they enable us to detect colour as well as shape, form, distance and speed of movement according to the ability of our eyes to do that.

Such visible wavelengths are not all that far distant from where radar operates. The speed of all those waves, regardless of the wavelength, is the same: it is the speed of light, because light is electromagnetic radiation. I am putting to the Minister and this Chamber the reason why the police are not going to be using these devices for long: it is because they are flawed, badly flawed. We are going to convict in the order of 1 per cent and on some days up to 10 per cent of citizens who in their vehicles are unfortunately read by the machine as travelling at speeds greater than that permitted by law.

In addition to that point, it is bad enough in my judgment that we pass a law stipulating that, if the machine says people are doing something, the machine is right and the person is wrong and has to pay. Further, there is no appeal against that. People can go to court but the judge will tell them the same thing. The other matter is that these devices, are inaccurate and will compel people to pay fines as expiation fees when people have committed no offence against the community, broken no law or caused no risk to life and limb. They have already been found to be so flawed as to have been thrown out by the Supreme Court in the United States. That is why the so-called speed cameras and the hand-held radar devices are no longer accepted as a means by which one can determine whether or not someone has committed an offence. Therefore, it seems to me that we have it all wrong if we believe that we are getting an elegant device to stop people from behaving in a way that we think is inappropriate by travelling at a speed in a motor vehicle that we believe is unsafe. That is patently absurd, given the flaw in the technology and the other variables that affect road safety.

It is my judgment that, contrary to what some do-gooders would have us believe in the way that they have written and spoken about this matter in the media, it is more about revenue raising than about road safety. I am satisfied about that point, especially when I look and see the places where the equipment is installed, whether cameras or hand-held radar speed detection devices.

Is the Minister aware, first, of what happened in the United States in the Supreme Court judgment; secondly, that there was a flaw in the physics of the technology, in that it cannot be demonstrated beyond doubt that it does work without interference; and, thirdly, that the police choose places to install and use the equipment where they have the greatest prospect of persecuting the citizen in this way and getting the most prosecutions?

The Hon. FRANK BLEVINS: The Government will continue to oppose the amendment. However, I can give the Committee an assurance that before this matter is considered in the Legislative Council the Government will confer again with interested parties, most particularly with the police, as regards the strength of this provision. I can give the Committee that assurance. I am not prepared to make a unilateral decision here and now to—

The Hon. E.R. Goldsworthy interjecting:

The Hon. FRANK BLEVINS: The Committee may well make it for me, but that is entirely up to the Committee. I am giving the Government's position. I am not in a position to make a unilateral decision and change a Cabinet decision without at least showing the courtesy of having some discussion with my Cabinet colleagues, and particularly with other parties who have advised the Government in drawing up this particular provision. I can assure the Committee that it will be thoroughly canvassed with the various parties before it is brought on in the Legislative Council.

The Committee divided on the amendment:

Ayes (22)—Messrs Allison, Armitage, D.S. Baker, S.J. Baker, Becker, Blacker and Brindal, Ms Cashmore, Messrs Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn and Ingerson, Mrs Kotz, Messrs Lewis, Matthew, Meier, Oswald, Such, Venning and Wotton (teller).

Noes (22)—Messrs L.M.F. Arnold, Atkinson, Bannon, Blevins (teller), Crafter, De Laine, Ferguson, Gregory, Groom, Hamilton, Hemmings, Heron, Holloway and Hopgood, Mrs Hutchison, Messrs Klunder, McKee, Mayes, Peterson, Quirke, Rann and Trainer.

Pair—Aye—The Hon. P.B. Arnold. Noe—The Hon. S.M. Lenehan.

The CHAIRMAN: There are 22 Ayes and 22 Noes. In light of the explanation given by the Minister and his assurance to the Committee, I give my casting vote for the 'Noes'.

Amendment thus negatived; clause passed.

Clause 7—'Driving on footpaths.'

The Hon. D.C. WOTTON: I move:

Page 3, line 28—Leave out 'he or she complies with the regulations.' and insert new words and paragraphs as follows:

he/shes—

(c) does not operate the wheelchair or drive the cycle at a greater speed than 10 kilometres an hour;

and

(d) complies with the regulations.

The Road Traffic Act of 1961 clearly provides:

A person shall not operate a self-propelled wheelchair on a footpath at a speed exceeding 10 km/h.

As I pointed out during my second reading contribution, the national road traffic code has suggested that the speed limit on footpaths should be seven kilometres per hour. We believe that it is only right that the speed in this legislation should reflect what is in the principal Act. Therefore, I commend the amendment to the Committee.

The Hon. FRANK BLEVINS: There is nothing particularly sinister in that. The provision will be in the regulations. In fact, I have a copy of the draft regulations here, if the member for Heysen wishes to see them. It is purely for convenience. It does not seem to me to be a huge deal one way or the another.

Mr S.G. EVANS: Why does the Government want to take this provision out of the principal Act and put it into a regulation? There may be a simple explanation, but I cannot see it. I want to know why—

The Hon. Frank Blevins interjecting:

Mr S.G. EVANS: I do not believe that a reason has been given that stands much of a test. Does the Minister think it will be easier for a future Minister to change it at any time? Why do it?

The Hon. FRANK BLEVINS: Because there are a number of similar provisions in the regulations. Administrative tidiness, I think, apart from anything else.

The Hon. D.C. WOTTON: We seem to be just sitting here at this stage. The Minister has not given any reason at all for not supporting the amendment. Once again, I suggest that it is most appropriate that it be included in the body of the Act rather than in the regulations.

The Hon. FRANK BLEVINS: The Government simply disagrees. The Government believes that it is inappropriate for it to be included in the principal Act and appropriate for it to be included in the regulations.

Mr S.G. Evans: What is the logic behind it?

The Hon. FRANK BLEVINS: You pays your dime; you takes your pick. It is a question of style and preference. That is about all I can say.

Mr BLACKER: I support the amendment. A basic principle of this place is that Parliament should be in total control of its destiny. Handing over this particular role to the regulatory process is, in effect, taking most of it out of the hands of this Parliament. Although the Minister might argue that one has the right to put a disallowance motion before the House, we all know in practice that that is not a reasonable option. It has become fairly obvious that, if it is included by way of regulation, it can be amended at the whim of the Government or of Executive Council at a week's notice or less. Therefore, it becomes a law changed without reference to this Parliament.

Those of us out in the field know full well that we are often asked why laws are changed when they have been included in regulations and are not referred to the House. We are constantly challenged by members of our electorate as to why we did nothing about it when we know full well it was never brought before Parliament but it was enacted by regulation. For that reason, I believe that the amendment should be supported.

The Hon. D.C. WOTTON: The provision is already in the Act. Why is it necessary to take it out of the Act, other than to just say that the Government does not believe that it should be in the Act? It has been in the Act all along. Why is it necessary to remove it from the Act? I support what the member for Flinders has said. It is appropriate that it be in the Act. Why take it out of the Act and place it in the regulations?

The Hon. FRANK BLEVINS: A set of regulations has been drawn up, including the engine capacity of the motorcycle that is allowed to be driven on the footpath, etc. There is a whole list of them. It just seems to me to be totally appropriate—although I am not willing to stay here until midnight to debate it—to have this included in the regulations. We are talking about a wheelchair doing 10 km/h being in the principal Act or the regulations. Let us get this into perspective. A set of regulations pertaining to this provision has been drafted, and it just seems to us to be silly to have this provision in the principal Act when the other matters relating to this are contained in the regulations.

If we were to put the engine capacity of the motorcycle into the principal Act with all the other minor provisions, fine—that would have some consistency, but they are going into the regulations. It is an enabling provision. If we do that, we may as well have the 10 km/h for wheelchairs in the regulations also. If the Opposition feels very strongly that the set of regulations pertaining to this legislation ought to be minus the 10 km/h provision, I am very happy to give it the victory, but I assure members opposite that it is logical and consistent that it be included in the regulations, along with the other regulations pertaining to this matter. If members opposite are worried about it, if they are going to lose sleep over it or, more importantly, at this time of night, if they are going to cause me to lose sleep, they can have it, but it is nonsense.

Amendment carried.

Mr LEWIS: Paragraph *(b)* of proposed subsection (2) warrants some comment. I will not try to fix up the mess that the Minister makes of his own legislation: I will just point it out. I thought that, in this nation in this day and age, we were into micro-economic reform. Why on earth should we be giving *carte blanche* exemption to the Australian Postal Commission when in fact we already have other private operators who need quick and ready access to business premises and the post boxes of ordinary citizens to deliver messages? What we are doing here is providing the Australian Postal Commission, for no good reason, with an exclusive advantage over all its competitors.

Clause as amended passed.

Clauses 8 to 10 passed.

Clause 11—'Provisions applying where certain offences are detected by photographic detection devices.'

The Hon. D.C. WOTTON: I move:

Page 5, after line 15—

Insert new paragraphs as follows:

(d) by striking out paragraph *(a)* of subsection (5) and substituting the following paragraph:

(a) a statement that a copy of the photographic evidence on which the allegation is based—

(i) will, on written application to the Commissioner of Police by the person to whom the traffic infringement notice or summons is issued, be sent by post to the address nominated in that application or (in the absence of such a nomination) to the address of the registered owner;

and

(ii) may be viewed on application to the Commissioner of Police;;

(e) by striking out from subsection (6) 'stating that a copy of the photographic evidence may be viewed on application to the Commissioner of Police' and substituting 'stating that a copy of the photographic evidence—

(i) will, on written application to the Commissioner of Police by the person to whom the traffic infringement notice or summons is issued, be sent by post to the address nominated in that application or (in the absence of such a nomination) to the address of the registered owner;

and

(ii) may be viewed on application to the Commissioner of Police.;

(f) by inserting after subsection (9) the following subsection:

(9a) A photographic detection device may, for the purpose of obtaining evidence of the commission of a prescribed offence, be programmed, positioned, aimed and operated so that a photograph is taken of a vehicle—

(a) in the case of an offence against section 75 (1)—from the rear of the vehicle;

or

(b) in the case of a prescribed offence other than an offence against section 75 (1)—from either the front or the rear of the vehicle.;

(g) by inserting in subparagraph (ii) of paragraph *(a)* of subsection (10) 'this Act and' after 'the requirements of'; and

(h) by inserting in subparagraph (ii) of paragraph *(b)* of subsection (10) 'this Act and' after 'that the requirements of'.

We indicate that a copy of photographic evidence on which an allegation is based should be made available on written application to the Commissioner of Police by the person to whom the traffic infringement notice or summons is issued, and that it be sent by post to the address nominated in that application or to the address of the registered owner. I am very conscious of the time and the fact that we have more legislation to deal with this evening but, as indicated previously, if a person currently wishes to seek further information in regard to the offence that has been committed, that person must go to the Holden Hill Police Station.

There are a number of reasons why people may not be able to do that. In fact, members on this side of the Chamber have received representation from people who have indicated quite clearly that it is just not possible for them to do that. There may be 101 reasons, and it seems to me, particularly now that the onus is on the registered owner, that it should be made quite clear in the Bill. Currently, where the registered owner is a natural person, the owner is not required to name the driver. We went into all this detail previously.

The amendments that we have been considering make it necessary for the registered owner, who is a natural person, to state the name of the person driving the vehicle at the time and, in respect of both natural persons and bodies corporate, where the identity of the driver is not known, a statutory declaration must include a statement as to the reason why the identity is not known. There is now much more onus on the registered owner, and I believe that there is an obligation to make that information more readily available. The amendment quite clearly suggests that, following a written request by the person involved, the photographic evidence be sent.

The Hon. FRANK BLEVINS: The Government opposes the amendment. I believe that it is totally unnecessary. The photograph is available, and the present position has created very little dissent, so there is no reason why it should not continue. There is always the question of costs and resources. Members opposite constantly query and criticise the use of police officers. We have heard some criticisms tonight about the number of police who run a breath test unit. If the Government agreed to the amendment, obviously there would be a cost to the motorist concerned. Police time does not come cheaply, and I think that the amendment is totally unnecessary.

Mr S.G. EVANS: I am amazed. We talk about justice in society. It is important that people be given a copy of the photograph when they apply for it. During the second reading debate I mentioned people who sell motor vehicles and allow them to be test driven. They may not receive a notice from the police for three or four weeks following an alleged offence. Sometimes their employees drive the vehicles and, where the company has a ruling that the employee should pay the penalty, it is necessary to have a photograph. As I said earlier, a person may lend a vehicle to someone who has bought goods to take them home or to another venue. Those people may or may not have been photographed—the owner of the vehicle would not know. The owner of the vehicle could be in Adelaide but could live in Mount Gambier. He would know whether he was in that spot at a particular time but, if the person lived in Mount Gambier and someone else had the use of the vehicle for a particular purpose, how would he be able to view the photograph at Holden Hill?

I have received two complaints from business people who say that it is not convenient for them to drive to Holden Hill to view a photograph. The Minister says that there is a cost. Of course, there is a cost, but a lot of revenue is gained from this procedure and the person must be sure that it is their vehicle and must have a reasonable chance of finding out who was driving the vehicle by viewing a front-on photograph. As I said earlier, if that results in someone finding out that their partner is associating with someone else, that is bad luck.

I know that there will not be a huge number of requests for these photographs, but people should have the right to write to the Commissioner and say, 'Here is a copy of what I have been charged with; I want a copy of the photograph.' It is unreasonable to not send them a copy of the photograph. I know that this procedure is convenient and makes it easy for the Police Department or for the Minister or his officers, but that is not what the law is about. The law is about giving people a reasonable chance to be sure it was them.

It would be a different case if the person notified was driving the vehicle. They would know roughly whether they were in the vicinity at the time the offence was committed because the notice informs them of the time and place that the offence was alleged to have occurred. Sometimes a video is taken and the department says that it is too difficult to lift a still photograph from the video. I do not accept this. On most occasions, the penalty is over $100—a quite significant penalty. There is a principle involved about which Parliament and each member should think. It is a very serious matter when a person writes to the department saying, 'All I want is a copy of the photograph' and the department says, 'Sorry, it does not matter where you live, you have to come to Holden Hill to view it.'

The cost of fuel must be considered. The alleged offender could be an old age pensioner. I know that they should not break the law, but they may feel that it was not them, that someone took their vehicle for a drive when they walked down to the beach. They might honestly believe that they did not commit the offence but they will have to spend time and money on fuel, which is not cheap at the moment, to go to Holden Hill to find out. As a Parliament I do not think that we should condone that. The principle is a bad one and I hope that the Minister will see the merit of the amendment which provides that, where people ask the Commissioner for a copy of the photograph, it will be forwarded. This would not occur every time an alleged offence occurred; it would be only when the request was made, so I ask the Minister to reconsider.

The Hon. D.C. WOTTON: I have just realised—and the member for Davenport mentioned this—that I requested support for only half of my amendment. The other very important part of my amendment relates to the operation of the cameras, as follows:

(b) in the case of a prescribed offence other than an offence against section 75 (1)—from either the front or the rear of the vehicle.

As I said earlier in the debate, this is already the practice in Victoria. In this State, photographs are taken only from the rear. As I understand, it is only a policy decision as far as the police are concerned. We have been made aware of the concern and the frustrations that the police have in regard to the operation of these cameras because of the matter of civil liberties. That matter would be overcome completely by placing this provision in the legislation. It makes perfect sense, as the member for Davenport suggested, because it has already been proven to work effectively in Victoria and it would help the police in the responsibility that they have. I urge the Committee to support the amendment.

The Hon. FRANK BLEVINS: I am concerned about the expense and the waste of police time in particular if the first part of this amendment is passed. It would very soon become known that one can demand the photograph as a right.

Mr S.G. Evans: Shouldn't you have that right?

The Hon. FRANK BLEVINS: I think you should have the right to go and view the photograph. Again, it is a question of whether you believe that police resources should be tied up.

Mr S.G. Evans: It does not need to be a police officer: it could be a technician.

The Hon. FRANK BLEVINS: Whoever it is, it should not be tied up in this way. I personally believe that that is a total and utter waste of public funds. I live a lot further from the metropolitan area than the member for Davenport or almost anyone else here. I know all about the inconvenience of distance. It would be an absolute waste of taxpayers money to have it in as a right.

Mr S.G. Evans: One photograph in an envelope?

The Hon. FRANK BLEVINS: One photograph in an envelope for how many people?

Mr S.G. Evans: It does not matter.

The Hon. FRANK BLEVINS: It may not matter to you.

The CHAIRMAN: Order! The member for Davenport has contributed to the debate. The Minister is replying through the Chair.

The Hon. FRANK BLEVINS: It may not matter to the member for Davenport, but it certainly matters to me and the Government as to how well public funds are spent. The member for Davenport is not a shrinking violet when asking for funds to be spent in his electorate. I make no comment about that other than to say that he has a great desire to seek funds for his electorate. If the amendment made some provision for a fee to be paid for this, I would be more sympathetic. It does not.

The Hon. D.C. Wotton: They have already been fined.

The Hon. FRANK BLEVINS: They have broken the law.

Members interjecting:

The Hon. FRANK BLEVINS: Well, all right—

Mr Ferguson: They have broken the laws that you made.

The Hon. FRANK BLEVINS: That is right. It would be a total, utter waste of public money, time and resources. Traffic infringement notices, on-the-spot fines, etc., were brought in by the then Liberal Government with support from the then Labor Opposition so that these things could be streamlined. This represents totally unnecessary waste and totally unnecessary bureaucracy.

Mr S.G. EVANS: I am amazed. The Minister knows, I know, every member of Parliament knows and every police officer knows that this scheme will raise millions of dollars per year—not $10 000, not $100 000, but millions. It will probably create in excess of $10 million a year when 10 cameras are placed on the roads. No personnel will man the cameras because they are mechanical devices which film drivers as they exceed the speed limit. That is what it will be.

However, people will not be able to request a photograph to check the claim that their car was driven at a certain spot at a certain time on a certain day. They are being denied the right to have a copy of the photograph. Wherever they live in the State, they will have to go to Holden Hill to look at the photograph. The Bill does not even provide that a copy will be made available to the nearest police station for people to look at. The proposition that has been put to the Committee involves minute expenditure compared with the millions that will be raised by this scheme.

It is an unprincipled and callous argument to suggest that individuals who are alleged to have committed an offence or whose vehicle driven by someone else is alleged to have committed an offence cannot have a photograph of the infringement, even though it is held by the department. Such photographs can be viewed only at Holden Hill. I wish I could tell the public that this is happening tonight, because we all know what it is like to get letters from people expressing a concern, and some of them may never be booked. The Bill is a shocking one.

The Minister did not say whether he supports the concept in this amendment that photographs should be taken from both angles. My own opinion is that, as often as possible, the front of vehicles should be photographed. Although the image of the people in the vehicle might be blurred, it would give the owner an opportunity to enlarge the photograph for a court case in an attempt to define more clearly the person driving the vehicle.

The Hon. Frank Blevins interjecting:

Mr S.G. EVANS: The Minister says that he will accept the amendment.

The Hon. Frank Blevins: I did not say anything of the kind.

Mr S.G. EVANS: It seems the Minister did not say that. If the photographs are taken front on, and if the owner was not driving the vehicle himself, it will be possible to more clearly define the person driving the vehicle. In the strongest terms I urge support for this amendment.

Mr LEWIS: At the time these cameras operate, on the day they operate and in the place they operate, the Minister knows, and his advisers know, even those in this place know, that the details will be printed on the negative of the photographs taken by these pernicious devices which, as I said, are inaccurate and capable of gross inaccuracy. Elsewhere in the law, before the Crown attempts to secure a prosecution, it must show that it has evidence. It does not simply make an allegation and make people pay up, go to gaol or pay the relevant penalty. It produces evidence that it has observed and therefore has some proof of an offence being committed.

In this instance, the law is bad because no evidence is required by the Crown. The accused citizen is simply told that he committed an offence. That is the way the Minister wants it, and the citizen must pay not only the expiation fee, which will average more than $100, but the victims of crime contribution. If a crime is involved, it is the crime that is being permitted by the State for using these devices in the first place knowing that they are flawed and, secondly, the arrogance of the Minister to presume that it is legitimate for the State to say that a person infringed and must pay up without producing one shred of evidence that the event took place.

The citizen has no defence and no means of beginning to identify who or what might have used the vehicle if he did not. What is more, the citizen has no means of knowing whether he is being bluffed or is the subject of innocent

mistake on the part of an officer of the Police Force in identifying the number of the vehicle from the photograph and that individual as the owner. The citizen has no way of checking whether a mistake has been made by the police in that process. That is in addition to the mistake that I have already illustrated to the Committee that this equipment will make—not may make—in a given percentage of cases. It is gross and it is rotten that the Minister simply sits there and says to all of us on behalf of the citizens, 'Go fry your face.'

Amendment negatived; clause passed.

Remaining clauses (12 and 13) and title passed.

The Hon. FRANK BLEVINS (Minister of Transport): I move:

That this Bill be now read a third time.

Mr LEWIS (Murray-Mallee): I had hoped that the Minister would be more reasonable during the Committee stage and that we would emerge—

The Hon. Frank Blevins interjecting:

The SPEAKER: Order! The member for Murray-Mallee has the floor.

Mr LEWIS:—from Committee with a piece of legislation that could be seen by the citizens of South Australia as being more responsible, more reasonable and more in keeping with their rights and interests, not only to provide the State with enhanced road safety—as the Minister indicated that this is what this legislation is about—but also with some fairness in determining how offences were committed and how they in turn were to be proven for expiation purposes. The Minister has shown that he is unwilling to provide that kind of legislation, and that disappoints me, because he has done that kind of thing previously and he is quite happily arrogant about his ability to do it now and fix it later. It has been done so many times by him and by others. I cannot support the legislation in its present form; it is bad legislation for all the reasons I have already given.

Question—'That this Bill be now read a third time'—declared carried.

Mr LEWIS: Divide!

While the division was being held:

The SPEAKER: Order! There being only one member on the side of the Noes, I declare that the Ayes have it. Members will resume their seats.

Bill read a third time and passed.

ADELAIDE CHILDREN'S HOSPITAL AND QUEEN VICTORIA HOSPITAL (TESTAMENTARY DISPOSITIONS) BILL

Received from the Legislative Council and read a first time.

The Hon. FRANK BLEVINS (Minister of Transport): I move:

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

Motion carried.

RURAL INDUSTRY ADJUSTMENT (RATIFICATION OF AGREEMENT) BILL

Adjourned debate on second reading.

(Continued from 9 August. Page 183)

Mr MEIER (Goyder): As members would be aware, this Bill repeals the Fruitgrowing Industry (Assistance) Act 1972 and the Beef Industry Assistance Act 1975, and formally ratifies the Commonwealth States Northern Territory Rural Adjustment Agreement 1989. I guess it could be said that the formalisation of the agreement is long overdue, and the Bill provides for retrospective operation of the Act to 1 January 1989.

Members would have noted when the Bill came before us that it actually provided for retrospective legislation back to January 1990 but, when I rang seeking information on various matters and spoke with a person from the Department of Agriculture, that person said, 'Hang on, that should be 1989, not 1990', and I noted that a suitable adjustment was made 11 days later. The technical points have been attended to now. Certainly, the key new provisions are contained in the schedule to the Act and I know that further discussion will have to occur on that in Committee.

The assistance to primary producers falls into three categories. Part A assistance will be provided to marginally non-viable producers for farm build-up, farm improvement and debt reconstruction purposes; Part B assistance will be provided for carry-on finance for eligible farmers in rural industries or in regions experiencing a severe short-term downturn; and Part C assistance will be provided for household support and re-establishment, to support farm families while they decide whether to adjust out of farming and, if so, to enable orderly realisation of their farm assets and to help with their subsequent off-farm re-establishment. The Rural Assistance Branch has been in existence for more than 20 years and is administered by the Department of Agriculture. Its initial role was that of a lender of last resort; farmers and, in some cases until recent years, small businesses were able to obtain concessional finance where an individual's financial difficulties were caused by circumstances beyond their control.

There has been a gradual shift away from the traditional lender of last resort role to a subsidised commercial bank role in regard to some of the loans available. Certainly, that is playing a larger part in rural lending as a whole. Members probably saw a key example of the Rural Assistance Branch operating during the West Coast drought from 1987 onwards. I know that there were comments then that were not 100 per cent positive about rural assistance, mainly because of whether a person was deemed viable or unviable. It has become known by farmers generally that, if a person is considered unviable, the household support system is the operative mechanism for rural assistance to follow and, in many cases, people who have been hard hit by rural declines, droughts or whatever are, for a short time, unviable and, therefore, I suppose the whole aspect of rural assistance will have to be considered further. A 70 per cent or lower equity rating would virtually automatically see a person considered unviable in terms of rural assistance, although I recognise that other factors are taken into consideration.

Basically, there are six types of loans under the rural adjustment scheme. The first is for debt reconstruction, where a person cannot meet immediate commitments but where long-term prospects are sound. The second is for farm build-up, to build up subeconomic properties into economic units. The third is for farm improvement, where the purpose is for assistance to restore uneconomic properties to viability without increasing the area. The fourth is for special farm buildup, to stimulate the sale of non-viable farm properties that are difficult to sell. The fifth is for household support, to assist non-viable farmers to adjust out of farming. The sixth is for re-establishment, to alleviate personal hardship for displaced persons.

In addition, there are commercial rural loans that can be used for the following purposes: property purchase, debt refinancing, stock and equipment purchase and other purposes associated with agriculture. There is also the Rural Industry Adjustment and Development Fund, covering the soil conservation loans that can be used for soil conservation projects and farm development loans that can be used for farm development. There is no doubt that rural assistance is broad in real terms. The only debilitating factor is the amount of finance available.

Members would understand that the schedule details a multitude of purposes for which rural assistance loans can be sought. Members would be well aware that we are now in a rural crisis and that the Rural Assistance Branch is probably receiving more inquiries than it has ever previously received. The statistics will show that in the coming months.

I understand that branch officers are working beyond the normal course of their duties and I intend to seek further information about how many officers are currently employed and how many additional officers have been or will be put on in the rural assistance area because of the crisis. The crisis was identified some time ago. Interestingly, I spoke with someone from a rural small business last week and that person indicated that his sales had taken a significant downturn between July and November 1989. He said, 'November 1989 signalled the start of the rural decline.' I said that I found that statement, interesting because it has been only in the past three months that people have identifing the rural crisis. This operator said, 'To anyone in small business in rural areas who has dealt with the rural community, who has sold produce to the rural community and who has understood the financial arrangements of farmers, the rural crisis was already underway one year ago.' There is something for all members to learn from that.

Too often we take notice of what economic experts and banking groups say. We are often persuaded by what political leaders say and perhaps we do not listen enough to the grass roots, to the people who are at the coal face. The crisis came to the attention of this Government when the United Farmers and Stockowners sent a letter to the Premier on 4 September this year, and that letter has been referred to previously in this House. It identified the desperate situation that was unfolding amongst the farming community of South Australia. The letter's author, UF&S President, Don Pfitzner, identified a multitude of areas where he and his organisation foresaw a serious rural downturn. He referred to wheat, barley, wool, fruit, vegetables, wine grapes, pork, meat, chicken meat, dairy products and pastoral rents.

I believe that all rural members of Parliament, if not all members of Parliament, received a copy of that letter. When I replied to my copy of Mr Pfitzner's letter, I said that I would be interested to see the Premier's reply when it came to hand. It was only the other week that I realised that a lot of time had expired and he had obviously forgotten to send me a copy of that reply. However, in this week's *Farmer and Stockowner* the reason for his not having sent me a copy of the Premier's reply was obvious. The headline on page 3 was 'UF&S chases Bannon on crisis' and the article stated:

> The United Farmers and Stockowners has blasted the Premier, Mr Bannon, over his failure to reply to UF&S letter seeking State Government action to help farmers. The much published letter was sent to Mr Bannon on 3 September. But UF&S President Don Pfitzner said he was moved that as at last Monday, the Premier, who was also National President of the ALP, had failed to respond.
>
> A spokesman for Mr Bannon said on Monday that Mr Bannon would reply to the letter. However, the spokesman would not comment on UF&S criticism of the Premier.

The article goes on to comment further. It is disturbing that, at a time when we are in a rural crisis, it appears that the Government is not taking the action it should be taking. That was highlighted in my question to the Premier today when I sought information as to when and whether he would visit rural areas.

Members would be well aware that he indicated that he hoped to do so, possibly together with the Minister of Agriculture, at the end of this month or early next month. That is not good enough because the crisis has been with us for some time. I feel that that shows an abrogation of responsibility towards the rural sector—a sector that is crying out for help, that is hurting and whose people are going to the wall. I guess it reflects on the status that is given to the rural sector by this Government.

It could be argued that few rural seats are held by the Government, and that in vote terms it does not see it as a liability. But, in real terms the rural sector is having and always has had a significant impact and effect on our economy. In fact, since it contributes almost half this State's produce—it contributed over $2.6 billion to this State's economy last year—it is the most significant single area.

I have received a lot of correspondence about rural assistance in general, but about the rural crisis more particularly. One letter which really touched my heart, and which put it in words that I would not be able to use, was from Jeff Cook, a farmer, who wrote a poem called 'The Problems in the Country.' I recite this poem to the House as follows:

I'm 'Scoop', the ace reporter and I've done it all my life
And I thought I'd take some time off so I mentioned to my wife
We could drive into the country while the wattles were in bloom,
Rent a farmhouse or a cottage or find a motel room.
We could mix it with the locals where the life is slow and easy
Can't compare it to the city where the pace is fast and breezy
With the early dew of dawning we could both go for a jog
And I'd write a human interest story 'bout a cocky and his dog.

When we got out to the backblocks things were not what we'd expected
Now my preconceived ideas about the country I've rejected
About the easygoing rural folk who work without a boss
For the country life's not easy now—and it maybe never was.

They are hurting in the country, truly bleeding from the heart
Their businesses are going bad—their families torn apart
Now their tempers are getting shorter and their nerves are being frayed
It seems no matter what they do the wrong move has been made.

The farmer tried a short cut with the aim of cutting costs
The results they got weren't good enough—they made a loss
The catchery that had been around 'get big or else get out'
Has mostly been the downfall of the ones who tried it out.

The banks are getting tougher, the money's always short
And credits not attractive now—too many have been caught
All their costs are rising but their income's going down
The tales of woe surrounded us when we went into town.

There are farmers who're forced off the land their forebears pioneered
Who've fought wars to save their country, but the real foe to be feared
Turns out to be in Canberra where the power games are played
To keep the interest high and the exports low was the worst mistake they made.

Small businesses can't take it and the shops are closing down
A smiling face is hard to find, but grim ones just abound
The small shops left don't hold much stock the cost is too darn high
With interest rates up through the roof, and nothing 'cheap as pie'.

There is no public transort and so everyone must drive
Yet fuel costs them so much more but the garages don't thrive

Apart from paying high freight cost their initial cost is higher
But Parliament will not accept that the problems here are dire.

Yet the miles they cover every day for business or sport
Can't be cut down by very much like I once would have thought
'Cause everything's so far apart, and the sports on Saturday
Holds communities together and families too, I pray.

Education is not equal either, country schools miss out
Good teachers seldom want to stay—the reason is no doubt
there's no room for promotion so, they go back to the city
So the children's future's second class education wise—a pity.

Employment is a problem here no matter what age group
The associated costs are many which the bosses can't recoup
With WorkCover and super, plus the loadings with their leave
And the Government forms to fill out by a deadline form a sheave.

We have sat back in the city and ignored the country folk
Or not understood their problems or just why they're going broke
How the policies of Government hurt them far worse than a drought
I'll write stories which expose it so the city folk find out.

So I'll go back to the city where the living's more sedate
And reflect on country lifestyle now my vision's up to date
Now my human interest stories will show broken hearted men
Who are going broke and shooting sheep as I take up my pen.

That poem expresses the plight in the country much better than the written or spoken word could. So many people to whom I speak are finding the going tougher than they have ever experienced it before. People I speak with, be they young or old, constantly refer to the fact that it is the worst they have known. Therefore, I guess it is very hard to determine how far back you can go.

One thing that worries me greatly, and where I guess rural assistance should be provided much more than it is, is the lack of youth that are staying in country areas and the lack of incentive to keep them there. Be it in the Riverland, the South East, Yorke Peninsula, the Mid North or the West Coast, the story is the same: the youth do not see a great attraction in staying in the country regions and they come to the city where the work is also not available.

Earlier this week I received a letter from a young person at North Shields who was writing not only on behalf of himself but also on behalf of future farmers and the Rural Youth of South Australia. In that letter he said:

Dear Sir,

I wish to write to inform you of a few thoughts I have been sleeping with lately. I would appreciate it if you would bear with me while I introduce myself and what I wish to winge about.

I am a 24 year young future farmer on Eyre Peninsula. I say 'future' farmer as it is an occupation I find pleasureable and challenging. Through the Urrbrae Year 11 & 12 Certificate in Agriculture Course and 'The On Farm Training Course' (one of the top 8 in the State) and 6 years involved in rural youth, I like to feel I have been adequately educated to start taking part in the management and operation of our family farm business.

My father and boss has been educating me as well for the past six years while I have been working for him. The tough times of the past six months and possibly the next four years leave me with grave doubts as to whether to struggle against the unsurmountale odds now facing the Eyre Peninsula.

Being involved in Rural Youth I have contact with others in more isolated situations with a lot greater fears and doubts. So the main five issues concerning the future farmers of Eyre Peninsula are:

1. Crashing farm returns versus input costs rising.
2. Decline in living standards and the decline of essential services, that is, education, hospitals, transport.
3. The increasing number of family, friends and neighbours being forced off their farms in either search of employment, education, health and even entertainment.
4. The future outlook of farming (it can't get any worse can it?) Why? Who cares?
5. The deterioration of all farmer support organisations, mainly ones government control, for example, Thevenard Bulk Handling facility is current news, the Country Fire Service and St John.

The young farmer goes on for another two pages and details many of his concerns. If the rural assistance scheme is not seeking to assist the young people to get onto the farms, to provide the future output and the future base for the economy of this State, then that is another thing we need to look at.

I have had quite a few conversations with rural counsellors. Those people are working overtime at present. They are really earning their money. Thank goodness that we have them because so many people have received so much help from them. I refer to a fax that I received from Mr Errol Schuster, the rural counsellor from Wharminda, of an address that he gave to a UF&S meeting at Kimba attended by many people, including the Federal member for Grey, Mr Lloyd O'Neil. He stated:

The Eastern Eyre Rural Counselling Service commenced duties in January 1989. The service was established essentially to help farming families experiencing financial difficulties. I have been asked to address this meeting today, to reflect the feelings of those people who not only use the service, but also the feelings of the wider community.

I was forewarned that the member for Grey wasn't interested in hearing any whinging about such matters as high interest rates, the level of the Australian dollar, inflation, the effects of the Middle East crisis, etc., and so the list goes on. Having the agenda set, I will proceed to talk then about those matters which are of far more importance to this country than any other single factor. People: The people of this community and the community right across the nation are hurting, and their feelings are that 'No-one cares'.

Mr Schuster finished his address, having referred to a variety of case studies of people experiencing negative incomes for the current year, with the following clear message to Mr Lloyd O'Neil:

Sir, you can now take this factual information back to Canberra. The people here will ask, 'What will you do with it? What will the Government do with it? Can we expect a reply?'

The feeling of hopelessness and failure accompanies overwhelming stress of emotional and financial pressure, and is causing wives and families to leave husband and farm. Thus, the farmer is left to face the stress of desertion and depression all alone.

One hesitates to mention suicide; however, there has been a significant health breakdown, and early stress related deaths. We are noticing alarming instances of heart attacks, strokes, abnormal asthma, mental breakdowns in women and men, accidents related to stress, and little peaceful sleep for 12 months to three years as some have mentioned. We haven't even mentioned the effects on the children in these stressed families, such as insecurities causing illness, behaviour changes both at home and school. My plea to you. Sir, is that you will express to your Government the urgency of these matters. Country people and the community at large are running out of time. They wouldn't hesitate to say that your Government is also running out of time.

However, what did the Prime Minister say (the person to whom Mr O'Neil obviously took this message) several weeks later—in fact, yesterday? He said that the Government could do nothing more for farmers. That was the reply of the Prime Minister of this country to the farmers who are in desperate need. I can imagine how frustrated our own Minister would become, and I acknowledge that he has sought to get some help, belatedly. He must be as frustrated as the Opposition is with the Prime Minister, Treasurer Keating and the Minister for Primary Industries, John Kerin, all of whom are doing a Pontius Pilate and washing their hands of the situation, saying, 'We can't help the farming sector. They have to sort this out for themselves.' What an abrogation of responsibility, when it is so much the result of the Government's policies of high interest rates, high taxes and the resultant effect of the high dollar value that have accentuated so many of these problems.

The newspapers have highlighted many problems. Probably the newspapers themselves are worried about the extent to which they should do this, because it is hurting them, particularly the rural newspapers, where businesses advertise in those papers, and that is the way they survive. I know that because I have spoken with many small businesses, including small newspapers and others, and they are worried. One key media outlet in this State said that its revenue had dropped dramatically, but we have not seen the worst yet. Whether we are seeing headlines such as 'Banks gearing to evict fruitgrowers' as was reported last week, or 'Citrus hopes dashed', it all spells bad news.

A few weeks ago we saw the headlines about the sheep being shot. Those headlines have disappeared for the time being, but it does not mean that sheep are not being shot. I receive daily reports, and I guess the media has come to accept it. No-one has offered any help. The other day I received a letter from a South-East council which had approached me many weeks ago asking for State Government help. The Minister was informed of this request to help dig the pits and help cover their costs which, at this stage, are close to $10 000 for two pits, I think, and are estimated to rise with each new pit. But what has been the response? No help; nothing at all. Maybe this is another matter that rural assistance as a whole should encompass in the future.

What about the actual rural assistance schemes? First, I pay tribute to the officers who are there to oversee the rural assistance branch. I firmly believe that they are doing their best under very trying conditions at present. I know that there have been some quite unnecessary delays in earlier times, but whenever they have been highlighted they have been addressed forthwith. As most of us here would know, workloads can get to such a stage that things do not get attended to immediately in every case but, so far as I am concerned with this rural crisis and the future of this State and this country, if we do not address these problems straight away, the situation will only get worse. That continues to worry me, along with the lack of action by the Federal Government and by our Premier.

I have mentioned the types of loans available, and I will not repeat them. However, I will be interested to hear from the Minister as to how many loan applications are being accepted. A figure given to me by one farmer, completely off the cuff, was that as few as one in 100 were being accepted. Personally, I do not believe that that would be anywhere near the mark, but it shows the feeling in the rural community that perhaps rural assistance does not help as it should. The message needs to be conveyed as to how many people have been helped. Perhaps the figures can be taken from 1 January 1989 when the current agreement commenced. Also, the situation concerning bad debts is at a record high.

I wonder whether the Rural Assistance Branch would be able to provide figures to indicate the level of its bad debts. Certainly, other financial institutions including banks have record bad debts at present. Only time will tell how they will overcome those bad debts. The biggest problem is that many clients of banks and financial institutions and recipients of rural assistance loans have agreed to sell their properties, but there is no market for these people.

I could cite several cases, but I will refer to one case in particular in the Riverland. These people have now received their second notice from the bank which means that in a month's time the bank will send two assessors to their property. They will both assess the property and the average of the assessments will be used as the reserve price at auction. Last week, I spoke with these people in their home. I thought they were taking it remarkably well given that they have been on the property for a long time. They indicated that the sale probably would not occur until early next year after the time had expired. I said, 'What will happen if you do not sell?' They said, 'I suppose one thing that is looking us in the face is bankruptcy.' I said, 'Do you think you might be able to sell?' They said, 'We had the property on the market last June and July and it did not sell then.' I said, 'What gives you hope that it will sell now?' They said, 'We do not have any more hope, but we are just hoping that it will sell.'

They recognise that prices in that area have dropped considerably, although it is a very well kept block and I give full credit to the owner. He has not neglected his block; he is working it to try to get some money in. He is not even asking for household support. He goes out and gets a day's work when he can. He is still working the block and irrigating the trees. Some of his workmates said, 'You are mad; why don't you let it go to rack and ruin?' He said, 'I want to get the best price I can so that most of my debts will be covered.'

There is no doubt that many of these people have a ray of hope. There is also no doubt that so many of these people have gone past the point of no return. The longer the Government procrastinates and says, 'It is not our problem; it is the industry's problem', more people will go past the point of no return. There are many specific examples of rural assistance. I will highlight one, which is the case of a person who has been farming leasehold land in the Adelaide Hills. I have mentioned this case to the Minister and I know that it is being looked into. This farmer owned his own house in the Elizabeth area or nearby, and lived in that house on the leasehold property. Several months ago he realised that he would have to sell the house, his only possession, to get enough capital to keep the property going. So, he sold the house and got some tens of thousands of dollars to help his capital flow, but now, because wool prices have crashed, his income has crashed. He has been viable every year until this year when he will have a negative income.

He asked me what help he could get, and he is looking for work. I said that no doubt he would be able to obtain household support, the equivalent of unemployment benefits, so he rang the Rural Assistance Branch. I gave him the name of a key contact. I guess it was my lack of knowledge, but I should not have told him to do this. He rang me an hour later and said, 'They cannot help me.' The reason for this is that the Rural Assistance Branch cannot lend on leasehold land. He had previously contacted Social Security to get unemployment benefits, but he was told, 'You have assets by way of machinery, so we cannot help you with unemployment benefits.' So, this man cannot receive household support or unemployment benefits.

The Rural Assistance Branch said that he needed to sell all his machinery for which he believes he could get $60 000 to $80 000, even though it is valued at over $100 000. He has an auto header, a cab tractor, a semitrailer, stock crates, a baler, a cultivator, harrows, and a mower. He said, 'If I sold all of those machines, automatically I would be unviable because I would have nothing to operate the farm with.' I said, 'Exactly! You are being forced off the property. Although you have been viable for year after year, when you face the first crisis period there is no-one to help you.'

This is another area that I believe the Government, through the Rural Assistance Branch, should look at. I know that this area is being examined at present, and I will be interested to hear the Minister's reply as will the gentleman concerned. One thing that comes out of this is the fact that,

for some years now, for the better part of eight years—with the exception of the West Coast which has had a bad drought or two or three and the Riverland which has had its hiccups—most of the rural sector has shown a fairly positive economic return. One would think that the rural producers would have been able to put aside sufficient money so that they could withstand easily one or two bad seasons, but that is not the case. We do not have a drought at the moment; we have one of the best seasons that we have seen for a long time. Up until a couple of weeks ago, the land was green and lush. We have warm weather and the crops have ripened—harvesting is under way.

It has come to my attention that it is quite clear that the Government has progressively hurt the farmer. I mentioned the high interest rates that have eaten into the profits of so many of the people who have had to borrow money for any purpose at all. So many have said that if they did not have these high interest rates they would not be in their current difficult situation. They would have been able to pay things off earlier and they would not be in huge debt.

The other matter is the high taxes and charges. There are taxes and charges on just about everything that have obviously eaten into people's incomes over the years so that they do not have reserves. They should not have been taxed to the extent that they were. A high provisional tax is applied if they have a good year. I refer to a case in the Riverland where a grower had an excellent year in 1986-87. He made a lot of money, but taxes took a large proportion of that profit. He thought that he would be able to start knocking back some of his debts and to reinvest in capital equipment, but this did not happen. It was a great tragedy. As I said, the Government can be blamed for a lot of this and is a key player in this whole thing.

An honourable member interjecting:

Mr. MEIER: There is no doubt, as the honourable member interjects, that the markets are down. I acknowledge that as well. Let us remember that we are facing a very unfair situation in many overseas countries. The European Community has blatantly gone against any requests from other countries to lower its tariff barriers. The United States looks after its farmers. It will bend over backwards to promote the small farmer. It does not care what it costs. We cannot afford those sorts of rebates. In fact, in the United States the average wheat farmer is guaranteed $50 000 whether or not he harvests his crop. Admittedly, the United States is trying to get away from that position, but it will take many years. I would say that we will not see it under 15 years and it could well be longer than that—time will tell.

Countries such as Japan, Indonesia and Malaysia have high tariff barriers. It must also be remembered that our high interest rates have caused an unnecessary high dollar and, if the value of the dollar were to drop from its current value of 78c to 72c, it would mean a 15 per cent increase in return. If it dropped below 70c, we would be looking at a 20 per cent increase in returns. For many industries, that would improve their profit remarkably and, in some cases, restore them to their traditional level of return.

I must give full credit to the Rural Assistance Branch. Some people who have seen me have not sought the rural assistance to which they are entitled, and perhaps advertising will improve that situation. However, recent publicity will help. One couple with a bad problem contacted me a few weeks ago. They applied for rural assistance in August of this year but, because of the sale of one property, their situation has changed. I advised them to go back to the Rural Assistance Branch but they advised me that they had been knocked back in August. I contacted an officer of the branch and he told me that, because they have sold a property, that makes a big difference. The good news is that the Rural Assistance Branch will be able to help those people. However, they did not know that they could reapply so soon after having been knocked back.

Last week I visited the Riverland. A rural counsellor advised me that she put growers into three categories: a top third, a middle third and a bottom third. She indicated that the top third have traditionally been good growers, they have well looked after holdings and little, if any, debt. They have been there for a considerable period and are good managers. Those people will survive this crisis, all being well, as long as things improve in the next year or two. The bottom third are in a hopeless position. They have large debts and have had economic problems for some time—in most cases for some years—and the crunch is hitting. The counsellor feels that some of them will go through the hoop now that the crisis has hit. They are the people who have come to see her over the past two or three years.

However, the counsellor is most worried about the middle third, the good managers who have some debts. They have not been that well off but they have been surviving all right, making a good living in comparison with fruit growers generally. However, they are the ones coming to see her, asking for help, complaining that interest rates have caught up with them now that their market has crashed. They want to know what the Government can do to assist them. It was made clear to me that, if some real assistance is not provided, not only the bottom third but a large number of growers in the middle third will be lost to the industry.

As members would be aware, this Bill contains the mechanisms that have been in place for 18 months. I believe that we have to analyse whether the Rural Assistance Branch should compete with the banks or whether we should take a different tack and let the banks be the prime lenders, with the Rural Assistance Branch subsidising interest rates to help people through these hard times in conjunction with the usual financial institutions. Most members would be aware that the Liberal Party's policy at the last election went down that track and was well received in the rural community as a whole.

I am pleased that the Minister has decided to bring this Bill before Parliament for official ratification because, as he would appreciate, it could be argued that, because the formal agreement has existed for over 18 months, it could continue for the coming years. Having the agreement ratified in a Bill with the specifications detailed in the schedule allows people to open it to scrutiny, and changes can be made as a result of problems that arise. I would not be surprised if some of my colleagues highlight some of those problems, but I know that the officers are doing their best. I will have more questions of the Minister during the Committee stage, but I indicate that the Opposition is pleased to support the Bill.

Mr GUNN (Eyre): I am pleased to participate in this debate of the Bill to ratify the rural industries adjustment agreement. It is unfortunate that members of this House have to address themselves to a wide range of issues and problems facing rural industry across this State and nation because the very foundation and basis of our industrial and economic well-being has been based upon the agricultural sector. It is also unfortunate that the Government of this nation fails to understand that its current economic policies will have devastating effects upon the community in general for many years to come unless action is taken immediately to completely change direction and put into effect some sound, sensible and rational policies which are more likely

to assist the ability of the agriculture industry in this State to survive.

The industry faces great difficulties and most of them are not the result of bad management or poor seasons, although they play a factor. They are the result of a drastic downturn in commodity prices. It is unfortunate that we have in this nation today a philosophy that we must create the situation where we will do away with all our support and set the example to the international community.

The international community is laughing at us, because we are not competing on an even footing and I believe that, if the Commonwealth Government was to be fair and reasonable to the most important sector of the economy, it would say to the EEC, to the Americans and the Canadians, 'All right, we have tried to talk sense to you; we have tried to be rational; we have tried to do the right thing but you won't accept it. We will put the support for agriculture in Australia on the average of the rest of those countries; we will play you at your own game, because you are creating havoc in this country, so if you want to play that sort of game we will compete, because we will not stand by idly and see the citizens of our nation affected, their standard of living drastically reduced, bankruptcies and unemployment on the increase, well-known industries that have been a part of the agricultural sector destroyed and the ability of this State to provide the sort of facilities that its citizens demand and have a right to have. If that is the game you will play, we will be in it too.'

Then, I believe, we may be in a position to talk some sense into those people, but we have the misguided philosophy in my opinion that, if we drop support for all our industries, everybody else will think kindly of us and that we are good fellows but also they will think that we are bloody fools. That would be the end result and it is absolutely ludricuous to have the Federal Treasurer going on as he was again tonight when he has wrought such havoc on the nation and expect the people to sit by idly and continue to take the medicine he is dishing out.

One Minister had some degree of rational realism tonight but what about the rest of them? Goodness me, when the situation in Canada is that the wheat industry is supported by $3.3 billion, what is Keating doing? He is saying that we are on track. We are on track all right, but it is disaster. Members would know that their constituents are losing their jobs, hundreds of people are being put off throughout the nation and there is no end to it. Any policy that creates the situation where one makes the exporters uncompetitive, when a country of 16 million people relies upon its exports to survive and we are disadvantaging those people, that has to wreak havoc on the nation as a whole.

I cannot understand why any Government would continue on such a foolish track. It is all very well to go on about micro and macro-economic reform; the average person does not understand it and is not particularly interested in it. What interests them is how it affects their pockets. I can tell this House, this Government and anyone else who cares to listen that people have grave concern about their future in the rural industry, not only in the farming and grazing communities but also amongst those people who are associated with them.

Has anyone any idea what is happening in those communities? Just last weekend, while large sections of this city were celebrating at the Grand Prix, the Hon. Mr Dunn, a member of the other place, and I visited a number of farmers in northern South Australia to discuss the problems with them, which is something that I try to do on a regular basis. What is happening in those rural communities, in places such as Hawker? People there received a letter from Children's Services to the effect that they will have only a play group and that their kindergarten will be taken away from them. Teachers will be taken from the school. An arrogant person from the Health Commission came along wanting to close their swimming pool.

Let us look a bit further. I am told that other communities are facing the same thing and we are supposed to sit here and take this. I do not believe that the average Australian will take this much longer; they have had enough of this nonsense. The Prime Minister struts around the world scene making a good fellow of himself and shaking hands with George Bush and others while his nation is in chaos. The politicians in the United States would not stand by idly while their producers are getting squeezed; they have provided thousands of millions of taxpayers' dollars to support them, so they are not forced to go to the cities and fight for jobs that are not there.

The EEC's farm support program is a social program; it is impossible to get that through to the Government of this country, namely, that the EEC says, 'Look; we will keep those people in France and Germany on their little farms because if they are not on their farms they will join the dole queues and clutter up the cities of Europe. We will not have it; it is better to leave them there'.

Our farming community has been the most successful, efficient and diligent in the world. It does not ask for much but it gets a hell of a lot less than what it does ask for. Unless this nation wakes up to itself it will destroy a generation of agriculture in this country and it will have long-term effects on the welfare of every citizen. This Government has a responsibility to make the strongest representation possible to the Federal Government. We see situations where people do not know where to turn. I hope that this legislation before the House will be administered and managed with the greatest degree of flexibility possible, because we cannot afford to lose those young people who have a future in agriculture. Most of them want to remain on the land; they are keen; they want to be farmers and they want to go on and operate and develop, but they have been given no encouragement and many of them believe they do not have a future.

What sort of country is this? If we look at what both the State and Federal Governments have done to them, we must ask ourselves why Australia's agriculture was so effective and efficient. It is very simple: we had a sensible system of orderly marketing in this country, which guaranteed that we put quality products on the international market. We guaranteed supply, we guaranteed quality and we gave a reasonable return to the producer. We had this nonsense with people wanting to go down this foolish deregulation track. We deregulated the financial institutions and I am yet to be convinced that that has had any beneficial effect for one Australian; it may have helped a few international financiers but what has it done for the average Australian? In my view, nothing; it has cost many of them their homes, their business, their money and their future. That is what it has done, and we have been asked to accept more of this nonsense.

What has happened in relation to the wool industry? People were interfering, thinking aloud, with a most foolish escapade. Now we are told that alterations will be made to the Barley Marketing Act in this State and the suggestion has been put forward that we will put experts on and that we will interfere with the grower representation on a most successful marketing board. I have never heard such nonsense. I for one will not support any such legislation. I entirely agree that those marketing boards need the best marketing people available, but that does not mean that the

grower should be denied the opportunity to elect the representatives on the boards they want.

That is a course of action that we have to fight in this House to ensure that a bit of commonsense continues to apply. We have an organisation which has operated very successfully since 1948, an organisation put forward by the farming community. We have had a system of sensible taxation in this nation. We had investment allowances and sensible depreciation allowances which allowed a very successful agricultural and manufacturing sector to develop in this State and across the nation. Friend Keating did away with that. What has been the result? We have created a situation where people can hardly afford to replace machinery when it wears out. That is not good for agriculture, industry or commerce, yet the Government sits idly by.

I say to the Minister and to the Government that there is grave concern in rural industries in this State. People are unsure of their future. They are unsure of what will happen to their families. They will not be in a position to give their children the education that they want. What has happened in that regard? The Commonwealth Government has decided to interfere with the Austudy program, on which most people were relying to give their children the opportunity of some form of tertiary education, but it has been taken away from them. Here is the man who said, 'No child will live in poverty by 1990. We will be the clever country.' What are we doing? The Government is now taking away family allowances. People have come to me absolutely distressed at the effect that that will have upon them. They have nowhere to go. Yet we cannot seem to get through to that protected bureaucracy in Canberra which makes these foolish recommendations to the Government. Obviously they do not understand. I do not know whether or not they care, but they do not understand and yet they implement this sort of policy which is having a devastating effect.

Surely, people have a right to live in dignity. All they want to do is to work and produce for the rest of the people of this nation, and they have done it very well in the past. What has been the response? Very little at this stage. Representations have been made at the highest level. I sincerely hope that those people making the representations are successful. I do not wish to advocate or to be party to public demonstrations or that sort of activity, but I say to this House, to the Government and to the Commonwealth Government that that will take place in the near future. People have been pushed and pushed. People can be pushed only so far before there is a violent reaction. People are not prepared to take it any more; they have had enough. They have nowhere to go and they believe that they have been ignored. They believe that those in the corridors of power are ignoring them and are not prepared to be reasonable or fair or to give them an opportunity to survive in this country.

That is a poor state of affairs. Governments pass more and more laws, taking rights away from these people and creating more and more bureaucracy to interfere with them and make their lives more difficult. Yet the Government appears not to understand that there is a need to change direction quickly. We have a classic example of Government foolishness in the way it has carried on over the pastoral rents in this State.

The first question the Government must address is whether it wants the pastoral industry to continue. Does it want it to remain in the hands of the people who have generations of experience, who understand it, who are a part of it and who are the best people to manage and run it? Pastoralists do not want to be insulted by having a large group of people appointed to undertake assessments, people who have never been involved in the industry, including women who have come from completely different backgrounds and who know nothing about the industry. That represents an insult to the intelligence of pastoralists.

What about the people taken from the Department of Environment and Planning and put into the Department of Lands where people with many years of experience have been pushed aside because someone has a different agenda with which they are involved. That is an absolute nonsense. People who want to start new industries are being plagued by bureaucracy and red tape. Certainly, the Government has not forgotten how to charge them and to get the maximum dollar from them.

The Government has to look carefully at how it administers the affairs of this State, especially with regard to pastoral rents. If ever there has been a classic example of people trying to impose their own philosophy and foolish ways on an industry which given a fair go will survive in the long term, that has been the fiasco in respect of pastoral rents. I hope that pastoralists take the fight to every avenue open to them so that they can protect their livelihoods and can continue in their industry.

The value of agricultural production in South Australia, is about $2 600 million. I refer to the information paper prepared by Treasury on the South Australian economy, which states:

> Rural based employment is also relatively more significant to the South Australian economy than nationally.

This indicates that we are more dependent in South Australia on the rural industry for our employment base than anywhere else in Australia. The report continues:

> The relative lack of offices located in Adelaide compared with Sydney and Melbourne and closeness of time zone to the main Australian financial market centres (transactions can be reasonably conveniently covered in the eastern State capitals) contributes to this State's less than proportionate share of the work force . . .

They are saying, as I stated earlier, that we have to be careful about how we manage our situation, or we will put ourselves in a worse situation. I refer the House to how South Australia has been affected by the current international situation: a significant part of South Australia's trade has been with Iraq in respect of live sheep, wheat and other commodities. That has gone and the Prime Minister promised compensation but, to this stage, nothing has been brought forward.

A few weeks ago in a debate in this House I raised a number of issues and said that people are ready to walk off the land. I was interested to read the response of the Wudinna rural counsellor to my comments. The press report states:

> Mr Reid said farmers faced an expected 30 to 50 per cent drop in income due to the drop in wheat prices, wool and sheep.
>
> 'Wheat dropped to $156 a tonne last year and a further drop this year puts it at about $95 a tonne' he said. He said taking out the costs, farmers would be left with $77 a tonne.
>
> 'The 25 per cent levy on wool means wool will be down a good 80 to 90 per cent . . .

The report goes on to state:

> Mr Reid said the Government should be giving farmers a last chance at viability.

That is what I hope the Rural Assistance Branch will look at this year, because there are many people who in normal circumstances would be viable but who will now face difficult circumstances. The article continues:

> He said farmers who were declared unviable should be allowed to stay on their properties for up to three years, giving them a last chance to become viable.

The member for Goyder quoted Mr Schuster, who said:

> There is definitely the potential for 20 farmers to walk off (in the Wudinna area) . . .

Mr Schuster thought that there were more in his area. Looking at the comparable international situation with interest rates we can compare the interest rates put out by the ANZ Business Indicator last week. We see that the interest on the three month Eurodollar was estimated in 1989 to be 8.4 per cent; in 1990, 7.9 per cent; in 1991, 7.7 per cent; and in 1992, 8.7 per cent. If we look at the Australian figures, the 90-day bank bills in 1989 were 17.8 per cent; in 1990 they were 12.5 per cent; in 1991 they are 13 per cent; and in 1992 they will be 14.8 per cent. We can see what those high interest rates will do. if we make a comparison with what our major competitors are paying. Interest rates must come down and the dollar must come down. There must be a change in economic policy, otherwise bandaid measures such as rural assistance programs will help a few but will not create the conditions for long-term viability which is in the interest of all South Australians and of this nation as a whole. Any country that neglects its agricultural sector will neglect all its citizens in the long term.

Mr VENNING (Custance): I support this Bill, although it is a pity that it is a bandaid Bill. As has already been said, the rural community is bleeding. So much of what the RAB can do is like offering a rubber pillow to a dying man—short-term comfort. Rural industries have been under pressure by Governments for the past three decades. This was the year that was coming one day: it has arrived. It is the year in which the dog has caught its tail.

Until now, farmers have been able to keep just ahead of the huge imposts on the cost of production in Australia. As members would know, Australian farmers are the most efficient in the world, and that fact is not disputed by anyone. The plight we are in today is an indictment on the Governments of this country. Australian farmers trade on a loaded world market on their own. They are lean, tough, cunning and resourceful.

Last Thursday, when I was home on the farm, I began to reap my crop. There is no better feeling than to be on the harvester with the grain coming in the front. I was disappointed in the yield. The hot weather in the past three or four weeks has really rubbed salt into the wounds. Instead of having what looked to be a 16 bag or 17 bag crop to the acre, it was a 12 bag to 13 bag crop to the acre.

That was disappointing enough. One thinks also of the cost of running machinery like that, which uses 10 gallons of diesel per hour. Doing a quick sum in my head, I worked out that I will not make too much with these yields. This Parliament is a cloistered environment, and I do not think many people in this House realise how bad the situation is. I can say that from personal experience. When we leave this House and go out into the fields, we suddenly realise where we are today. Farmers have committed themselves for the new year, and many did so only a few weeks before the prices crashed.

Many bought machinery for next year, they put down the deposits and then the crunch hit. I know of some dealers who have handed back deposits on new machines. That would take a lot of courage, because most of the dealers themselves are in a very parlous state. The Rural Assistance Branch can and will assist.

As you know, Mr Acting Speaker, I spent quite some years on the Advisory Board of Agriculture, and I acknowledge the presence of the Minister. I am aware of the work of the RAB; I know the personnel involved. I know the work they have to do and how it must affect them. It is good to see that the Government has lifted the priority in this area.

The farmers are very busy now and this offers some respite to their feeling of helplessness. I have received countless letters, all with a sad and grim story. However, I have one letter here that moved me above all others, and I will read it to the House. I asked this lady to publish her letter, and she has done so without her name. She is a constituent of mine, and I hope that members will listen to it and agree that this letter really bears some understanding. This letter, headed 'Angry wife speaks out', states:

Sir—I am a very disturbed and angry farmer's wife writing this letter of complaint as to how the Government is treating the farmers at the moment. I appeal to you to take note of what I have to say about the rural crisis, which is not only my point of view but lots of other farmers' wives who haven't the guts to sit down and write letters like I do.

To get to the point—the other day I received a letter from Social Security, which really got me steaming, as to whether we were still eligible for family allowance (we are), but not the Family Allowance Supplement.

I can understand that the Government wants to cut expenses but why, always, to cut down on the low income earners. We get hit every time when some new scheme comes in.

Our taxable income for a year is barely a third of what we are allowed to qualify for family allowance but yet our assets are almost on the border line, which could easily cut us out, especially Family Allowance Supplement, which we used to get and had to pay every cent back just because our taxable income was a bit higher than usual, because of the high wool price and grain; this also made us mad. Why can't the department take a five year average income test as farming is up and down prices and we're never sure of a regular income like a wage earner.

We are only a small farm but at the moment commodity returns are so low that it is not possible to make a comfortable living from it. In fact the opposite will be happening this year when we see that the income from wool, grain and livestock is not going to even cover the overdraft in the bank. We're not going to be breaking even, which has never happened before.

Doesn't the Government know that you can't live on assests? You can't go selling off your land bit by bit or selling your farming plant; how are you supposed to make a living?

Do they want to kick us off the land when we are self-supporting—would they like to see us entirely on their payroll by going on the dole and drain some other kind of pension from their schemes?

Well that's what they're encouraging; as far as I'm concerned, they have got this scheme horribly wrong. Why not push out those who earn $62 000 taxable income and leave the assets alone.

I repeat, you cannot live an assets and if you sell them off, you cut off a productive life and the country will eventually bleed to death.

You still don't win even if you are forced to sell your land. Who can afford to buy land in this time of depression—the bank interest on overdrafts and loans is too high and your wool and grain prices will never cover the costs to make it a viable proposition for the next man to purchase it—

and this is the part that really starts to tear—

We are living as low and as humble as we can to the point where it hurts. Our children are teenagers, one looking for work, while still studying correspondence lessons at home, and who we are supporting without the help of the Government. Our other child is still at school and will hopefully be able to qualify for Austudy next year.

Holidays and entertainment with us are almost nil, because we cannot afford them. I am not ashamed to tell you that I go to second-hand shops to clothe myself, just so my children and husband can have some new clothes and shoes. The rest of the money is all swallowed up farm expenses, food and study for the children.

I know there are many other mothers on farms in the same boat and we don't know what to do. We are the ones who carry all the burden. I am so concerned that the worry is affecting my work. I cannot think properly, sleep properly and there is constant bickering going on in the faimily because there's not enough money to do this and that.

Tempers flare, everyone gets moody and depressed and you worry that one day we'll snap. We can't cope with any more pressure. I feel guilty that I can't do any more to help the situation. I should go and look for a job which I have tried to do several times without success. Your husband puts you down because you weren't trained for anything. You feel useless and your self-esteem is knocked right down. You are as low as you can get, so the only

thing left for me to do is to write to someone for help. I am desperate. Where do I go?

That letter was handwritten to me by my constituent and it is very genuine. I hope members listening to that really feel the remorse and sorrow that is out there in so many of these families. It is heartbreak country in all the rural areas of Australia.

These people are my friends, my constituents and my family. I thank God for the fact that I am here now, with an off-farm income. So, now I feel that I must do my best for them and I feel helpless. When I go home, I see them on the weekends and, as a politician, what do I say to them? What are we doing? What can we do? I feel useless because the Government, particularly the Federal Government, does not seem to want to know.

I was not convinced this afternoon when the Minister spoke again on the question of primary producer vehicle registration. I wonder why the Government introduced it now, particularly when one realises that the cost of it would bring in $5.3 million to its coffers. I understand that free bus rides for city children will cost the Government $8 million. I find that hard justice in these times. I am not convinced at all by the Minister's statement this afternoon, and I have checked it out. Third party registration insurance will go up unless the Minister creates a new category of insurance—and he actually did not say that this afternoon. There is not a category that allows the third party registration to stay the same. I went into Port Pirie and asked over the counter about the registration of one of my vehicles. I found that if I could not register it as a primary producer's vehicle I would have to go down to the next category of registration, which put up the registration costs by $123 in third party registration.

If, as the Minister said this afternoon, the system is being rorted, I urge him to investigate that and to prosecute. It should be very easy to find out who has a vehicle that really does not qualify. If a vehicle does have a tray and it only has two doors, or if a vehicle has four doors and no tray, I would say that it would be extremely easy to find such a vehicle and take action, because these facts are clearly marked on the registration papers. The computer should pop them out like peas. The Minister also said that there are more vehicles registered than there are farm units. I would go along with that, because I have three vehicles: I have my farm utility that I use all the time, my spray unit that does not see the road and I have my fire truck. They are all under two tonnes.

What will happen is that farmers will not register these vehicles and will break the law, either knowingly or unknowingly. They will put these vehicles on restricted registrations and will use ignorance as an excuse to break the law. So much for lip service; everybody has been paying lip service to the problem. There has been general inaction. This is what hurts the rural people more than anything else: this apparent inaction and apparent feeling that nobody really cares. It is time we did more than talk about it. 'Stop clapping; send money', is a comment that I have heard. Everyone feels sorry but nobody is doing anything about it. How can the rest of Australia continually give itself pay rises? We have had one this week. What is the cost of that to the rural people on a fixed income that is tied to overseas interests?

I cannot understand the huge pay rises that we saw granted this week. They cannot be justified. It goes on and on. What is the bench mark? Surely the ability of a country to produce commodities to feed itself must be considered when these high levels of wages are paid. It is time to follow the example of the other sectors of the community. The rural community has been the passive sector, and nobody would disagree. As a previous speaker mentioned, it is time that we joined the ranks of those who have not been quite as passive and have achieved results. Direct action is the way to go.

The Federal Government has to act against the subsidising countries. It is all very well to go to the GATT round which is on now, but the prospects are not good for any reasonable solution from that. Our Government has to say to our trading partners that we cannot put up with this and take some action. We should trade favourably with those who are trading on a level basis. We should not be buying products from countries that are doing this if there is an alternative to buy from somewhere else. We have to be seen to be tough. I know that we are not in a position, as a small country, to take tough action against the bigger countries, but to sit back and do nothing is not an option. The UF&S has to be more active; it has to be more positive and get right up the front. It has only been reactive in the past, not pro-active. The march last week organised by those two ladies was an example. The UF&S needs to seize the nettle and do it on a grand scale.

The Federal Government needs to get the message fast. It is killing our rural industries. As the member for Eyre said, it took off the investment allowance and the depreciation allowance, deregulated our industries, threw us out into the cold and now we are suffering all the problems—a regulated waterfront and everything else. This is one reason why the industry is really hurting. If interest rates fell before Christmas, or if income tax concessions were implemented, it would be a start towards the way back.

I acknowledge the doubling of the Austudy threshold; that is a step in the right direction. It must be followed by more action. The lady who wrote the letter said it all. She is hurting; her family is hurting. The farmers are choked with a feeling of failure. What of the future? Communities are crumbling and the Government is not assisting. It goes around with the same criteria for the country as apply in Adelaide. It sees that a school has fallen below the magic number of children in a town like Brinkworth, so it cuts the classes from four to two. It happened in Spalding where it went from two to zero. Only a few months pass by, when these communities get to this level and they are told, 'Sorry, you are below the magic number; you have to reduce these services.' Surely the Government should hang in there with these services in times like these. These are not the only services. Schools, hospitals—everything is going the same way. It really does paint a negative picture. I do not know where we will be this time next year. The crunch time will be 30 June onwards. It is really a difficult time.

As the member for Goyder said, we have had eight exceptional years in the greater part of South Australia. I know that Eyre Peninsula has had a tough time, but having had eight good years we must be looking at a dry year around the corner. If that is wrapped up with this, what have we got? I hate to think. No-one can be very positive about it. It looks as if the GATT round will finish just as it started—a stalemate, locked out. It is not possible to know what is going on.

I support the Bill. I support the RAB in what it is trying to do. I hope it will be flexible and sympathetic. I often think that the money that the RAB has is like throwing a handful of wheat against the barn door. It must help a certain element, but I do not know how it can handle the large problems. I support the producers of Australia in doing what they do best, that is, being the most efficient farmers in the world. I support this Bill.

Mr BLACKER (Flinders): This Bill, which was introduced on 9 August, formalises the agreement between the

Commonwealth, the States and the Northern Territory, according to the specifications set out in the schedule. In practical terms, the House does not have the ability to change that agreement, nor is there any suggestion that such a change should take place. Nevertheless, it is an opportunity for us to look at the operations of the Rural Finance Branch of the department and to see whether it meets the needs of the community and, if not, whether recommendations can be made.

I am a little concerned that the original intent of the Rural Assistance Branch has changed. It has changed from being a lender of last resort to one which is very similar to the commercial lending organisations. Many in the community would argue that the real effect of the Rural Assistance Branch is no longer with us. One can always find arguments against that and I guess that one of the reasons for questioning its function has been that the recent demand on the department has been greater than at any other time. As a result, the eligibility criteria have tightened up and, therefore, more and more people are not meeting that criteria when they make their applications.

The Rural Assistance Branch—its name has changed but that is what it is commonly known as—has been very useful for many people in the rural community. Some people, having paid back in full a loan they had for many years, have been able to continue farming. They have been able to re-establish their own finances and become a viable, economic farming unit. Because of the present economic circumstances, some of those people have been forced to apply for new loans and they are finding that they cannot get assistance. That is a reflection on the general viability of primary industry and on the outside pressures over and above farming practices and on the wider community.

It is fair to say that very few people in the rural community could be put in the bad farmer category. Most of the bad farmers, or those who were never going to make the grade, have long since moved out of the industry. Many of the families who remain and who are in dire financial circumstances have been on the land for four, five and six decades. Their knowledge of that land is as good as anyone else's and their expertise in farming practices is as good as can be found. Some people might beg to differ but no-one knows his patch of land better than the person who has been brought up on it. He nderstands it, he knows where the water repellent soils are, he knows where the closed soils are, he knows the prevailing winds, he knows the likely characteristics of each paddock and he knows the impact that the environmental conditions will have on that land.

That can be achieved only over a long period of working with the land. Some of that can be learnt from books but, in most cases, it is the practical farmer who has grown up on that land who really understands the tools of the trade with which he is working. The problem we are facing now is one of finances and was originally brought upon the primary industry with the deregulation of the banks.

I refer particularly to Eyre Peninsula because, in many cases, Eyre Peninsula can be treated as a pocket separate from the rest of the State. Following the deregulation of the banks, those banks that were already operating gave out money hand over fist so as to prevent new banks establishing in the area. It is interesting to note that, in the deregulation of the banks issue when many new banks started up in various capital cities as well as here in Adelaide, not one was established on Eyre Peninsula, because the existing banks were handing out money to anyone who wanted it so as to prevent an outside competitor becoming established.

It is interesting to note that many farmers in the Streaky Bay area are in very dire financial circumstances. A bank manager at Streaky Bay at that time received an Australia-wide award for handing out the most money during that period. Needless to say, that bank manager is no longer at Streaky Bay and is not even in South Australia. He would not want to show his face there, because many farmers in that area are now in very dire straits. Whilst we can look back on that and say that ultimately it is the farmer's decision, nevertheless, it was a business decision made by the banks, so there must be some joint responsibility in apportioning blame for what has happened.

At the moment, the banks are starting to say to farmers, 'Listen, we want to recover some of our equity in your property.' It therefore raises the next question—and this is where greater demands will be placed upon the Rural Assistance Branch—of how the farmers who want to get out or who will be forced out will be able to dispose of their land. I venture to say that at least a third of Eyre Peninsula would be on the market now if anywhere near the value as determined by Government valuation could be achieved. In fact, I would say that more than a third of Eyre Peninsula would be on the market if the valuations determined by Government valuers could be achieved.

All of us who have any contact with the rural areas would know that it is impossible to assume that anywhere near the value as set down by the Government can be achieved in today's climate. We now know that a number of farms are being forced onto the market, and we also know that a number of them are receiving no bid; no offer. Therefore, what is the value of the land? Where does that put the Rural Assistance Branch? Where can it come in and at what level, and who makes the judgment? Somewhere along the line somebody, whether it is the Rural Assistance Branch or a financial institution, must take the bold step to create a bench price that will generate confidence within the rural community so that those persons who have money will buy, and I am informed by some accountants that there are a number of people who will buy land when they believe it has reached rock bottom.

I am told that there are people who are hanging back who want to buy land, whether for family members or to get into an investment because they believe that things have to come good, and who, if they can wait until rock bottom, will move. Many in the farming community see themselves sitting back waiting to be picked off. I understand that the Rural Industries Assistance Branch will be placed in the position of having to determine whether it will be a party to some of the refinancing so as to create that benchmark to re-establish confidence again.

It is difficult to know what the value of land is. There was a time when we could work out the value of a property and say that the grain production ability of a piece of land was 10 bags or a tonne to the acre, or 2.5 tonnes per hectare. Therefore, we could work on a realistic value of that land based on a two or three year rotation. There was a means of calculating that sort of return. But how can we do that now? I think it was the member for Custance who said he was disappointed that his crop would go only to 12 bags when it looked as though it might have gone to 16. We would all be disappointed to see our crop drop by four bags but, in many parts of our area, if a crop went to seven bags to the acre, it would be considered a good crop. Therefore, we must assess whether it is possible economically to crop that sort of land. If we cannot crop it, what happens to it? Does it revert to weeds and vermin, and do the farmers walk away? It is not realistic even to suggest that.

Mr Venning interjecting:

Mr BLACKER: The member for Custance says that it goes back to national park. That is unrealistic, too, because there is the potential of a massive export earner—a resource for the State. It will come back. We have had our tough times over the past 80 or 90 years, but it will come back. There is no doubt that our forefathers, who went out to much of that country, learnt by trial and error, but over the years the farmers who succeeded them earned for this country countless millions, probably billions, of dollars. That has become a very dependent part of the State.

We are now working away from that to a position where the Government would like to think that some manufacturing industry could step in and take over. I guess that we would all like to think that was a possibility but, if we are realists, we know that is not a possibility—certainly not in the short term. It will take a long lead time to be able to get into that position. It is a realistic fact that if our primary producing sector, through some assistance from the Rural Industries Assistance Branch, can help some of the primary producers to stay on the land and stay viable (if we can put it that way), a valuable contribution will be made.

The member for Goyder referred to his concern about the effects on young people and, more particularly, the lack of encouragement for young people to stay on the land. That also worries me. I think that the average age of the farmer is now 57 years. During the rural crisis on Eyre Peninsula many young marrieds who were part of a family partnership with their parents left the area. Obviously a young married couple, if they were farming with their parents, would have a better opportunity of seeking employment outside, and many of them went to Roxby Downs to gain secure employment, leaving aged parents on the farm. Eventually those aged parents will not be able to continue. What will happen? It is unlikely that all those young people will come back. The general estimate at the moment is that only a quarter to a third of those who left the farm in those circumstances will come back if the situation improves. Therefore, we have lost a generation of primary producers who have or had a natural affinity with the land and who would have the ability to pick it up from there.

It is unrealistic for anyone, the Government or otherwise, to believe that a generation of farmers can be brought from nowhere and put into dry land farming. I applaud the intent of the Minister in making the Minnipa Research Station a school of excellence in dry land farming. It is an excellent move and I support it. All the things that have taken place there are very good but it will not bring in the sufficient numbers of farmers who will be required in the near future—within the next decade—to step in with the expertise and understanding to manage that land which would have happened had they been able to stay on the farm as in the past.

There are a few other issues which I would like to raise and which I hope the Minister will comment. With the inception of the Rural Assistance Branch funding and administration was provided by the Federal Government. A few years later responsibility was handed to the State, including a set amount of money, and it was left to the State to determine how such funds would be administered in this scheme. The State was left financially responsible for bad debts. This placed a considerable risk on the State when it ran into circumstances such as we have encountered during the long period of dry years when, doubtless, some bad debts would arise.

Obviously, if banks incur bad debts, the branch would have to incur bad debts, because it was often way down the list of secured creditors, the first organisation to miss out. Can the Minister comment on what happens to loans repaid by farmers? What happens to those funds? Are they lent to the farming community again or are they put back into general revenue?

It has been put to me that over the years about $70 million has been returned to general revenue. I hope that the Minister can indicate that that is not right and that the repaid loans have been lent again to other farmers. Initially, Commonwealth funds were repaid on the basis that they would be used again. Under the changed arrangements whereby the State picked up the management of the scheme there seem to be different guidelines applying, and it has become difficult to follow progress through the Auditor-General's Report, because the accounting methods have changed over the years.

Further, how much money will come from the Commonwealth Government for re-lending to primary producers or people who are eligible for assistance? Do those funds have to be matched on a dollar-for-dollar basis or on a State *pro rata* basis? That information could influence the thinking of many people. My concern is that if any new schemes are introduced, a high priority should be given to a young farmer establishment scheme or certainly assistance to young farmers who have a proven ability and affinity with the land.

There should also be some criteria attached to that so that, if the young farmer has not undertaken an agricultural course somewhere there is an obligation to undertake a series of TAFE courses on farm business management and farm accounting practices so that the best possible use can be made of any assistance given to such a young person. I fear that unless such a scheme is introduced we will see a void in the farming expertise in our farmer population, because the present average age of farmers cannot keep increasing without there being a serious impact on our rural community in the future. I support the Bill.

The Hon. LYNN ARNOLD (Minister of Agriculture): I thank members for the comments that they have made tonight and I look forward, in the later part of the second reading reply, to answering several of the points made. First, members have acknowledged their support for this legislation and the shadow Minister has correctly identified a matter that will need amendment in Committee. I have tabled an amendment in that regard.

In the process of dealing with what is essentially a machinery piece of legislation, many comments have been made about the purpose of the Rural Assistance Branch and rural industry schemes generally. The debate has been very interesting this evening. Many comments have been made about the severe rural downturn being faced in South Australia. I share the concerns of all members who have spoken on this matter, although I do not necessarily share the recipes for solution that are sometimes being suggested.

Nevertheless, it is true that a very serious situation is being faced, hence the action taken by this Government. I repeat that, in going to see the Federal Minister, I was the first State Minister in this current economic situation to ask for such a meeting, and may still be the only one; I am not sure. That is an indicator of just how significant this State Government has identified the rural situation to be.

A meeting took place on Tuesday with the President of the UF&S. We do not see that as the end of the consultation between the State Government and the Federal Government, nor does the UF&S see it as the end of its consultation with the Federal Government with respect to its views on the rural situation. Many things still need to be done, and I should like to canvass some of those and their relationship

to rural assistance programs, in particular, at a later stage. I seek leave to conclude my remarks later.

Leave granted; debate adjourned.

ADJOURNMENT

At 11.38 p.m. the House adjourned until Thursday 8 November at 11 a.m.