HOUSE OF ASSEMBLY

Wednesday 25 November 1992

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

CONSTRUCTION INDUSTRY LONG SERVICE LEAVE (MISCELLANEOUS) AMENDMENT BILL

The Hon. FRANK BLEVINS (Deputy Premier): I move:

That the sitting of the House be continued during the conference with the Legislative Council on this Bill.

Motion carried.

LINCOLN NATIONAL PARK

A petition signed by 123 residents of South Australia requesting that the House support the retention of the management plan for Lincoln National Park was presented by Mr Blacker.

Petition received.

BELAIR JUNIOR PRIMARY SCHOOL

A petition signed by 212 residents of South Australia requesting that the House urge the Government to retain the Belair Junior Primary School was presented by Mr S.G. Evans.

Petition received.

QUESTION

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

COMMERCIAL ROAD

In reply to **Mr De LAINE** (29 October).

The Hon. M.D. RANN: My colleague, the Minister of Transport Development, has provided the following response:

The rectification work to be undertaken in the next six months will include, among other repairs, the repositioning of bearing plates, the treatment of rust on the main girders and the repair of spalled concrete.

In the following two years, repairs will be made to the concrete supporting the structure and steel girders on the viaduct. The State Transport Authority will remove the track and ballast on the two bridges to enable repairs to be carried out on the trough containing the ballast.

This bridge will necessitate single line working for periods of time during these two years.

PAPER TABLED

The following paper was laid on the table:

By the Minister of Emergency Services (Hon. M.K. Mayes)—

The introduction of contract policing in the South Australian Police Department and establishment of a Police Board in South Australia—Reports to Heads of Agencies Committee.

NATIONAL CRIME AUTHORITY

The Hon. M.K. MAYES (Minister of Environment and Land Management): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.K. MAYES: I would like to inform the House of progress by this Government in the consideration of the National Crime Authority's final report. In particular I would like to address two recommendations of that final report, that is, the establishment of a police board and the introduction of contract policing.

Consideration of these matters has taken place through a ministerial committee, comprising the Attorney-General, the Minister of Labour and the Minister of Emergency Services. The committee has been assisted in its work through the establishment of a heads of agencies committee, comprising the Commissioner of Police, the Commissioner for Public Employment and the Chief Executive Officer of the Attorney-General's Department.

Mr Tony Lawson, the Director of Corporate Services in the Attorney-General's Department, acted as Executive Officer to that heads of agencies committee and prepared—

Mr LEWIS: On a point of order, Mr Speaker, I cannot hear the Minister speaking, not because other members are making background noise that prevents me from hearing but because the Minister does not speak loudly enough when making his statement to the Chamber.

The SPEAKER: There is no point of order. However, there is the matter of convenience to members. I am sure the volume control can be turned up. I have no trouble hearing the Minister. I am not sure whether the honourable member has a hearing problem. We will turn up the volume, and if we need to make other arrangements for the honourable member we will do so.

The Hon. M.K. MAYES: Mr Tony Lawson, the Director of Corporate Services in the Attorney-General's Department, acted as Executive Officer to that heads of agencies committee and prepared for the committee and for the ministerial committee two reports, on the establishment of a police board and on contract policing. I table those two reports for the information of the House.

Mr Lawson's report on the establishment of a police board analyses the models for police boards in other jurisdictions in Australia and overseas, but particularly in New South Wales. In so doing it examines various categories of police boards, including executive boards, oversighting boards and management boards, and the consequent implications of the establishment of such boards.

This broad examination of the range of functions available to a police board arose as a direct result of the NCA's finding that there is no evidence of institutionalised corruption in the South Australian Police Force. Consequently, the options for the role of a police board should not be solely based on the elimination of corruption or mismanagement, but should also relate to improved accountability and general police practice.

Having examined the advantages in respect of the establishment of a police board, the report concludes that there is some justification for the establishment of a process of external review in South Australia, but not identical to the New South Wales Police Board model, or with powers as extensive as the Queensland Criminal Justice Commission. Instead, the report examines various options for consideration in addition to the New South Wales model. These options include: the establishment of an office along the lines of the United Kingdom Home Office inspectorial function; the establishment of a performance review group to formulate a comprehensive plan for the management organisational structure and operation of the department; and the establishment of an Inspector-General's Office similar to that established under the New South Wales legislation.

The report was referred to the Police Commissioner for his response, and the Commissioner's response and the report were considered by the Heads of Agencies Committee. In his response the Commissioner argued that the history of the New South Wales police service is so different in terms of culture and size as to render the New South Wales model inappropriate to South Australia. The Commissioner further argued that the combined weight of all the initiatives undertaken by the South Australian Police Force have significantly enhanced its effectiveness and integrity. Accordingly, the Commissioner did not support any proposal for the establishment of a police board in South Australia.

The advice provided by the heads of agencies to the ministerial committee was that there was not an urgent priority for the Government to determine a view for or against the establishment of a police board. Instead, it was advised that it would be more appropriate at this time to carefully monitor the situation in other States, particularly in New South Wales, where a parliamentary committee has been established to examine the relationships between the police board, the Minister and the Police Commissioner. In addition, it will be instructive to monitor the development of the Victorian and Western Australian models, which are in the formative stages of preparation for consideration by Parliament.

In considering these models it is important to be aware that interstate outcomes and experience are not necessarily determinative of what is the best practice for the management of the South Australian Police Force. It is also most important to appreciate the practical and operational issues which confront the South Australian Police Force.

In this respect the Heads of Agencies Committee referred to the review of policing currently being undertaken by the Police Department. That review is headed by a review committee, chaired by the Commissioner of Police, and also including the Commissioner of Public Employment, and the Director of Corporate Services of the Attorney General's Department. The review will provide in itself an objective evaluation of the particular corporate planning and management requirements of the South Australian Police Force.

In summary, the Heads of Agencies Committee recommended to the ministerial committee that the Government not proceed with the proposals for a police board at this time, but that interstate developments and experience be closely monitored. The ministerial committee supported these recommendations, and in turn received support from Cabinet.

With respect to contract policing, this measure was recommended by the NCA report principally as an anti-corruption measure.

Mr Lawson's report on this subject therefore covers the following issues: the issue of fixed term employment being introduced as an anti-corruption strategy; the experience of the introduction of fixed term employment in the Australian Federal Police; proposals for fixed term employment in other jurisdictions; costs of introduction of fixed term employment; and the industrial implications of the introduction of fixed term employment.

As a result of their consideration of this report the Heads of Agencies Committee recommended to the ministerial committee that fixed term employment not be introduced into the South Australian Police Force specifically as an anti-corruption strategy.

However, the committee recommended that the report be referred to the review of policing, to consider the following issues:

1. The forfeiture of employer's contribution to superannuation benefits in the event of being convicted of corruption or being dismissed for a breach of discipline.

2. The GME Act amendments relating to the adoption of fixed term appointments be evaluated in relation to the South Australian Police Force.

3. The options for short term contracts under negotiated conditions for the performance of particular tasks within the South Australian Police Force.

4. The concept of positional tenure being extended to a broader range of areas within the South Australian Police Force.

These recommendations have been accepted by the ministerial committee and by Cabinet. The tabling of these reports and my advice to the House as to the Government's proposed course of action in regard to the establishment of a police board and to the consideration of contract policing completes the response of the State Government to the NCA final report, and accordingly discharges its responsibility thereto.

LEGISLATIVE REVIEW COMMITTEE

Mr McKEE (Gilles): I bring up the twenty-second report of the committee and move:

That the report be received.

Motion carried.

QUESTION TIME

STATE BANK

The Hon. DEAN BROWN (Leader of the Opposition): My question is directed to the Premier. Does the State Bank Royal Commissioner retain the confidence of the Government and, if so, why did the Government refuse to endorse the first report only yesterday?

Members interjecting:

The SPEAKER: Order!

The Hon. LYNN ARNOLD: I would have thought that given the motion of this House yesterday, which was passed, the member's question really reflects upon that motion. In terms of the Royal Commissioner retaining the confidence of the Government, the answer is 'Yes'.

GRAND PRIX

The Hon. J.P. TRAINER (Walsh): Can the Premier advise the House of any concerns he has about a Federal Government decision which will ban tobacco advertising and which could place in jeopardy the hosting of the Formula One Grand Prix in Adelaide?

The Hon. LYNN ARNOLD: I am concerned about any decision that would affect Adelaide's ability to continue with this very successful event. I know it is an event that is supported by all members in this Parliament. I am certain all other members would also share my concern about any possibility of there being a threat to the future of the Grand Prix in South Australia. Of course, during an earlier Question Time I detailed just how many people see the Grand Prix and what the attendances were at this year's event.

Following the Federal Government's decision yesterday to move against tobacco advertising, my office contacted the Federal Minister for Health Services to seek further clarification of the new legislation. In that contact the Minister's officers made it clear that major international sporting events will be able to maintain their association with tobacco sponsors until at least 1995. That means that in any event, what ever happens to the legislation, we are guaranteed until 1995. But, as I previously indicated, I strongly support this event being continued in Adelaide well into the future. I will do whatever is necessary to arrange for that to take place.

The situation after 1995 is that the importance of individual international events will have to be considered in terms of gaining exemption from the provisions of the ban. In fact, there is a clause in the new Federal legislation that clearly deals with exempting the Formula One Grand Prix and the Phillip Island Grand Prix. That then means that exemptions can be given. Of course, an exemption, if given, can be appealed against by anti-smoking groups. However, if an exemption is not given, it is also possible for an appeal to be made against the failure to give an exemption. In any event, I can assure members that I will be further pursuing this matter with the Federal Government to ensure that every endeavour is made to see that this event remains in South Australia and, indeed, in Australia.

One of the points we need to note is that other countries are eager to have our slot on the Grand Prix calendar. Indonesia, Malaysia and China are all in the process of building circuits with a view to taking our slot on the Grand Prix calendar. So, it is not as if there are no other takers: there certainly are.

I know that mention has been made about the United Kingdom and German Grands Prix being run without tobacco advertising, but I need to make the point that that is a matter of self-regulation in economies that are much larger with a great many more international companies that are capable of meeting the very large sponsorship targets required for a Grand Prix. Here in this country we do not have as many large companies as there are in Germany, for example. So, it is not really comparing like with like if one compares these economies in Europe, which has a population base of some 300 million people, with Australia which has a population of some 17 million people. It is important that we do whatever is necessary, and I can assure the House that I will. We already have these undertakings about the situation to 1995 and the provision for exemptions after that. However, in any event I will certainly be very strongly interceding with the Federal Government on this matter.

STATE BANK

Mr INGERSON (Deputy Leader of the Opposition): Does the Premier accept the finding of the State Bank Royal Commissioner that the composition of the bank board was 'critical of the performance of the bank' and that the appointment of the directors was 'a critical power of the Government'? Does he also accept that this was a power he shared with other members of Cabinet?

The Hon. LYNN ARNOLD: I see we are going to repeat the situation we had last week. It is very tedious.

Members interjecting:

The SPEAKER: Order!

The Hon. LYNN ARNOLD: There really are only so many questions to be asked out of the first report and they have already been asked and, I might say, already answered. Yesterday, we had a two hour debate on a motion that was finally amended. In fact, I remember standing in this place talking about the issue of board representation and its calibre. In fact, I made comments not only yesterday but last week on that same point. I indicated yesterday that clearly the points made in respect of board membership of all Government authorities need to be carefully looked at, as the private sector itself has found in terms of boards in recent years coming under new challenges that had not been anticipated in the private sector years ago.

The Deputy Leader makes reference to the board having been appointed by the Cabinet—and that is correct. What he also cutely does not refer to is some of those people who were on that board and how they got to be on the board of the amalgamated bank. They were, in fact, members of boards of the predecessor banks and they, too, were appointed by a Cabinet of the day.

I will forgive the Deputy Leader because he was not a member of that Government, but a number of members on the front bench opposite and on the remainder of the

Opposition benches were members of a Cabinet that appointed those people to the boards of the predecessor banks of the State Bank of South Australia. Points concerning why those people were continued on, their calibre and the expertise that they brought with them were made clearly in my ministerial statement on the day on which the report was tabled. So, it is not as though they were people who did not have any expertise. However, the situation has been adequately answered in my ministerial statement and in my subsequent contributions to the House.

COST OF LIVING

Mr FERGUSON (Henley Beach): Will the Treasurer say whether Adelaide still has the lowest cost of living of any capital city in Australia based on figures from the Australian Bureau of Statistics released last week?

The Hon. FRANK BLEVINS: I am pleased to respond to the member for Henley Beach and to advise the House of the ABS statistics on the level of retail prices in Australian capital cities for the September quarter this year.

Mr S.J. Baker interjecting:

The Hon. FRANK BLEVINS: I know that the unruly member for Mitcham, in particular, will be interested in this—

Mr S.J. Baker interjecting:

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

The Hon. FRANK BLEVINS: —because he fancies himself as somewhat of an amateur statistician. The Australian Bureau of Statistics on an unweighted basis has reported that Adelaide remains the cheapest city to buy one unit of each of the 53 goods covered by the survey in the 1992 September quarter. To flesh that out a little more: a representative basket of goods would have cost $160.50 in Adelaide compared with $190.30 in Hobart, $186.84 in Perth and about $180 in Melbourne, Sydney and Canberra. So, clearly for a basket of goods Adelaide is significantly cheaper. To go into a little more detail: Adelaide has the cheapest or equal cheapest price for 16 items out of the 53, that is, carton milk, bread, silverside, loin chops, oranges, sugar (equal to Melbourne and Brisbane), tea, baby food (equal to Melbourne), powdered milk, rice (equal to Perth), leg of lamb, tin of corned beef, frozen peas, chocolate, tomato sauce and pet food. I have to concede that in the interests of balance—

The SPEAKER: Order! The Treasurer will resume his seat. The member for Hayward.

Mr BRINDAL: On a point of order, Mr Speaker, I ask you to rule on both the relevance and length of the Minister's answer.

The SPEAKER: I do not believe there is a point of order on either matter. The relevance is to the question.

The Hon. T.H. Hemmings interjecting:

The SPEAKER: The member for Napier is out of order. As far as the time allowed is concerned, we are into our fourth question in nine minutes, and we are doing very well. This question has been responded to in three minutes and we would have been further into it if we had not had a point of order and interjections. The honourable Treasurer.

The Hon. FRANK BLEVINS: In the interests of fairness and balance, for which I am known, I point out that Adelaide was the most expensive city in respect of one item: toothpaste. What we can draw from that is that Adelaide is a very cheap place in which to live compared with the other State capitals.

Whilst I am on my feet, I would also point out that our level of taxation is far below the Australian average, and I just want to give two examples: in South Australia, it is $1 245.50 per head, compared with the average for all the States and Territories of $1 413 per head and levels as high as (and this is interesting) $1 605 per head in New South Wales and $1 492. So, according to the Australian Bureau of Statistics, not only do we have the lowest level in Australia for that basket of supermarket goods, but we also have a level of taxation much below the Australian level and amongst the highest level of State services in this nation. It is this Government's intention to see that it all remains that way.

STATE BANK

Mr OLSEN (Kavel): Given the answer that the Premier recently gave the Deputy Leader, does he accept any responsibility at all for the finding of the Royal Commissioner that in 1988 and again in 1989 the Government dismissed warnings by Mr Rod Hartley that the State Bank Board should be strengthened? The Royal Commissioner has found that there were ample grounds for the concerns Mr Hartley expressed to the Minister in 1988 and about the composition of the bank board, while in 1989 Mr Hartley's concerns were again treated somewhat dismissively. In 1988 and 1989, the Cabinet dealt with eight appointments to the bank board, but no new directors were appointed in either of these years and existing directors had their terms extended. Did the Minister nominate any alternative directors?

The Hon. LYNN ARNOLD: I am not going to detail what I do or do not do in Cabinet proceedings, and the honourable member would know that full well. I would draw attention to the one key finding on this matter. Out of all the text and evidence before the Royal Commissioner and his own text that he drew from that, he did make a recommendation as follows:

> In advising the Governor to make or renew appointments to the board, the Executive Government did not formally consult with the bank or accede to suggestions made informally to the Treasurer.

That is the key point: he states it 'did not formally consult'. I know that my predecessor did consult with the bank. The fact that it was not perhaps done in the formal mechanism of a signed-off letter to the bank and from the bank is acknowledged, but there was informal consultation. The point is that at any time when boards are being considered, different names and different views and opinions are considered and, in the context of all opinions that are proffered, decisions are made.

I want to make the point that Mr Hartley did make known views about the make-up of boards, not just the State Bank board but boards in general, but other opinions were being put at the same time to the then Premier which he considered in bringing his submissions to Cabinet about who should or should not be on the

State Bank Board. At the end of the day, when opinions are being expressed, one considers all the opinions, and judgment is made about the opinions that are proffered and the balance of those opinions. The Royal Commissioner acknowledges one opinion that was being given on board membership to the then Premier. It does not identify other opinions on board membership that were being given to the then Premier for presentation to Cabinet. So, at the end of the day—

Members interjecting:

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

The Hon. LYNN ARNOLD: —any decision is made upon the basis of considering all opinions that are being proffered—not just one opinion but the range of opinions that have been proffered.

TARIFFS

Mr De LAINE (Price): Does the Premier intend to write to South Australian Liberal members of the Federal Parliament, asking them to reconsider their position on the zero car tariff policy adopted by the Coalition? The latest Morgan poll shows opposition in South Australia to the Coalition's plans to introduce zero car tariffs by the year 2000. There have been reports of Liberal Party backbenchers bordering on private panic over the range of economic changes proposed by the Coalition, and the Federal Minister for Industry, Technology and Commerce (Senator Button) has called on South Australian Liberal members of Parliament and candidates to reverse the tariff policy.

The Hon. LYNN ARNOLD: I thank the honourable member for his question. I noticed that there was a bit of disquiet on the other side when the member for Price referred to the private panic being felt on the back benches of the Liberal Party at Federal level. I know that it is being felt on the back benches of the Liberal Party at State level as well. One only has to look at the non-verbal cues that one gets from the Opposition when automotive tariff questions come up. That is because they know what an uncomfortable position they are in. They know that they are stuck with the ideologies of the likes of Ian McLachlan, who have no interest in looking after the automotive industry in this country. They are trapped with that and they have no choice but to follow along behind it.

The discomfiture and the panic are felt particularly by the Leader of the Opposition. By his own public statements before he became Leader, he indicated that he could not go along with the Ian McLachlan line. It was part of the dividing line between the two would-be leaders at the time—the now member for Navel and the Leader—as to where they stood on that sort of question. That was defining the debate for the Liberal Party room, 'Vote for me and I will look after manufacturing industry in this State.' In fact, he was heavied after he got into the position and we have heard nothing more about it. It may be that he is not in a position to be flexible. If he were to come out in criticism of his Federal colleagues, I can well understand that he might not be Leader for much longer; they might pull the rug on him.

For those on the back benches, both here in the State Parliament and in Federal Parliament, I would think there is a lot going for them to consider expressing their real feelings and doing what the likes of Steele Hall has done and what Jim Ritchie has done in Victoria—he has made some comments on the GST and the private panic that is being felt along the back bench. If they feel at all worried about breaking ranks with their Leader, they could well do to look at the Morgan gallup poll. The member for Kavel may well smile at this matter, because he surely must be very interested to note that, of all the States in Australia—

An honourable member interjecting:

The Hon. LYNN ARNOLD: Yes, he was the representative of this State in the State's House. What did he do to try to help manufacturing in this State? Nothing at all! In fact, he lined up with those who would take the floor out of manufacturing industry. If the backbenchers are at all worried about what would happen if they broke rank with their leadership on this matter, they can take heart from the fact that it was in South Australia that the highest level of support was achieved in the Morgan gallup poll with respect to the need to provide a proper environment for the automotive industry.

I will quote the figure. The Morgan poll found that 53 per cent of South Australians were opposed to near zero tariffs while support was as high as 53 per cent in Western Australia. We should remember that it was in Western Australia that somebody wanted to import secondhand cars into this country, again to try to rip the heart out of our automotive industry.

I would have thought that would give a real sense of assurance for those over there to realise that they can break rank and stand up for the 100 000 manufacturing workers in this State and for the 2 500 manufacturing companies and that they can line up with the likes of Steele Hall in the Liberal Party who had the courage to say, 'This economy matters; this economy counts. We have to rely upon maintaining manufacturing industry, and the automotive sector is a key part of that.'

STATE BANK

Mr D.S. BAKER (Victoria): My question is directed to the Premier and it follows from the question asked by the member for Kavel. In the light of Mr Hartley's warnings, which were very vociferous, to the now Premier, what submissions, if any, did he make to his Cabinet colleagues to have the State Bank Board strengthened in June 1989 when the Chairman, Mr Lew Barrett, retired and the terms of three other board members expired?

The Hon. LYNN ARNOLD: I am certainly not going to canvass internal Cabinet discussions.

Members interjecting:

The SPEAKER: Order! The Deputy is out of order.

The Hon. LYNN ARNOLD: The Leader was a member of the Cabinet room, the member for Kavel was a member of the Cabinet room and the member for Heysen was a member of the Cabinet room. The member for Mount Gambier, now well and truly on the backbench there, was a member of the Cabinet room; the member for Coles was a member of the Cabinet room; and there

are many others who wanted to be a member of the Cabinet room in the Tonkin Government but were not. I am certain their memories are not so selective that they have forgotten—

Members interjecting:

The Hon. LYNN ARNOLD: And Peter Arnold—my apologies.

Members interjecting:

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

The Hon. LYNN ARNOLD: He was also a member of the former Tonkin Cabinet room. I am certain that they know what the rules are about Cabinet discussions, and those rules are to be adhered to. Indeed, there is an affirmation of office in respect of those matters. In looking at the information that was presented by Rod Hartley, a man for whom I have great regard, he did express concerns about the board to myself and to the former Premier, and those matters were one of the opinions taken into account with the range of opinions that were available about the calibre of the board, the calibre of the then existing membership of the board and the need to change it.

As I said in answer to the previous question, one takes into account the range of opinions available at the time. It is rather a pity that one of the opinions that is not available to people at any one time is the hindsight opinion. If one wants to give an opinion now on anything, it would be wonderful to know what the result would be like two years from now, but hindsight opinion is not part of the range of opinion that is available. Rod Hartley's opinion was certainly taken into account along with the other opinions that were being presented to the Government at the time about the board membership. I will not detail chapter and verse as to how that opinion was considered.

EDUCATION EXPENDITURE

Mr QUIRKE (Playford): Can the Minister of Education, Employment and Training advise whether there are any plans to follow the lead set by the Victorian Liberal Government by slashing education services throughout this State? An article in the *Australian* last week entitled 'Kennett to start sacking 6 500 education jobs', states:

> The cuts due to be announced tomorrow by the Minister of Education, Mr Hayward, will hit 2 000 teachers, 3 700 school cleaners and up to 800 administrative staff.

The article goes on:

> Mr Hayward will also announce the closure of between 40 and 60 primary and secondary schools.

The Hon. S.M. LENEHAN: I thank the honourable member for his question. I want to put on the public record quite categorically that there are no plans by the South Australian Government to follow the disruptive and indeed destructive policies of the Kennett Government in Victoria which, I might say in passing—

Members interjecting:

The SPEAKER: Order!

The Hon. S.M. LENEHAN: —have indeed been supported by Dr Hewson and other Federal Liberals. Certainly, it does raise the question in the mind of every South Australian as to what the South Australian Liberals stand for on this issue. The current Leader of the Opposition has promised the South Australian public that he will look at cuts in public spending of between 15 and 25 per cent, particularly in the hospital and education systems.

Therefore, it is time that the South Australian community knew exactly where and how these cuts will be made. To specifically answer the honourable member's question, as he has quite rightly indicated, it has been reported that the Kennett plan is to close 30 primary schools and 25 secondary schools, a total of 55 schools, by the end of the year. The plan was announced last week. They are going to close these schools by the end of the year without any consultation, without the establishment of any agreed criteria or any kind of planning. For those interested in education in terms of jobs within the education system, this translates to 2 175 secondary teachers and 1 825 primary teachers, a total of 4 000 teachers.

The story does not end there. When one adds some ancillary staff and other office staff involved in these reductions and when one adds 3 700 cleaners, we are talking about 8 244 staff—both teachers and cleaners—from the education system as a first cut—I emphasise that—in Victoria. As I am sure members would be wanting to know, what does this translate into for South Australians? If we were to look proportionately at how many teachers would be cut if a future Liberal Government were to cut—

Mr S.J. BAKER: I rise on a point of order, Mr Speaker.

The Hon. S.M. LENEHAN: I didn't think they would like this.

The SPEAKER: Order! The Minister will resume her seat. The member for Mitcham.

Mr S.J. BAKER: I draw your attention to the length of the speech.

The SPEAKER: I do request the Minister to draw the response to a quick close.

The Hon. S.M. LENEHAN: This would mean a closure of 22 schools, perhaps one in the electorate of every member opposite. A total of 22 schools in South Australia would be cut.

Members interjecting:

The SPEAKER: Order!

The Hon. S.M. LENEHAN: If we look at the 25 per cent savings, it is important to have on the public record the fact that with the cuts interstate the special needs staffing is to be reduced almost immediately from 2 284 teachers to 500 teachers. If that were to happen in South Australia, it would decimate our special needs area of education.

Members interjecting:

The SPEAKER: Order!

The Hon. S.M. LENEHAN: The interjections coming from the Opposition benches indicate they are most uncomfortable. It is time that Kennett's clone let the people of this State know what his policies are and what he will do to decimate education in South Australia. I await his response.

SPEAKER'S POSITION

The Hon. H. ALLISON (Mount Gambier): My question is directed to you, Mr Speaker. I ask the question with all due deference to you and the office of the Chair. Are you prepared to apologise to members of the House for a statement which you made to Channel 10 news on 20 November which, I believe, reflected adversely on all members of the House when you said, and I will quote precisely:

The Parliament can't work without the Speaker in the Chair. Now, if they're going to spit on the Chair, which I think they are, I've got to consider the dignity of the Chair.

The SPEAKER: Ah, the executioner cometh! Am I prepared to apologise to the House? To the persons I was referring to, no.

The Hon. H. Allison interjecting:

The SPEAKER: If you take exception, that is your choice. I have no choice over who takes exception to what I say. I said it: no. Do we get the motion now or later? The honourable member for Baudin.

HOUSING INDEMNITIES

The Hon. D.J. HOPGOOD (Baudin): My question is directed to the Minister of Housing, Urban Development and Local Government Relations representing the Attorney-General in another place. Will the Attorney-General investigate the adequacy of indemnities available through Housing Indemnity Australia or any other such scheme to protect people in the sort of circumstances I will now seek to outline, and will he also investigate the specific circumstances of my two constituents whose problems have prompted this question with a view to determining how these problems can be resolved to their satisfaction?

In June 1988 Mr and Mrs Driver of Moana signed a building contract with Huxhall and Reis Pty Ltd to build a house for them at Strathalbyn. The Drivers had some very specific desires about the design. They have some pieces of furniture which need to fit inside the new home and they wanted, on a sloping block, to minimise or eliminate the necessity for steps.

The builder made a number of mistakes too numerous to detail here, but they included pouring the slab in the wrong place, which meant they could not have a carport where they wanted it and the pre-laid plumbing was therefore in the wrong place. The builder's plumber set out (without the Drivers' permission) to correct it but the work did not satisfy the Health Commission. There were other problems: one room was a metre longer than it should have been and the adjoining room (a dressing room) was a metre shorter, which made it so small as to be useless. The brickwork was poorly done, some walls were demolished but the rebuilt brickwork was not of an acceptable standard. The height of the slab is such that steps will be required.

Mr and Mrs Driver terminated the contract, the builder placed a lien on the property and commenced legal proceedings, then went into liquidation. Negotiations with Housing Industry Australia led to an indemnity offer of $12 000 in August 1991. The Drivers accepted this (they were hardly in a financial position to do otherwise) but without prejudice to their rights and without releasing or discharging any liability to them by Housing Indemnity Australia.

It has been suggested to me that the $12 000 took no account of the need to demolish the structure and start again nor of the financial difficulties these people have because their financier, the Hindmarsh, refuses to advance any further money, the lien precludes their borrowing from any other financier, and they have no money of their own. They will soon find themselves hopelessly in debt, their reasonable retirement plans shattered with no present hope of a reasonable resolution and they may even lose their Moana home.

The Hon. G.J. CRAFTER: I thank the honourable member for raising this issue. From the explanation the honourable member gives there may well be a number of remedies available to the honourable member's constituents as a result of statute law but also at common law. However, I will refer this matter to both my colleague the Attorney-General and also the Minister of Consumer Affairs for their attention.

SPEAKER'S POSITION

Mr INGERSON (Deputy Leader of the Opposition): I direct my question to you, Mr Speaker. Who was the person or persons you were referring to in the statement that you made on Channel 10?

The SPEAKER: My mum used to have a saying for this: if the cap fits, wear it!

AUTOMOTIVE INDUSTRY

The Hon. T.H. HEMMINGS (Napier): I direct my question—

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The Hon. T.H. HEMMINGS: Do you mind?

The SPEAKER: Order! The member for Napier.

The Hon. T.H. HEMMINGS: I direct my question—

The SPEAKER: The member for Napier will speak to the Chair.

The Hon. T.H. HEMMINGS: —to the Minister of Business and Regional Development. Will the Minister provide the House with an update of the views of the automotive industry to further reductions in tariffs following a meeting of the Automotive Industry Task Force in Adelaide this morning?

The Hon. M.D. RANN: If this gives the Opposition a chance to make some more phone calls to work out its next tactic, it will be very helpful. Certainly, we are approaching a watershed for the automotive industry. That was the overwhelming view of the Automotive Industry Task Force representing industry right around Australia—Holdens, Mitsubishi, the component manufacturers, Nissan and Ford-which I chaired this morning. Industry representatives made it clear that for Australia to have a viable car industry next century, beyond the year 2000, there must be an immediate rethink of tariffs by both the Federal Government and the

Federal Opposition. Certainly, real concern was expressed regarding the Commonwealth Government's 15 per cent tariff target and both the depth and speed of the cuts. However, this paled into insignificance compared with the criticisms expressed this morning of the Federal Opposition's zero tariff alternative.

In fact, the Fightback package projections were described to me as being so far away from plausibility and the real world as to be just off the map. The Fightback package is a suicide note for the car industry in South Australia and nationally. Indeed, because the industry needs certainty, people want to know where the Opposition intends to go with that policy. It is certainly my view that the industry would be seriously considering not investing in the industry in this country if John Hewson ever became Prime Minister. We have to look at investments. Under Fightback's zero tariffs, the automotive industry will need to reduce its costs per vehicle by a massive $3 880 to survive, let alone move ahead. That is nearly $4 000 in reduced costs per vehicle. As a nation we have to decide whether we want and need a car industry. The answer from this side of the House is a clear 'Yes.' We have yet to hear from the Leader of the Opposition.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: Many people in the car industry want to hear where the Leader of the Opposition stands: is he behind the car industry in this State or is he behind John Hewson? Our answer is 'Yes, we do support the industry.'

In December, we will go to Canberra with a submission which will be supported by employers and unions and which will also have tremendous support around this country. We are talking about the need for a mid-term review of the Button car plan. Members opposite believe in some kind of one-way free trade. They say that we will have to become like our Asian competitors to survive. That sounds like a reasonable argument, but if we look at Thailand we see that that country puts a 121 per cent tariff on imported cars. Try to sell an Australian car in Korea: it is impossible, because of Korea's tariff and tax regime, to sell a Holden or a Mitsubishi in that country; yet, we as a country—

The SPEAKER: Order! The Minister will resume his seat. The member for Adelaide.

Dr ARMITAGE: Mr Speaker, I ask you to rule under Standing Order 98, which specifically provides that no debate is allowed in answer to a question.

Members interjecting:

The SPEAKER: Order! I ask the Minister to draw his answer to a close.

The Hon. M.D. RANN: We have given Korea favoured nation status as a country. This does not make sense. It is easy to sell a Hyundai on the streets of Adelaide but not a Holden on the streets of Korea. It is time that members opposite showed whether or not they are patriots. It is guts time for the Leader of the Opposition: the industry wants to know where he stands.

Members interjecting:

The SPEAKER: Order!

SPEAKER'S POSITION

The Hon. DEAN BROWN (Leader of the Opposition): I move:

That this House no longer has confidence in the Speaker on the grounds that he has (a) discredited the role of Speaker by continual public statements about his power to bring down the Government—

The SPEAKER: Order! The Leader will resume his seat. It is out of order to move this motion during Question Time. I am not aware of any specific actions of which I am guilty; however, the proposal is a serious one and I am prepared to accept it at the end of private members' business later today.

The Hon. DEAN BROWN: It is my understanding that—and it has certainly been the tradition of this House, although I can think of one case where that was not so—a substantive motion such as one of no confidence in the Chair should take precedence over all other matters. This House cannot function if it has no confidence in the Speaker, and I believe that this motion is important enough to be heard and dealt with immediately. I ask that you change your ruling, because this is a very important matter.

The SPEAKER: Order! The Leader will resume his seat. The Leader has been asking me to change my mind on a lot of matters since he came back into the House. I have made a ruling: I will entertain the motion at the end of private members' time later today. The Leader has already said that there is one exception—that is my ruling.

The Hon. DEAN BROWN (Leader of the Opposition): I move:

That the Speaker's ruling be disagreed to.

I will need to write out the reason so that we can deal with it now.

The SPEAKER: I have received the following motion signed by Dean Brown (Leader) and Graham Ingerson (Deputy Leader):

That this House dissents with the Speaker's ruling not to allow the vote of no confidence in the Speaker to proceed forthwith.

The Hon. DEAN BROWN: Mr Speaker, in speaking to this motion of dissent with your ruling, I highlight the very important nature of the motion before the House, that is, a motion of no confidence in the Chair—that is, Mr Speaker, this afternoon you have directly reflected on member of this House by statements that you made outside this House on television on Thursday. It is an absolute disgrace that you have brought upon this House.

The SPEAKER: Order! The Leader will resume his seat. This again reflects the lack of knowledge of all members of Standing Orders. The dissent is with a ruling of the Chair, not with the reason for the original motion, so that all that is allowed in this debate is the reason for dissent with the ruling. Already the Leader has cited one example where a motion has been deferred beyond the time, anyhow. The Leader.

The Hon. DEAN BROWN: I am stressing the importance of the motion.

The SPEAKER: That is not allowable in the debate.

The Hon. DEAN BROWN: I believe I have every right to outline to the House why I have moved dissent with your ruling, under Standing Order 135, 'Objection to

ruling of the Speaker'. Under that, I have the right to set out to the House why I have dissented with your ruling. The reasons are quite clear. This afternoon, based on statements that you made outside this House last Friday—

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: If only the Speaker will allow us to get to the substance of the motion, I will deal with what the Speaker said outside this House.

Members interjecting:

The SPEAKER: Order! The Leader will bring his remarks back to the reason for the dissent—not what was said but the reason for the dissent with the ruling.

The Hon, DEAN BROWN: I am moving dissent with your ruling, because you have made a ruling from the Chair that deliberately stops this motion of no confidence being dealt with forthwith. In the House this afternoon, just a few minutes ago, you reflected on a member of this House in a most disgraceful manner, based on the comments you made outside this House last Friday.

The SPEAKER: Order! Once again, you dissented with the ruling, not with my reflection on the member. I would again point out to the Leader that a motion like this is a very serious motion, and I know, as do all members, what it is leading into. It is dissent with the ruling, not what I said to any member here.

The Hon. DEAN BROWN: It is the gravity of the matter that I am raising (which is the vote of no confidence) that is the reason why I believe it should be dealt with immediately.

The SPEAKER: Order! There is no motion of no confidence; we are dealing with a motion of dissent with a ruling.

The Hon. DEAN BROWN: I am dissenting with your ruling because of the gravity of the motion which I have attempted to move this afternoon and which you have deferred until after private members' time this evening—until 8.30 p.m. You want to wait until the television cameras have gone.

Members interjecting:

The SPEAKER. Order! The Leader will resume his seat. That is a reflection. Very easily I could name the Leader and have him thrown out of here now. He is reflecting on the Chair in his debate. If he wishes to carry on that way, I can fix up the vote right now: I can remove one from the Chamber. If the Leader reflects on the Chair again, I will name him. The Leader.

The Hon. DEAN BROWN: I point out the gravity of the motion I tried to move this afternoon, which was a vote of no confidence in the Speaker. I believe it is a motion of such importance that it should override all other business of this House. One only has to look at the Standing Orders of the House to realise that the first and most important function of this House is to elect a Speaker in whom this House has confidence. The reason why I have dissented with the ruling is to allow this motion of no confidence to proceed immediately. There can be no more important matter before this House than to allow this very important substance, which would be dealt with under this motion of no confidence, to be dealt with immediately. That a motion of such significance can be put off until later in the day, with only private members' time between now and then, I think reflects on the motion of no confidence that I am attempting to move. Therefore, with the full support of my Party, I move dissent with your ruling this afternoon, because I believe the motion of no confidence should proceed forthwith.

The Hon. LYNN ARNOLD (Premier): I strongly oppose this dissent motion moved by the Leader. It is a charade; it is a fraud. It is a motion indicating the full intent of the Leader and his Party to try to turn this Parliament into a circus. That is all that they have attempted to do by their activities.

Members interjecting:

The SPEAKER. Order! Enough, enough. This is a very serious debate. All members will get their chance later. If anybody plays up, it is very easy, as I said to the Leader, for me to fix this debate right now. Do not give me the opportunity.

The Hon. LYNN ARNOLD: Mr Speaker, we have the Standing Orders by which this Parliament runs. They provide the proper opportunity for the democratic processes and business of the Parliament to proceed. There are proper conventions in there for dealing with no-confidence motions. If it so chooses, the Parliament can, with special provision, make some changes to those Standing Orders by the suspension of Standing Orders.

I might say that the Government, with your concurrence, Mr Speaker, has on many occasions allowed Standing Orders to be suspended to allow different things to happen in different ways. The courtesy of the Government on so many occasions in this matter has been very extensive indeed. Just look at the special no-confidence motion last week and the motion yesterday in lieu of Question Time. You, Mr Speaker, have preserved the dignity of the Chair by the way in which you have handled these matters, but I believe that you are coming under intolerable pressure from members opposite. They now say that this is an urgent matter when they are dealing with something that might have taken place last Thursday or Friday. They had the opportunity yesterday to canvass these matters when they chose not to seek a Question Time. They chose another time for a motion. They would not do it then and, when it came to Question Time today, we got to the halfway mark before this matter of apparent urgency came up.

It may or may not be a matter of gravity, as they are alleging, and that will be dealt with in due course in the appropriate way. As you, Mr Speaker, have indicated, there will be an opportunity if they wish to proceed with this charade. The question is the urgency of it. By the timing of their own actions, they have clearly indicated that they do not see the urgency of this matter. They are simply trying to create or manufacture a situation so that it will fit the Leader's wish to match in with media exposure and with news times tonight. That is why he is stamping his foot. He sees the prospect that he will not be able to do this in prime time television. He will have to get down to the real issues and debate them in this place, the parliamentary forum, because that is what we are talking about debating.

Mr LEWIS: On a point of order, Mr Speaker.

The SPEAKER: Order! The Premier will resume his seat.

Mr LEWIS: Given the even-handedness with which the business of the House should be conducted in this debate, how can the Premier reflect on the Leader without your protection?

The SPEAKER: The member for Murray-Mallee will resume his seat. I assume he means by the reference to him or—

Members interjecting:

The SPEAKER: I do not understand the point of order.

Mr LEWIS: Mr Speaker, in 10 seconds may I elaborate?

The SPEAKER: The member for Murray-Mallee can take all the time he wants if he makes the point of order. I did not understand the point of order.

Mr LEWIS: Standing Orders provide that a member may not digress from the substance of the debate. Standing Order 127 provides that a member may not digress from the subject matter of any question under discussion or impute improper motives to any other member. That is what the Premier was doing to the Leader.

The SPEAKER: Order! The reference to the television is not in order and I ask the Premier to withdraw it.

The Hon. LYNN ARNOLD: Certainly, Mr Speaker. If I have misrepresented the Leader, if he has no interest in the prime time television recording of this debate, I willingly withdraw that reference. The question that has to be dealt with in this dissent motion is, first, the urgency of the matter. I believe that has been disposed of. You, Sir, have correctly assessed that this matter is not urgent and you have indicated your willingness for the matter to be debated in due course after appropriate parliamentary business has been dealt with, notwithstanding the slur on private members' business in this matter that has been made by the Leader.

There is also the question of precedent in this matter. I believe it would be taking Parliament to a very low level of respect if suddenly Parliament could start changing the way that it did things so that throughout the day and any time in Question Time we could suddenly see motions of no confidence pulled on at the whim of an Opposition desperate to make a circus of this place.

This matter, as you have indicated, Mr Speaker, if it is still the will of the Opposition, will be dealt with in due course and that is what should happen. I believe your ruling is the correct ruling, Sir, and I strongly oppose the motion of dissent.

The House divided on the motion:

Ayes (22)—H. Allison, M.H. Armitage, P.B. Arnold, D.S. Baker, S.J. Baker, H. Becker, M.K. Brindal, D .C. Brown (teller), J.L. Cashmore, B.C. Eastick, S.G. Evans, G.M. Gunn, G.A. Ingerson, D.C. Kotz, I.P. Lewis, W.A. Matthew, E.J. Meier, J.W. Olsen, J.K.G. Oswald, R.B. Such, I.H. Venning, D.C. Wotton.

Noes (24)—L.M.F. Arnold (teller), M.J. Atkinson, J.C. Bannon, P.D. Blacker, F.T. Blevins, G.J. Crafter, M.R. De Laine, M.J. Evans, D.M. Ferguson, R.J. Gregory, T.R. Groom, K.C. Hamilton, T.H. Hemmings, V.S. Heron, P. Holloway, D.J. Hopgood, C.F. Hutchison, J.H.C. Klunder, S.M. Lenehan, C.D.T. McKee, M.K. Mayes, J.A. Quirke, M.D. Rann, J.P. Trainer.

Majority of 2 for the Noes.

Motion thus negatived.

QUESTION TIME RESUMED

HOSPITALS FUND

Mr ATKINSON (Spence): Can the Treasurer advise the House of the proportion of the Lotteries Commission surplus that has been contributed to the Hospitals Fund since 1967-68 when the lotteries started?

The Hon. FRANK BLEVINS: I can advise the honourable member that the proportion is 100 per cent.

Just to enlarge upon that, and for the information of the House, since 1967-68 revenue from the TAB and the Lotteries Commission has continually been set aside for the Hospitals Fund. The figure is quite remarkable. Up to and including the financial year just ended, a total of $794.9 million has been contributed from the TAB and the Lotteries Commission to the Hospitals Fund. Over the same period, total outlays in both recurrent and capital expenditure on health by the South Australian Government has amounted to $10.3 billion. Therefore, the equation is about 7.7 per cent of health outlays that have been met by contributions by the TAB and the Lotteries Commission. So, it is clear that this is a substantial source of funding.

The expected income this year is over $100 million, a very significant sum in which I know the member for Adelaide in particular would be interested. It would keep one of our major metropolitan hospitals going for 12 months. We ought to congratulate the Lotteries Commission for its 100 per cent contribution, and also the TAB for its contribution. Certainly there is benefit to be had for some from gambling in this State, and we welcome that contribution greatly.

STANDING ORDERS SUSPENSION

Mr BRINDAL (Hayward): I move:

That Standing Orders be so far suspended as to enable the Leader of the Opposition to move a motion forthwith.

The SPEAKER: I will not accept it. I understand what the motion is. I do not believe I have to accept it while we are in normal business. I have given an undertaking to allow the debate to occur later today. I do not accept the motion.

The Hon. JENNIFER CASHMORE: On a point of order, Mr Speaker: I would have thought that the House is at all times in control of itself and that a motionfor suspension of Standing Orders is one that should be put to the House.

The SPEAKER: Order! The member for Coles will resume her seat, because the Chair has made a ruling. The honourable member for Peake.

RURAL INDUSTRY

Mr HERON (Peake): Can the Minister of Primary Industries explain to the House the benefits to the rural industry in South Australia following the General

Agreement on Tariffs and Trade (GATT) talks last weekend?

The Hon. T.R. GROOM: I thank the honourable member for this question because it is an important matter for primary industries in South Australia and, indeed, Australia. As the House well knows, the Uruguay round commenced in 1986, and it was the first round of multilateral negotiations under the general agreement on tariffs and trade in which an attempt was made to deal with agriculture in a comprehensive manner. Agriculture's prominence arose largely from an acknowledgment that world agricultural markets are very distorted and unstable, and that general liberalisation of trade is desirable.

The Uruguay round was initially scheduled to conclude at the end of 1990, but agreement could not be reached, and this was later extended. As a result, in December 1991, Arthur Dunkel, the Director-General of GATT, advanced a package of reform proposals that might be used as a basis for concluding the negotiations. In January 1992, participating countries agreed that the Dunkel package provided a basis for completing the negotiations, the objective then being to conclude an agreement by mid-April 1992. As the honourable member knows, agreement was not reached. Press reports indicate that trade agreements reached at the end of last week between the United States and the European Community have significantly increased the prospects for a successful round of GATT negotiations. If the GATT round can be completed successfully in the next few days or weeks, there will be very important implications for Australian and, in particular, South Australian farmers.

The magnitude of these implications will depend on the final package of trade reforms negotiated at GATT. It appears from press reports that agreements reached between the US and the European Community are slightly more favourable to Europe than the original Dunkel proposals. So, some concessions have been Australian Bureau of Agricultural and Resource reached in relation to the finalisation of the talks. The Economics has done some research which shows the likely effects of the implementation of the Dunkel package or, more likely, the concessions from the package which will need to be taken into account. The value of the production increases-that is, the gross value—as a consequence of the concessions to the Dunkel package will be in the order of $85 million for South Australia.

In terms of commodities, wheat will increase by something like $44 million, barley by $24 million, sheep and lamb (slaughtering) by $2 million, beef by some $12 million and pig meat by around $3 million. Quite clearly, these are substantial gains to Australia and, indeed, to South Australia. It shows quite clearly why the South Australian Government has fully supported the Federal Government in its role as Chair of the Cairns group of exporting nations in pursuing a successful outcome for the GATT negotiations. However, even if the concessions to the Dunkel package are ultimately agreed to, it will mean very significant gains for Australia and, indeed, South Australia.

GRIEVANCE DEBATE

The SPEAKER: The proposal before the Chair is that the House note grievances.

Mr HAMILTON (Albert Park): Today I believe we have witnessed one of the most outrageous and disgusting attacks I have seen in the 14 years I have been in this Parliament.

Members interjecting:

The SPEAKER: Order! The member for Albert Park will resume his seat. The Speaker is the Speaker for the moment, and he will apply the Standing Orders as he always does: evenly and fairly, and that includes interjections. The member for Albert Park.

Mr HAMILTON: Thank you, Sir, for your protection. It is not uncommon for the Opposition to yell at members on this side of the House when we stand up and make a point. There is uproar in the House when we try to make a very telling point. As I have indicated, in the 14 years I have been in this Parliament I have never seen such a set up as we have seen here today. It is an outrageous, orchestrated campaign to bring down this Government. That attack, Sir, has been directed at you.

This born-to-rule mentality of this Opposition—which is hell bent on tearing up the conventions of this Parliament that have stood the test of time over 100 years—has debased this Parliament today with its unprincipled attack upon you, Sir, and, indeed, the position of the Chair. Never in the years that I have been in this place have I ever felt so angry and so moved to stand up and support—

Members interjecting:

The SPEAKER: Order!

Mr HAMILTON: That is the attitude. Here we go again! It is the yelling and catcalling that we get from the Opposition—an Opposition that was so keen and so upset about what took place last week that it had to wait until today to move this motion. That is what it was all about—in its own Party room! The method—and let members opposite deny it—is the drip, drip, drip approach of water on a stone to wear you down. That is the approach. Let them deny it, because they are saying it in the Chamber. That is what has taken place in this Parliament. It is one of the most outrageous and debased attacks I have seen on a Speaker in all the years I have been in this Parliament.

The Leader of the Opposition has a born-to-rule mentality. I noted the debating skills he had when I was in this Parliament from 1979 to 1982. I admired his debating skills until today. But, his attacks upon you, Sir, and the orchestrated campaign is, as my colleague said, unprecedented. However, when the vote came—and I know I am not allowed to talk about the debate—we saw at least one member on the Opposition side who was well aware of this approach; that member could see through it. The reason for this particular approach was patently clear; it was transparent. The Opposition wants government at any price, because it knows, as I know and, indeed, as the people of Victoria have found out, that it has a hidden agenda for the workers here in this State.

They have a hidden agenda that they want to implement. They want to bring their hidden agenda into the industrial scene in this State. What a time to try to bring down this Government—on one of the last days of this session of the Parliament. They are transparent. They gloat over it and laugh about it. Members who have been in this Parliament long enough, such as you, Sir—you have been in this place for the same length of time as I have—know damn well what it is about, as you indicated in your comments from the Chair. We could not trust this Opposition in Government because its tactics are totally dishonest. In my view, members opposite have debased the role of the Opposition in this Parliament. They have made an unprecedented attack upon you, Sir, the like of which I have never seen in the 14 years I have been a member of this place. They stand condemned and they know in their heart of hearts, as I know, that they are wrong. This is an orchestrated campaign to organise this Parliament to try to bring you and this Government down. They stand condemned.

The Hon. DEAN BROWN (Leader of the Opposition): Mr Speaker, last Friday (20 November) you were interviewed by Channel 10. In that interview you said—

Members interjecting:

The Hon. DEAN BROWN: This is what the member for Semaphore said in that Channel 10 interview:

The Parliament can't work without the Speaker in the Chair. Now, if they're going to spit on the Chair, which I think they are, I've got to consider the dignity of the Chair.

That is the sort of statement that the member for Semaphore made last Friday on television. That statement was made with absolutely no foundation whatsoever. Mr Speaker, you were running around Adelaide claiming that the Opposition was calling for a vote of no confidence in you, but the Opposition had not once raised publicly the issue of a vote of no confidence in you. Mr Speaker, you were out there manufacturing talk publicly about a vote of no confidence. You then went out and tried to engender a series of circumstances, fabricated evidence and criticism—

The SPEAKER: Order! The Leader is reflecting on the Chair. I have allowed and will accept a motion of no confidence later, but even in that debate the Leader cannot reflect upon any member in the Chamber, whether he be the member for Semaphore or the Speaker, other than by way of a substantive motion which will be debated later this evening.

The Hon. DEAN BROWN: In fact, a reflection on a member of this House is the very reason for my intending to move a motion of no confidence in the Speaker at 8.30 this evening, based on the ruling from the Chair. An honourable member was reflected on in the House based on the statements made on television last Friday: statements made without any foundation or substance whatsoever.

The SPEAKER: Order! The Leader will resume his seat. The member for Walsh.

The Hon. J.P. TRAINER: On a point of order, Mr Speaker, the Leader in his remarks has given notice that he will move a motion of no confidence later today—

Members interjecting:

The SPEAKER: Order!

The Hon. J.P. TRAINER: —in which he is clearly signalling that he will make allegations.

An honourable member: What is your point of order?

The SPEAKER: The point of order is that the honourable member is out of order, and he knows the consequences of that. The member for Walsh.

The Hon. J.P. TRAINER: The Leader cannot make those same allegations in a debate of this nature where they are completely out of order.

Members interjecting:

The SPEAKER: Order! Once again, no member can reflect upon another member. We have a substantive motion which will be heard later, and that is the means by which any member may be reflected upon. I draw the Leader's attention to that once again.

The Hon. DEAN BROWN: I am not reflecting upon anyone. I am concerned that a member of this House has been reflected upon by the member for Semaphore. I am not reflecting upon other members; I am defending a member of this House who has been reflected upon. This afternoon we heard that the Deputy Leader of the Opposition was accused of spitting on this Parliament.

The Hon. J.P. TRAINER: I rise on a point of order, Mr Speaker. The Leader cannot defend another member by attacking a third member because that in itself constitutes allegations and charges being made against another member.

The SPEAKER: A member cannot reflect on another member except by way of a substantive motion. Once again, I draw the Leader's attention to that fact.

Members interjecting:

The SPEAKER. Order!

The Hon. DEAN BROWN: I understand, Sir, but, through you, may I answer the honourable member opposite?

The SPEAKER: No, the Leader may not. The Leader can speak to the Chair, but he cannot answer the honourable member.

The Hon. DEAN BROWN: I understand Standing Orders only too well, and I have every right in a grievance debate, as you know, Mr Speaker, to defend a member of this House who has been slurred upon by another party. That is exactly what I am doing. We have heard an allegation that a certain member of this House has apparently been spitting upon the Chair—spitting upon the Speaker. That accusation was made outside this Parliament. I believe that it is time that this Parliament stood up and asked for the evidence of that to be presented. If a member of this House has been spitting upon the Chair, where is the evidence? If it cannot be produced today, let us deal with the person who has made the accusation, because that is the exact nature of what we are now dealing with and why I will move a motion of no confidence tonight.

The Hon. J.P. TRAINER: I rise on a point of order, Mr Speaker. The Leader cannot defend the rights of a hypothetical second person by, in effect, attacking a third.

The SPEAKER: I accept the point of order. The honourable member's time has expired.

Members interjecting:

The SPEAKER: Order! The House will come to order.

The Hon. J.C. BANNON (Ross Smith): A number of comments have been made both publicly and in this place on the State Bank Board and the selection of members to that board. I thought it might be useful to the House if I put on the record very clearly exactly how that board was comprised, what its origins were and the skills that constituted the members of that board. Members will recall that the State Bank Act provides for a minimum of seven and a maximum of nine members. It also provides for the CEO to be appointed to the board, and in fact this was done. So, between six and eight appointments were available to the Government of the day. The original board, comprising eight members in total, seven of whom were part of those discretionary appointments, included five members drawn from the previous Savings Bank of South Australia and State Bank boards—members who had been appointed or endorsed by the previous Tonkin Liberal Government. I refer to Messrs Barrett, Searcy, Simmons, Nankivell and Professor Hancock,

Mr LEWIS: On a point of order, Mr Deputy Speaker, the member for Ross Smith is now reflecting upon members in this Chamber who were members of the Cabinet in the Tonkin Government 1979-82, and I believe that that is in contravention with the direction which the Speaker has just given to this Chamber, and I ask you to rule accordingly.

The DEPUTY SPEAKER: Order! I have heard sufficient from the member for Murray-Mallee. I do not accept that as a point of order. The member for Ross Smith.

The Hon. J.C. BANNON: It is a reflection only if those appointments were wrong or bad appointments. It may be that the member for Murray-Mallee feels that is the case; it may be that that could be argued in terms of experience. That is not the point I am making. I am simply saying that those persons represented previous occupants of the position; in fact, they therefore took up their place on that bank board, to which were added the Hon. Don Simmons, a former member of this place, a previous Minister and someone who was qualified in accountancy and a former Chairman of the Public Accounts Committee; and Mr Keith Smith, who had been the former Managing Director of Kaiser Stuhl Wineries, a well known business man who occupied the position of Director of State Development. Later, other members were added to that board as some retired and, in the case of Mr Don Simmons, unfortunately, deceased.

They were as follows: Mr Bob Bakewell, who had previously been on the boards of the Savings Bank and State Bank and, indeed, was Chairman of one of those banks, and who was a top level public servant, also happening to be a consultant to the World Bank at the time of his appointment, having gone into business; Mrs Molly Byrne replaced the late Don Simmons on the basis of having members drawn from each side of the House, and represented an interest which, while of course it was not coupled with banking skills specifically, was nonetheless important in the State Bank's brief; Mr Smith was replaced by Mr Rod Hartley, again a leading businessman with extensive experience; Mr Tony Summers became a member of the board following Mr Barrett's retirement—again, a leading Adelaide businessman; and, finally, the Under Treasurer, Mr Bert Prowse.

They are the appointments and the changes in appointments, and one can see that the core of that board throughout comprised people in whom the previous Government had had confidence. As to business background, what is Mr Barrett but a leading accountant, a member of many boards in this State? Mr Searcy, similarly, is a leading accountant with skills in that area; Mr David Simmons is one of the State's leading commercial lawyers; and Mr Bill Nankivell was an ex-member of parliament as well as a member of various boards and committees and a businessman in his own right. There were also Mr Keith Smith, Mr Rod Hartley and Mr Tony Summers. There were seven in all with a broad business background.

I would suggest that, when members criticise the decisions made about the board, they bear that in mind and compare it with the composition of the boards of the National Australia Bank, Westpac, the ANZ and other banks, which also reflect a similar composition of business expertise and which do not have this strong reliance on banking that we are now told should have been there. I suggest there ought to be perspective and no hindsight in the criticisms that are made of the decisions in terms of the appointments.

Whether or not that board performed is quite a different and separate matter and is subject, of course, to examination by the Royal Commissioner, but it is not good enough for the members opposite to sit back and say that this was a terrible board, when they had confidence in nearly every one of those members and when it reflected a very good range of skills.

Mr HAMILTON: I seek your ruling, Mr Deputy Speaker. Under the Standing Orders of the parliament, can members of parliament converse with people in the gallery?

The DEPUTY SPEAKER: No; I call the Leader to order. The member for Coles.

The Hon. JENNIFER CASHMORE (Coles): I wish to express my very deep concern that unwittingly I missed the opportunity yesterday to speak on The Flinders University of South Australia (Miscellaneous) Amendment Bill. Over the past two years I have had several representations, and I had much to say on the Bill, as did others of my colleagues. The Bill was listed on the Notice paper for discussion after the Firearms (Miscellaneous) Amendment Bill late in the evening but, by motion of the House unknown to me, it was replaced on the Notice paper and it went through this Chamber with only one speaker for the Opposition in the space of five minutes or so.

I regret that very much indeed, and I feel bound to try to make amends to the people who have made representation to me and who expected representation from me on that Bill. In less than five minutes I have to try to say what I could have said in 20, but in doing so I wish to quote from two documents I have been given, first a letter from Dr Reece Jennings who is a member of the Flinders University Council and who wrote to my colleague the member for Hanson Mr Heini Becker), stating:

> Irrespective of what you are told, I think it is important that Parliament understands that this is an extremely emotional and volatile issue which in the past two years has bitterly divided the

university into opposing camps and has resulted in an exceptional amount of ill feeling within the various academic disciplines towards the administration. Emotions still run very high, and at the annual general meeting of the university convocation which was held on 2 November, a motion was carried overwhelmingly, directing the executive committee of convocation to take whatever steps it could to have the university's so-called deadlock resolving proposals halted until such time as the administration of the university had worked with the executive of convocation, and the university community generally, to try and work out some kind of a sensible compromise.

I have also had representations from convocation which state that the gravamen of the matter, which is the present power of convocation to veto decisions of the council regarding its statutes, is not the only matter at issue in this Bill, which was passed in this House last night. The Bill was required to provide a deadlock breaking provision in the university's statutes. The issue that led to that requirement was the restructuring of the university from numerous schools into four faculties. However, as convocation says, the agreements reached between the schools and the administration to be incorporated into the new statute 4.3 were not enshrined in the wording of the new 4.3. This was despite many negotiations. The finally drawn up wording of the new statute was available for far too short a period to enable wide consideration of it to take place—a matter of only six weeks or so. According to convocation, the staff were not invited to explain the reasons for their concerns. I feel it is essential that Parliament, before passing this Bill, fully understands the concerns of all academic staff.

I hope that the Bill, which is now before another place, will be deferred until the new year. If it is not deferred, I think the Parliament will stand condemned for aiding the administration of the university in the swift passage of legislation which I know has been sought for a long time but which within the university has not yet been resolved.

Members interjecting:

The Hon. JENNIFER CASHMORE: I care deeply about the three universities in this State. I do not want to see the academic staff and the students deprived of the representations and rights that they seek and desire. Had I been in this Chamber, I would have spoken. I could not possibly have known that the Notice Paper was to be altered without consultation. I plead with another place to defer the passage of the Bill so that the matter can be resolved, amicably if possible, within the university before the Parliament is required to pass judgment on it.

The Hon. T.H. HEMMINGS (Napier): Mr Deputy Speaker, what a stunt we have witnessed in this Chamber today. The Speaker has been under extreme provocation for two months now and members have debased the standing of the Chair. Make no mistake about what members opposite have done. Whilst it suits their purpose to attack the person who occupies the Chair, one of these days some of the more rationalists over there will understand exactly what they have attempted to do today and will be doing later this evening.

There were about four standing committees meeting here today, either at Riverside or in this Parliament. At 11.45, every Liberal Party member left those standing committees, trooped off to their Liberal Party room and thrashed out the tactics that they were to carry out in the Chamber today. That was supposedly based on an innocent question by the member for Mount Gambier. They picked the most innocent, inoffensive member, who kowtowed to the Speaker and said, 'With all due deference to you, Sir, I wish to ask that question.' And they went all in. All the questions were written, and the usual unscrupulous members opposite were prepared to stand up and say anything to maintain their position. They then carried out the tactics that were thrashed out in their Party room this morning in order to get at the Speaker.

Neither the Liberal Party nor the media understand the meaning and significance of the position of Speaker—with perhaps the one exception being the member for Light. The member for Light, having occupied the Chair, was a very proper, correct and fair Speaker. He knows Standing Orders backwards and he would well know the significance of the Chair that you are now occupying, Mr Deputy Speaker. Without in any way wanting to attack the member for Light, I should love to know whether, when they were all in the Liberal Party room, he pointed out to his cohorts exactly the path they were going down.

This is not a motion of no confidence in the Speaker: it is a naked grab for power, power at any cost, aided and abetted by their very good friend the Advertiser, which runs hot and cold about the role of the Speaker in this House. One week he is a man of vision if it suits its purposes in relation to, say, WorkCover. He is a man who can win a seat in the Legislative Council in his own right; he could marshal, according to one editorial, 60 000 votes. However, when it does not suit its purpose, when the Speaker quite correctly quotes the practices of the Federal Parliament to explain why he is not supporting a motion of no confidence in this Government and plays it out to the letter, the *Advertiser* then says that the Speaker is an erratic and irrational boy from the Port, and he suffers a vitriolic editorial attack. When the *Advertiser* attacks anyone, it attacks them editorially. It never attacks them with a by-line; it never attacks them under the name of Nick Cater, Rex Jory or Peter Hellaby, although I do suspect that Peter Hellaby writes the editorials. It is always done editorially.

Today the Liberal Party has been prepared to abuse every tradition of this Parliament. It will throw out Standing Orders, Erskine May and the practices of Parliament just to achieve its ends. I noticed that the member for Hayward gave us his usual smirk, because he sets himself up to be an expert in this Parliament.

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

Mr GUNN (Eyre): I wish to bring to the attention of the House the difficulties that my electorate is experiencing. Listening to the irrational comments made by the Minister of Education, Employment and Training with regard to Victoria, I noted that she failed to tell the people of this State and this House that since 1985 her Government has got rid of 1 200 teachers in South Australia. With regard to services, I should like to remind the House of what the Minister is proposing to do at the Quorn school. Today, I received a letter from the District Council of Kanyaka-Quorn, and it states:

Dear Graham,

Council has requested that I write to you to protest strongly about the proposed withdrawal of the teaching salary from the Quorn Outdoor Education Centre. This centre has operated for several years and has not only been an important asset to the Quorn community but also to the many hundreds of children who visit this area each year.

Whilst council understands that cost constraints are affecting everyone, it is also deeply concerned that it appears the burden seems to constantly lay at the feet of the country people. It also believes that the type of skills, knowledge and activities provided by the centre cannot be maintained by someone travelling from Port Augusta on a part-time basis. We ask that you instruct your department to reconsider its decision and look forward to your favourable consideration of the matter.

The instruction should go to the Minister of Education, Employment and Training. I strongly support the retention of this teacher position. I have visited the school and had discussions with the people who are concerned about it. I am fully aware of this centre, which was the old school at Quorn. The Education Department has owned this facility for many years. It is well patronised and it is providing a service. Why should the people of Quorn and the rest of rural South Australia—the northern part of the State—be unduly penalised because of the gross inadequacies and financial incompetence of this Government?

It has lost $3 150 million through the State Bank. Now it wants to take away one salary from an isolated part of the State which has already suffered as a result of the financial policies of this Government and of the Federal Government, the drop in commodity prices and the excessively high interest rates. That is to say nothing of the $60 million that Scrimber lost. The Minister of Public Infrastructure, who is present in the Chamber, would not accept responsibility for that. There is also the SGIC debacle, for which the long suffering taxpayers will have to pay. Why should people in the isolated rural parts of this State suffer in this way? They cannot go to the next suburb or facility. These small communities ask for very little from the Government and they get even less.

Of course they are entitled and have every right to protest. I believe that it is an unwise, unnecessary and unfair statement. We already had earlier this year the removing of .4 of a teacher from the Carrieton school, which serves a small rural community. In the previous year we fought hard to maintain that position, but this year the Government would not agree to its retention and the Minister would not even see a deputation.

Why is it that this Government can afford to spend money on a velodrome at Gepps Cross involving millions of dollars, yet it will take away the very basic necessities that these people require? I put to the House that it stems from a lack of understanding, care and concern for people in rural areas.

We heard a diatribe from the members for Napier and Albert Park about the Liberal Party tearing up the conventions of this House. How long have they been in this place? Where were they when Labor Governments trampled on every convention, on the Opposition and denied the Opposition reasonable staff facilities and had us in cramped conditions on the second floor? Would not any private employer who treated staff in that way have been brought before the Industrial Court?

The Government evicted the member for Murray-Mallee from his offices and it was a disgrace. The Government would not provide computers and we had to fight to get fax machines, yet the Government talks about the Opposition trampling on convention. I believe in treating everyone fairly. If this Opposition did not protest about the greatest economic loss and mismanagement in the history of this country, we would be derelict in our duty. It is our responsibility on behalf of taxpayers to use the forums of this parliament on every occasion to expose this Government's incompetence and all those who support it. We make no apology for that. The member for Napier is a clown with the way he has carried on.

LOCAL GOVERNMENT (SHOPPING TROLLEYS) AMENDMENT BILL

Mr S.J. BAKER (Mitcham) obtained leave and introduced a Bill for an Act to amend the Local Government Act 1934. Read a first time.

Mr S.J. BAKER: I move:

That this Bill be now read a second time.

This Bill is about shopping trolleys. Since I joined the parliament in 1982 1 have taken up a number of issues on behalf of my constituents, and those issues have been in a variety of forms. They have been taken up by letter, by motion or by question on notice. It is far too easy in these times to be involved in the macro issues and to forget that the local constituency does require some assistance on other important matters.

Recent debates have concentrated heavily on the debacle of the State Bank and the disasters that have beset the finances of this State, yet there are issues that do not go quite as far as that, because they do not involve a $3 150 million loss, a State debt of $7.3 billion or State liabilities of $13 billion. They do, however, relate to quality of life for people. Shopping trolleys have become a source of increasing aggravation over the years that I have been a member of Parliament. In my electorate I have the Mitcham shopping centre, which has two supermarkets—Woolworths and Cheap Foods—which provide shopping trolleys for the benefit of customers.

Over the years shopping trolleys have become an increasing problem because, rather than being an aid to shoppers, they have become an absolute menace. They have littered our streets, clogged our streams and have managed to hit people and cars, and it is about time for all that to be stopped. If large organisations such as Woolworths cannot see the remedy, which is so apparent, namely, the introduction of a deposit system, it is about time that they had their minds focused. I am tired of the complaints that I get from shoppers about people leaving their trolleys to run into parked cars, leaving them out on the footpath to run in front of passing cars, and leaving them to be propelled by some youngsters into the path of elderly people, simply because large supermarket chains will not introduce the deposit system, which is absolutely imperative.

Everyone would acknowledge that these trolleys are a form of litter. I have a bus stop outside my office and every day there would be at least four or five trolleys there but they are never removed at night. We do not have someone who comes around and collects them. If I go down the road a further 100 metres, I find more trolleys. Trolleys are unsightly and dangerous because they have not been stored properly; they have not been secured so that they do not run loose when there is a high wind or when someone decides to propel them.

I am tired of innocent people being injured by trolleys. I am tired of youngsters who, on weekends, use the trolleys as weapons around the shopping centre and decide to let one go to see what damage it does to a wall or to a door. I am tired of people who take the wheels off a trolley and dump it in the creek. I am tired of seeing these unsightly pieces hanging around the streets of Mitcham, and it is not only—

The Hon. B.C. Eastick: Which gender?

Mr S.J. BAKER: This one has been neutered. I am tired of actually carting trolleys around to the supermarket every day of the week because they are stuck in front of my office, because my office happens to be close to a bus stop. Trolleys are dangerous, unless they are kept under control. There is no doubt that some shoppers at Woolworths and Cheap Foods take the availability of these trolleys for granted. If those stores provided a coin in the slot system and a refund on the return of the trolley, we would not have any trolleys out in the car park at Mitcham shopping centre.

If there were a deposit system we would not have trolleys littering our streets, footpaths and park areas. If there were a deposit system we would find that every one of those trolleys would be returned to the supermarket so that the refund could be obtained. It is a simple solution but it is inappropriate at this stage to legislate that in all circumstances all supermarket trolleys should be so restrained.

The Bill's provisions are simple. Shopping trolleys should be treated in much the same manner as litter, because they are litter. If a person is found leaving a trolley on a footpath, in a street or in a park, that person is liable to a fine in the same way as applies to a person who drops a piece of paper. The second provision allows for that trolley to be confiscated by an authorised officer of the council. That officer would then advise the proprietor that the trolley has been confiscated, so that the proprietor has the right to buy back that trolley at an appropriate price, as set out in a by-law. It also allows, where the trolley is not reclaimed, after notice has been given, for the council to sell that trolley, and there is a process for the disbursement of funds.

It is quite a simple measure, designed to protect the citizens of Mitcham, in particular, and people in so many other electorates throughout the State where supermarkets have trolleys but no deposit systems. I am reminded that at least four suburban shopping centres, such as the one at St Agnes, have a deposit system, and it works particularly well. As a result, trolleys are not left in the streets or car parks but are returned to the supermarkets where they belong.

I seek the support of the House for this measure. I intend that the Bill lie on the table obviously over the Christmas break for members to ponder. If there are further suggestions, I am more than happy to receive them. I seek leave to insert the explanation of clauses in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 inserts a new section 748d into the principal Act. It will be an offence to abandon a shopping trolley on a public street, road or footpath. An authorised person will be empowered to remove a trolley that appears to have been so abandoned. The authorised person will then be required to take reasonable steps to give notice of the removal of the trolley to the proprietor of the relevant business. The trolley will be returned on the payment of a fee set by the council by by-law. The council will be able to sell the trolley if it is not claimed within 30 days.

The Hon. J.H.C. KLUNDER secured the adjournment of the debate.

STAMP DUTIES (FARM MACHINERY) AMENDMENT BILL

Mr VENNING (Custance) obtained leave and introduced a Bill for an Act to amend the Stamp Duties Act 1923. Read a first time.

Mr VENNING: I move:

That this Bill be now read a second time.

The intention of this Bill is fairly obvious and quite clear, and its explanation should not take up much time of the House. First, I declare my interest to the House because I own machinery, but I will not be advantaged by the passage of this Bill. In research, it became obvious that, having more than one property, with those properties being within 70 kilometres of each other, I was within the law. Initially I thought I would have to change, but legal advice suggests that farm properties 79 kilometres from each other still come within the current Act.

As it stands today, the law in South Australia means that primary producers can purchase and use farm machinery without paying stamp duty, and are exempt from annual registration. However, this arrangement is only valid as long as the primary producer is using the machinery on his or her own farm or he or she is no further than 40 kilometres from land that they own. In these difficult times, things are changing. Farmers are seeking to better utilise their machinery, particularly with the exorbitant costs experienced today, and carry out work for their neighbours. In fact, many are now farm contracting. In doing so, they move further away from their own land than 40 kilometres. Also, many farmers are diversifying their operations and taking up new fanning enterprises in a different region from their original enterprise.

As is quite clear, primary producers coming under these two categories are clearly in breach of the Road Traffic Act. Even worse, if there was an accident and somebody was injured, it is not certain that farmers would be covered by their public risk policy. Members know what that means. Without such protection, farmers

could lose everything they own. The solution appears to be quite obvious: to register the machinery that is used in these two categories. As a precursor to that registration under the current Stamp Duties Act, stamp duty must be paid, and I will give an example. On a harvester costing on average $150 000 (and that is very conservative, because they do cost up to $250 000), part (A)(f) of the second schedule of the Stamp Duties Act 1923 provides:

Component payable in respect of registration. Where the value of the motor vehicle (not being a tractor owned by a primary producer, a commercial motor vehicle or a trailer)—exceeds $2 000, $30 plus $3 per $100.

That calculates out (without reading too much more) at $4 470. So, you do not have to be a genius to work out what happens from there. We do not see farm machines registered in South Australia. This exorbitant up-front cost is the obvious reason that we see practically no farm machinery registered. When did any member of this House see a number plate on a tractor or farm machine? Most members move around the country, but it just does not happen, although there are small holdings in the Barossa Valley, where much smaller machines are used and you do see the odd one. In New South Wales and Victoria one sees number plates on farm machinery because the stamp duty in those two States has been waived. In Victoria, initially a farmer pays $15 registration, $22 for the plates and $48 for insurance. In New South Wales, it is $50 per annum.

Some may ask: what is $4 400 in a total of $150 000? I predicted that interjection from the other side, but it has not come. It means plenty, when you realise that most of these machines are bought with the aid of bank loans, or they are leased or are consumer mortgaged. So, $4 400 is the reason we do not see them complying with the law. I predicted a comment on this matter costing the Government money, so I took it up with the Treasurer a week or so ago. This measure will cost the Government nothing. It will be revenue positive for the Government. At the moment, the Government collects nothing or very little. No stamp duty is collected on farm machines because there is no registration. If this hurdle of stamp duty were removed, the Government would collect the registration provided for in the current Act.

Many constituents have contacted me wishing to comply with the law but have been shocked to learn of the stamp duty requirement. I understand that none has taken up the registration option but they have chosen to take the risk. No doubt no action will be taken, but what will happen if there is an accident? This is putting many people under great pressure. It is hardly fair to expect a primary producer who is battling financially to outlay $4 500 to use a machine for only a few weeks of the year and, even worse, for only three to four hours per annum actually on the road. There are many anomalies here.

Those landowners who have property in two States are choosing to register their machinery interstate, particularly in Victoria and New South Wales. This issue has been discussed all over Australia, and I understand the general consensus is that action needs to be taken. I contacted the South Australian Farmers Federation several times, and I am aware of a possible push at the Federal level for special primary producer plates. I pay tribute to the South Australian Farmers Federation which, at all times, has attempted to help farmers remain within the law. I mention also Dean Bolto, whose cooperation and help I have enjoyed. This Bill has the full support of the South Australian Farmers Federation. The National Road Transport Commission recommends registration without stamp duty, and that is total proof.

Clause 1 is formal. Clause 2 amends the second schedule so as to exempt an application to register or transfer the registration of a tractor or item of farm machinery owned by a primary producer from the component of stamp duty payable in respect of registration. I urge members to support this Bill to enable primary producers to comply with the law and to be protected by it. I commend the Bill to the House.

Mr HOLLOWAY secured the adjournment of the debate.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

The Hon. T.H. HEMMINGS (Napier) brought up the report of the committee on the Mount Lofty Ranges Management Plan and Supplementary Development Plan—Planning Issues.

Report received.

The Hon. T.H. HEMMINGS: I move:

That the report be noted.

In moving this motion, I would like to thank all members in the House for giving me permission to note this report even though it is not on the Notice Paper. I think that is based primarily on the fact that the committee feels that the first report is of such importance that it needs to be not only received in the House but that initial remarks be made in support of the report so that hopefully the Government can pick up the recommendations and, in doing so, alleviate some of the fears and concerns out in the community. It is fair to say that the Mount Lofty Ranges are important for the whole of the State in terms of water, agriculture and recreation. The ranges are under increasing pressure with problems of over-population, effluent disposal, threats to water quality and to viable agriculture.

The evidence received by the committee indicates that within Australia and, in fact, most parts of world, the Mount Lofty Ranges are unique in that they are the major water catchment for this State, yet, at the same time, within that catchment area there is a diverse range of activities. It happens very rarely outside the Mount Lofty Ranges. As a result of that, in 1987, the State Government commissioned the Mount Lofty Ranges review to work out a comprehensive strategy and review process, which resulted in a management plan and supplementary development plan 1992, and associated amendments to the Real Property Act.

Those actions resulted in widespread confusion in the community. As a result there were two motions: one in this House and one in the other place, which in effect said that both the management plan and the supplementary development plan should be referred to the Environment, Resources and Development Committee for consideration. Because most of that community concern centred on the planning issues, and particularly on

transferable titles, which resulted in the amendments to the Real Property Act, the committee took the decision to issue this first report, which deals with planning issues only. The report on the rest of the reference—which deals with rural reconstruction, water quality, agricultural practice, pollution, bushfires, tourism and so on—will be issued at a later date in the new year.

The committee felt it was important to pick up the planning aspects and put our recommendations to this Parliament and, hopefully, to the Government for action that will not only, in our opinion, maintain the quality of life within the Mount Lofty Ranges but also allow reasonable development on residential properties. In addition, it will not only confirm that there is a role for agriculture in the Mount Lofty Ranges but it will actually look at guidelines to insist on good agricultural practice in that area.

The committee took evidence from 3 June to 28 October, 34 witnesses were heard and 38 written submissions received. The committee went on a complete tour of the area and visited sewage treatment works and the Piccadilly Valley, it met orchardists, saw market gardens, sheep farmers and dairy farmers. That resulted in what I think was a comprehensive understanding of the problems of that area.

It was generally agreed by everyone who appeared before the committee that residential housing in the Mount Lofty Ranges must be restricted to preserve the catchment and to protect viable agriculture. A planning freeze has existed in that area since 1990 and there have been several supplementary development plans since—the latest being in January 1992, and that was revised in May 1992 as a result of community pressure—and associated amendments to the Real Property Act which introduced a transferable title scheme whereby titles could be transferred out of the catchment area to less sensitive parts of the ranges.

The evidence highlighted the following main areas of contention. The boundary of the supplementary development plan contains diverse climatic and topographical areas. The prohibition on building on contiguous titles could lead to more development and is seen by many as inequitable and as threatening the economic plans of primary producers who have invested money in their land in lieu of superannuation. There is also a fear that the clustering option, which was acceptable under the current supplementary development plan, could lead to unsightly ribbon development and houses being erected in places where they would destroy the amenity of the area. There was widespread confusion within local government itself as to what role it should play in accepting and allowing clustering to take place within the Mount Lofty Ranges.

There was also a general fear about the falling values of property. The committee did not go out to bat for those people who were concerned about falling values of property but, when that is associated with the difficulty with the interpretation of the new planning proposals and the uncertainty of the effects of the transferable title system, we felt that something had to be done, because under this new supplementary development plan a system was devised that had never been tried anywhere else. How could those people who were being asked to take advantage of this new system be expected to understand it? There was also the problem of the approach to the whole matter. Some felt that within the management plan the problems with the water supply should be tackled first before we started looking at residential areas and that, because of degradation of the land, more emphasis should be placed on land care.

The committee does not see its role as drawing up specific planning regulations for the area, but we have argued in this report that there should be a new approach. We did not feel that that approach should be based on pure planning concepts or on whether or not agriculture has a role in the area, on whether we should be looking at water quality only or as a part of the whole management plan and supplementary development plan. We said that we should go from a totally different direction, sort out the objectives within which everyone should work and, if we could work within those objectives, it would be possible to make the Mount Lofty Ranges viable.

The objectives are as follows: the long-term future of viable agriculture must be assured; the quality of water for the Adelaide area must be maintained and improved; the conservation of existing native vegetation and the continuation of reafforestation must be ensured; the scenic amenity of the area's urban hinterland must be maintained and enhanced for tourism and recreational purposes; and—and perhaps this is the most important one—the final objective is future planning strategies in the Mount Lofty Ranges should be based on land use and capability rather than development potential.

Unfortunately, the management plan and the SDP placed development potential first and then came to the conclusion that, hopefully, the rest would follow through. We felt that the ranges are too important to allow fragmentation and therefore the boundary of the whole area should remain intact. Local councils within those areas should work on those objectives and use them as guidelines on land capability and land use and then allow any form of development, whether it be agricultural, residential or whatever—as long as they meet those guidelines.

Strict guidelines for the area should be drawn up and stringently adhered to in the planning process. With those strict guidelines in place, the committee believes that in some areas specific policies should be allowed. The committee recommends that the transferable title scheme should be replaced by a system of partially transferable development rights, and those should apply to single and contiguous titles. This will address some of the inequities caused by the previous system. It would not mean the allowing of residential buildings on request but would be subject to those strict guidelines to which I referred and any other relevant planning controls put in place by the individual councils. Target areas, either in townships or in areas not suitable for agriculture and not important in terms of water catchment or conservation, would be designated for those transferable development rights.

In the report, the committee goes into further detail of what those areas should have and the importance they hold in the Mount Lofty Ranges. The final point, which I will not dwell on because I realise I am standing here with the good grace of other members of the Parliament, is that there should be hard zoning around townships which, when introduced, would be there to protect

valuable agricultural land. Evidence was put to the committee and fleshed out by the committee's questioning in respect of areas around townships. Initially people are brought into a township to preserve the outlying land but ultimately, as history shows, you get that creep outwards which negates all the good work that you put into effect in your earlier deliberations.

The report is a credit to the committee. The Environment, Resources and Development Committee is a typical bipartisan committee comprised of the three parties represented in this Parliament. It is an honour to be the presiding member of that committee and to be able to work through our deliberations without any bickering whatsoever. I commend the report to the House and I hope the Government picks up the recommendations contained in it to overcome the uncertainties and fears that exist in the community.

The Hon. P.B. ARNOLD (Chaffey): The Mount Lofty Ranges management plan must surely be one of the most complex issues likely to come before the Environment, Resources and Development Committee. It is a very complex matter. It must contend with horticulture, agriculture, rural residential living, towns, tourism and, what is more, it is in very close proximity to the metropolitan area with a base population in round figures of one million people. So, there are enormous pressures in the catchment area of the Mount Lofty Ranges, and that makes it a very complex matter indeed.

The first report of the committee related to the Waite Institute and the resiting of the Department of Agriculture onto Waite agriculture land. I believe that report was received very well by the community at large and by the people who will be affected by the development that will occur on that site. Certainly, the new Minister of Primary Industries has recognised the worth of that report. I hope that the endeavours of the committee in its second report will be as rewarding and successful as were its efforts in the first report. Under the heading 'Objectives', the report (page 21) states:

On the basis of evidence and with regard to matters which are the subject of this report, the committee concludes that policies for the future planning directions in the ranges should reflect the following objectives:

1. The long term future of viable agriculture in the area must be assured.

2. The quality of water for the Adelaide area must be maintained and improved.

3. The conservation of existing native vegetation and the continuation of reafforestation must be ensured.

4. The scenic amenity of the area as an urban hinterland must be maintained and enhanced for tourism and recreational purposes.

5. Future planning strategies in the Mount Lofty Ranges should be based on land use and land capability rather than on development potential.

Basically, they were the objectives that the committee and the numerous people who appeared before the committee to give evidence tried to address. Once again, I believe that the committee has endeavoured to reach a conclusion that is not only in the best interests of the people living in the Mount Lofty Ranges and the catchment area in particular but also in the overall interests of all South Australians. It is a highly productive area or part of South Australia. It has been acknowledged that the farm gate value of horticulture and agriculture in the Mount Lofty Ranges catchment area is in the vicinity of $200 million annually. That is the farm gate price, to which the multiplier effect is added so that, by the time the produce from that area has been developed and actually consumed, it is many times greater than the $200 million. So, it is a significant production area for South Australia.

It could be argued that, because it is a significant agriculture and horticulture producing area of this State, perhaps greater emphasis should be given to the development of all the available agricultural and horticultural land in the Mount Lofty Ranges because of the value to the economy of South Australia. If we went down that path, we would have to look for alternative water supplies for metropolitan Adelaide. Of course, the only viable alternative water supply would be in the form of water harvesting from the Murray River, utilising much of the existing water that is available within the reservoirs in the catchment area for the development of further horticultural pursuits.

Obviously, the first reservoir that we would look to utilise for further horticultural development would be Mount Bold, as that has the highest rate of pollution as a result of chemicals and other pollutants flowing in from sewage treatment works and from farms in the form of fertiliser and other pollutants such as insecticides and fungicides used from time to time in the various horticultural and agricultural pursuits. I believe that that is somewhere down the track, and it was the view of the committee that, with appropriate management strategies, agriculture, horticulture and water harvesting from the catchment area of the Mount Lofty Ranges could continue for some time to come.

If we compare the catchment area for the water supply of metropolitan Adelaide with the catchment area for the bulk of metropolitan Melbourne's water supply, we have two totally different scenes. The catchment area in the Dandenongs outside Melbourne is totally undeveloped. Adelaide has exactly the opposite situation, and one has only to fly over the catchment area of the Mount Lofty Ranges in a light aircraft at a low altitude just to see the extent of development-housing, towns, agriculture, horticulture-to realise why we have a water pollution problem. The fact that the quality of water in metropolitan Adelaide is as good as it is now is probably a matter of good management over the years by the water authorities. However, whether that can be maintained over the years and whether that is the best option in the long term is yet to be seen.

As I said, the farm gate value of horticulture and agriculture is about $200 million. One could look at the other alternative of developing that to $400 million or $500 million annually and looking at water harvesting from the Murray River at the prime time of the year, utilising the river to supply metropolitan Adelaide. That is a possibility, because on average something like 5 million megalitres a year passes through South Australia via the Murray River and we utilise only 1.8 million megalitres annually, so there is certainly a large component of water that could be harvested from the Murray River in years to come specifically for use in metropolitan Adelaide.

The problem is that the water that is pumped from the Murray River at present is always pumped at the height of summer, at the lowest flow of the river, and when the Murray River water is at its lowest quality. What we should be doing is harvesting water from July, August, September and October when most of it is flowing through to the sea, when there is little demand on the Murray River and when the quality of water is at its best. That is when we should be harvesting it into holding reservoirs on the eastern side of the Mount Lofty Ranges and ultimately transferring it into the water filtration plants and into metropolitan Adelaide. I believe that is a long-term, viable prospect for the future water supply of metropolitan Adelaide, and at the same time we would dramatically increase the productivity of the Mount Lofty Ranges.

Mr HOLLOWAY secured the adjournment of the debate.

ECONOMIC AND FINANCE COMMITTEE

Mr QUIRKE (Playford): I move:

That the fourth report of the committee (Woods and Forests Department) be noted.

In moving this motion, it gives me great pleasure to bring in this first report as Presiding Member of the committee. I wish to pay credit to all members of the committee, both present and past, who had something to do with the report. The reality is that this report has been ongoing for some time, and it draws to a close an inquiry which started before the establishment of the Economics and Finance Committee and the passage of the legislation that set up that committee at the end of 1991. In fact, as I understand it, the roots of this inquiry started back in the Public Accounts Committee days, and I give due credit to all those members who have been involved in it since that point.

I think that the committee has brought down a balanced and sensible report and has drawn a number of findings to the attention of the House and of the Minister and his department. It is an irony that the person who had a great deal to do with this, the former Presiding Member of this committee, is now the Minister who is responsible for making a presentation to the House determining which of the recommendations the Government will and will not pick up. I wish him well in that endeavour. I know that he is well and truly up to the task, because much of the work that was done on the report was carried out whilst he was in the Chair.

There are basic issues involved in the report. The first deals with highly technical accounting standards, in particular the AAS10 accounting standard which, according to various authorities, was for some years the main way in which growing forest reserves were brought into the accounting ledgers. According to AAS10, the forests were to be treated in a certain manner. In 1986 the department varied that model and proceeded to estimate the growth of timber that had taken place each year, reported accordingly on its balance sheets the value of this increased volume of timber and argued that it was profit.

There are a number of issues associated with that. First and foremost, the AAS10 standard should have been followed by the department from 1986 to 1991. In 1991 the accounting fraternity put the AAS10 standard under the microscope and withdrew that standard. In fact, it was reissued and not recommended for use in forestry accounts management.

The issues that came before the committee were the appropriateness of AAS10, the departure during the years 1986 to 1991 from AAS10 and the way that we need to go in the future. The committee found and recommended that the Woods and Forests Department in South Australia is among the leaders in this area of accounting in Australia. We recommended that it should continue this role and work with the Australian Accounting Research Foundation to develop an appropriate accounting standard for the forests in this country. In fact, we believe that the Woods and Forests Department can play a constructive and useful role in that area.

Another issue that followed from that determination was for the committee to have a close look at the value of timber in place in our forests. We noted that this year there was a write-down of $53 million as a result of the department's coming to the realisation that only 90 per cent of the forests could be harvested. In consequence, the write-down was much more dramatic than had been the case over the past six or seven years, and that has shown up on the balance sheets that we looked at closely.

The committee has made a number of other recommendations. One is associated with the transparency of the various cash flow charts which are presented by the department in its reporting mechanisms. We have recommended that the practice since 1986 of adding to the positive side of revenue flows the growth in the forest, as if it were a realised profit, should cease. We have recommended that the department's balance sheet should clearly show the increase in the volume of timber which is as yet not harvested and that that should be put into the balance sheet in such a way that it is clear it is not a realised profit available for distribution. In consequence, many of the statements made by the department since 1986 have not incorporated a clear understanding of what is realised profit and what is available for distribution.

Other issues which stemmed from this inquiry involved the committee making a recommendation that the valuation model which is used by the department needs to be independently verified. Many of the figures that we had before us stemmed from the valuation model which is used by the department, and the committee was of the opinion that, to be absolutely accurate on this point, an independent evaluation of that model was necessary. The committee made a couple of other findings, and I will read from the Presiding Member's foreword on that point:

The department conducts business in two areas of operations: timber products and forests. The timber products operation has not produced a positive contribution to the overall operations of the department since 1990. The committee recommends that the department review the commercial viability of this segment of its operations.

Further, he states:

As timber product operations have made losses in the last two years, reliance is placed on the forest operations for the

department's overall performance. The reported operating results of the forest operations for the last six years indicate that this segment is viable. Until it is convinced of the accuracy of the valuation model, the committee is not in a position to verify the commercial viability of the department.

I think it is sufficient for me to say that the witnesses who appeared before the committee came willingly and gave as much information as was required. We thanked them for their cooperation. We thanked the Minister, who also attended those hearings, for his help in all these matters and that of his officers. The findings of the committee are interesting and fascinating and in some areas they are quite technical.

The committee fervently believes that the Woods and Forests Department would benefit a great deal from an independent evaluation of its model of valuation for the forests. I think it is sufficient to say that this report represents a number of months of work by a parliamentary committee that has sought to deal with a very difficult issue, and in many respects the department reflects the difficulty of these matters. The departure from the AAS10 accounting standard reflects the difficulties in measuring a growing asset, such as a forest, and at what point it is placed on the balance sheet. I commend the report to the House.

Mr BRINDAL (Hayward): I endorse the words of the Presiding Member and commend other members of the committee who were involved in this report. It was not quick from its inception to its final printing, but the committee is to be commended for that because of the thorough work that was put into it. In that respect, I particularly commend the member for Mount Gambier, who, as much of the area in question is part of his electorate, brought unique knowledge and years of experience to the work of the committee. I echo the words of the Presiding Member and point out the difficulties faced not only by the committee but by the Auditor-General with regard to the model on which the asset value of the timber is calculated.

The Auditor-General indicated that it is difficult to assess the accuracy of the model, which is so specialised that few people in Australia are competent to comment on the model. That was a difficulty for us all, but a difficulty that I believe the committee faced rationally and intelligently. It made concrete suggestions to the Government through this Parliament which I hope the Government will implement. I believe the committee has considered this matter properly and our recommendations contained in the report are worthy of consideration not only by this House but by the appropriate Minister. If the recommendations are implemented, they cannot but result in a Woods and Forests Department which is more profitable and which perhaps will operate more efficiently for the betterment of all the people of South Australia. With those few words, I commend all members of the committee and the report to the House.

Mr HOLLOWAY (Mitchell): I support the motion to note the fourth report of the Economic and Finance Committee. I would like to compliment the Presiding Member and other committee members on the job that has been done. As has been pointed out, central to this inquiry was the application of accounting standards to forestry, which is a particularly complex and difficult area. The matter came before the Economic and Finance Committee because the Woods and Forests Department had breached Australian Accounting Standard AAS10 for five years and, therefore, has been qualified by the Auditor-General in each of those five years.

A qualification by the Auditor-General does not necessarily mean that there has been any impropriety, but it indicates that there has been a substantial departure from accounting standards, as happened in this case, Whether or not a departure from accounting standards is improper is very much a matter for subjective judgment. Under the generally accepted principles of accounting, one of the most common principles is the diversity convention, and I would like to read it as defined by Professor Henderson, who says:

> ...accounting procedures can differ between businesses even if those businesses are similar.

He then goes on to say:

> The wide choice of accounting procedures available to a business has been subject to increasing criticism. In the late 1960s there was widespread criticism of the fact that, for many transactions, accountants were able to choose from a range of accounting methods each of which was equally acceptable and often gave widely different results. As a result, it was argued that there was a lack of inter-firm comparability in financial statements. Largely as a response to these criticisms, the accounting profession embarked on a program to reduce diversity by the preparation and issuing of accounting standards. The diversity convention has been weakened by a widely held professional view that increased uniformity is desirable. Nevertheless, diversity is still sufficiently widespread for it to be regarded as a part of contemporary practice.

Those are the comments of one of the foremost accounting theorists. If we look at what happened in this case, the comments of Professor Henderson illustrate what needs to be done to conform with the committee's recommendations, that is, an accounting standard specifically geared for forestry operations needs to be developed as soon as possible, but it does not necessarily imply that the departure from AAS10 by the department represented any impropriety by that department.

I suppose the fact that AAS10 was modified, as the Presiding Member of the committee pointed out, back in September 1991, indicates that the accounting profession also realised that the standard had problems when it related to forestry assets. That is what is at the heart of this problem: accounting for an asset that is changing in value continually is obviously a difficult matter and, as is also pointed out in the report, the department has considerable expertise in this matter and is generally recognised as a leader in Australia on accounting for forests. However, what the report of the committee makes clear is that in departing from the standard, even if it was justified in doing so, the department should at least have recognised and noted that in its accounts.

In other words, its accounts should have contained proper details and explanations of its departure from the accounting standard. It did not do so, and the committee's report recommends that in future it should provide greater disclosure and clarity in the statements in its balance sheets. Given that these accounting problems were experienced by the department, what is the state of

the department's finances? After all, that is the key question when it comes to looking at financial statements.

We have financial statements so that we can get a true and fair picture of the department's operations. The Economic and Finance Committee found that it was unable to verify the department's commercial viability because of concerns it had about the model for growth that was used by the department. That is not to say that the committee believes that the model is wrong: it is just that the matter is so complex that even the Auditor-General himself was unable to verify it. He had to take the word of the Chief Executive Officer of the department for the model. Because it is so complex, it was not possible for the Auditor-General's officers to obtain such an independent valuation.

One of the key findings of the committee is that independent verification of this model needs to be undertaken. There were two adjustments to the value of forests with this model. One was an upwards adjustment when it was discovered that the department's model had underestimated the growth of trees. The other correction came about when the department discovered that it could not process 100 per cent of all the timber indicated by the model because of the limitations of its harvesting process, that is, the sawmilling activities.

Because of those two corrections it is difficult to assess the true value of the department and, therefore, the financial viability of the department must be in question until that is resolved. It would be unwise to draw from those conclusions undue criticism of the department. We are dealing with a highly complicated and scientific model. The model predicts the size of forests, and forest growth obviously has many variables. As it has been in development for about five years and is constantly under review by the department, it is obvious that there will be some variation with the model. After all, how else does one predict the value of trees in such a huge area of forest, unless one uses a rather complicated model?

In summary, I believe that the committee's recommendations, if put in place, will provide far better accounting for the department. The department needs to take the lead in the development of new accounting standards, and it appears that it has expertise in this area that should be utilised. I hope that over the next few years new accounting standards will be developed so that we can have greater confidence in the department's commercial viability. I support the motion.

The Hon. H. ALLISON (Mount Gambier): Members of the House will probably recall that as long ago as 1985-86 my colleagues and I on this side of the House have been asking Woods and Forests why it departed from the then Australian Accounting Standard 10, which was the accounting system relevant to the department, including its growing trees. It recommended that the increasing value of growing trees, which obviously appreciates at a substantial rate each year if there are large plantations as we have in the South-East of South Australia, should be placed annually in an account separate from the current profit and loss statement and that that separate account should be virtually a trust account showing the value of the trees as they stood in the forest but which did not bring them to account for taxation purposes.

I always regarded Australian Accounting Standard 10 as a very sensible accounting standard at the very least, because there are so many things that can happen to a growing stand of trees. They can be blown down from wind sheer, as very often happens in northern hemisphere pine forests, simply because they are very shallow rooted and are subject to very strong winds. You can see many plantations in Europe and Britain, for example, where this has happened.

In South Australia, following the 1983 bushfires, we had a double impact on the value of the forests. About 20 per cent (one-fifth) of the Woods and Forests holdings were wiped out by fire during that massive conflagration, and the strength of the wind which followed the fire must have been about 140 to 160 kilometres per hour because, at about 15 to 20 feet above ground level, whole plantations of forests were snapped off as if some giant hand had swept across the forests and, with a clean break, had broken them off like match sticks. It was obvious that the breaks had occurred in the aftermath of the fire because the fire itself had been blown out and the parts where the forests were snapped were quite clean and white.

Since 1985-86, the Woods and Forests Department has been placing the growing trees into its profit and loss account, above the line, and really showing for the past 10 years that the department had made substantial profits, when in fact in only two of those 10 years had the joint forestry and milling operations shown a profit, and in the two years it did show profitability it was only for a very modest amount, somewhere between $500 000 and $2 million—really negligible. We have been asking the department why it chose to vary the accounting standard. The cynic in me said it is simply for the Woods and Forests, since the bushfire in 1983, to keep showing profits which just are not there, and therefore to inflate not only the forestry profits but also the Minister's and the Government's ego. That happened year after year.

During the past 12 months there has been another change when the Woods and Forests have moved away from Australian Accounting Standard 10, which has been declared irrelevant to the valuation of growing timber, and currently we have the strange situation where no Australian Accounting Standard is relevant specifically to the growing of trees. I am informed that this pertains not only in Australia but throughout the world.

It is significant that, about two to three years ago, the former Public Accounts Committee had a friendly chat about the relevance of accounting standards with the Australian Accountancy Research Foundation (AARF). We were surprised to learn that its investigations into accounting standards for growing trees were approximately 100 on its list of priorities. We stressed that the matter was far more important, affecting as it could the value of trees and the value of companies on the Stock Exchange, so they brought the accounting standard research for growing timber into its top 10 and, more recently, into its top two or three. It is even more important and relevant now when we realise there is no accounting standard relevant to growing timber.

One of the major recommendations of the Economic and Finance Committee, which has replaced the old Public Accounts Committee, is that the Woods and Forests Department should now cooperate and collaborate

with the AARF and should work very hard to evolve an appropriate and satisfactory accounting standard, one which allows for the fact that the syrex wasp, high winds and bushfires can destroy massive stands of timber simply overnight, and the value of trees standing in a forest are not realised until those trees have been felled, milled and so on. There would be no artificiality of accounting if that happened.

The large company CSR, which took over Softwoods at Mount Gambier in the South-East within the past two years, recognised a change of heart in the accountancy world and there have been moves towards valuing all assets at current market value. They wrote down their total assets in timber and building operations by approximately $200 to $230 million towards the end of the last financial year, in about March 1992, and moved towards current market valuation. I was warmed to the criticism that I have been making of the Woods and Forests Department when I read in a publication entitled *Decisions* (volume 4, No. 1), the February 1992 edition of this publication by the National Bank of Australia, that in Scotland a publication had been issued in 1988 by the Institute of Chartered Accountants of Scotland entitled 'Making Corporate Reports Valuable' where they recommended that current market values should be the methodology used for valuing all assets. The article states:

> The present balance sheet almost defies comprehension. Assets are shown at depreciated historical cost, at amounts representing current revaluations, and at the results of the revaluations of earlier periods (probably also depreciated); that is, there is no consistency whatsoever in valuation practice.
>
> The sum total of the assets, therefore, is meaningless, and combining it with the liabilities to show the entity's financial position does not in practice achieve anything worthwhile.

That statement is really confirmed when one realises that the Woods and Forests have several different valuations. The lowest and the highest valuations that the Woods and Forests Department has obtained for itself—and I will not divulge them in the House because they are confidential—vary by several hundred million dollars. SAFA's valuation of Woods and Forests for sale is about $343 million, and the Woods and Forests Department values itself *in toto* at about $750 million. To have a discrepancy of $400 million or $500 million between one valuation and another really highlights the ridiculous situation that has pertained in the Woods and Forests accounting systems over the past seven or eight years.

Mrs HUTCHISON (Stuart): I will be fairly brief in my comments because I was one of the more recent members of the committee and came into the committee part way through the investigation into the Woods and Forests Department. It seems to me that the major issue which arose out of the investigation of the department was the fact that it was using a highly complex model upon which to base all its valuations in respect of the growing of timber. It was pointed out to the committee that this was happening all over the world: it was not an issue just here in South Australia.

In fact, all the people involved in growing timber were using different types of models. It was also explained that there was a lot of interest in the model being used by the Woods and Forests Department here. In fact, it was being classed as a rather innovative model. However, having spoken to the Auditor-General with regard to this model, it became very clear that, in order to audit it, a lot more time would be required. It would need independent verification, perhaps from some other source. Because the whole valuation of the Woods and Forests Department depends fundamentally on that growing asset of timber, it was very necessary that an audit of the model be arranged, because if there were any flaws in that model then obviously there would be a flaw in the whole of the accounts of the department. The basic premise was that that model had to be audited and had to be seen to be correct in all respects.

The accounting for growing timber was recognised as being a very difficult area by the Accounting Research Foundation. Frequent mention has been made so far by all members who have spoken of Australian Accounting Standard 10 (AAS10), which was being used, and I believe wrongly. It is easy to say that in hindsight, but I believe it was being used wrongly to bring growing timber to account. However, it has now been recognised that it is not relevant and the Accounting Research Foundation is looking at getting another standard which can be used to value growing timber. As was pointed out by the member for Mount Gambier, that was very low on the priority listing of the Accounting Research Foundation. I believe that because of the research that has been done by this committee we should be pushing very strongly for that to be elevated even further up the list and given a much higher priority so that we can get that accounting standard through very quickly. I believe, even so, it will take something like two years for a standard to be set for the asset valuation of growing timber.

I think that the Woods and Forests Department has been quite innovative in trying to set a new standard and to be leaders in the accounting of growing timber. But we have to be very sure that the model being used is correct. The Auditor-General, as has been mentioned, did qualify the accounts of the department for a period of five years. Once it was decided that that accounting standard was not appropriate for growing timber and explanatory notes were added to the accounts the Auditor-General did not qualify the accounts. So, I think this committee has achieved something with regard to making the accounts more readable for people who wish to read and understand them. One of the complaints was that the accounts could not be understood by the ordinary person who would be reading them. I think the members for Mount Gambier, Mitchell and Playford have explained that fairly well.

In summary, in supporting the motion to note the report, I point out that I enjoyed the work on this particular issue, even though I was not a member for the whole of it. I cannot stress too strongly the fact that we must ensure that there is an independent audit of the model being used in order to ensure that the basis of the accounting for the asset of growing timber is a correct one from which to be working.

Mr D.S. BAKER (Victoria): First, I pay tribute to those people who served on the committee. I think they have done a very good job. I pay special tribute to the Hon. T.R. Groom, who was the Presiding Member, because I believe it was he who had some criticism of

the Woods and Forests Department and, in fact, brought this matter before the Economic and Finance Committee. I was interested in the remarks of the member for Mount Gambier, because it was that honourable member and I who first raised woods and forests issues when I first came into this place in 1986. I do not think any reader of *Hansard* would say that both of us were not very persistent critics of what has been happening within the department. We received a lot of criticism from the three Ministers who have been Minister of Woods and Forests since that time, and also from the member for Ross Smith, who, as Premier, said we were trying undermine an organisation in our electorate.

I think it is fair to say—and it cannot be challenged—that, apart from the State Bank, the financial affairs of the Woods and Forests Department constitute the biggest financial scandal in South Australia's history. I repeat that: it is the biggest financial scandal in South Australia's history apart from the State Bank. In fact, on a cash in and cash out basis, the taxpayers of South Australia had to contribute in excess of $70 million last year just to prop up the Woods and Forests Department. That is why it is so important to look very closely at the department to expose what is going on and to ensure that it is run efficiently and profitably and that we cut out the nonsense that has been going on.

It is fair to say that the former Auditor-General, Mr Tom Sheridan, continually brought this before the Minister of the day and the Government since, I think, 1987. That was the first time he highlighted the use of AAS10. I am not sure whether members of the committee who have explained today what AAS10 is and how it will be looked at understand exactly what has been going on in the Woods and Forests Department. There are two sides of any balance sheet: the asset side and the profit and loss side. The profit and loss side of any accounts is the amount of cash that comes into an organisation, bank account or private pocket, balanced against the amount of the cash that goes out. I must say that, not being a trained accountant, I have to look very carefully at balance sheets, but being a business person I understand one thing well: if one is going to run a business profitably, the amount of cash that comes in at the end of the year must be greater than the expenses going out, otherwise one cannot run a business for very long because there is no profit. It is as simple as that; it is a simple equation. One does not have to be smart to understand that. In fact, most people in South Australia would understand it, but it seems to have escaped the present Government for many years.

The Auditor-General has been highlighting the fact that, if one revalues one's forest—which is quite legitimate—and one puts that in one's profit and loss account as cash income, one hides what is really going on. One is hiding the profits and losses of that organisation. It is very simple. Members of the Government have said in the past that that is all right; some private companies have done that. Of course, if that is done those companies have to answer to the shareholders. I have noticed at some shareholders' meetings around Australia and internationally (and it was brought up by the member for Mount Gambier) that shareholders are now saying, 'Hold on, we are not going to allow that to happen because that hides the true accounts of the company on cash in and cash out.' That is why it has been such a scandal in South Australia that the losses in the running of the Woods and Forest Department have been covered by forest revaluation.

One might ask how that has been funded. That in itself is just as big a scandal, because what has happened since 1987 is that those losses have been covered by an injection of capital from SAFA. Every couple of years that injection of capital has been transferred from capital to equity so that SAFA has been taking up shares in the Woods and Forests Department. I do not know whether many members of the public understand that, because of that, the department is now totally owned by the South Australian Government Financing Authority. It is one of the State's greatest assets. In fact, according to the department's own valuation—if it can be taken as factual—it has $350 million in total assets. However, that asset is no longer owned by the Woods and Forests Department: it is totally owned by SAFA as a result of the accounting methods used over the past seven or eight years.

That has led to a false belief by taxpayers that a profit has been coming out of the Woods and Forests Department and going into the Treasury of South Australia when exactly the opposite has been happening. In the financing of any public authority, if you want to show a true reflection of how that authority is operating you have to make sure that the profit and loss accounts show only the cash in and cash out items less, if you like, depreciation—many Government accounts do not show depreciation, which is the provision for replacement at some future date. If that happens we have a public authority that is truly accountable. The attack by the Economic and Finance Committee on AAS10 is a small beginning in the process of making public authorities more accountable.

The State has lost one of its major assets. The Woods and Forests Department has been made into a liability for the taxpayers of South Australia because it is now owned by the South Australian Government Financing Authority which has allowed the department to present false cash accounts to the public of South Australia. The department has been allowed to become involved in operations such as Scrimber, which was a financial disaster; the South Australian Timber Corporation, which by any standards is a non-profit organisation that has cost the taxpayers; and that infamous New Zealand timber venture in Greymouth where $21 million went down the gurgler when the department bought that venture in New Zealand without even having audited accounts. No-confidence motions based on those investments were moved in this Parliament.

All of that was able to be hidden because the Government and the Minister of the day were able to say to this House that the Woods and Forests Department was operating profitably when, in fact, cash from the taxpayer's pocket was being poured into the department every year and SAFA was propping it up by lending it money and then converting it from loans into shares. That is a tragedy for South Australia. I commend the member for Hartley (Hon. Terry Groom), who has been vociferous about this matter, and I commend the Economic and Finance Committee for beginning the

process of making one Government enterprise accountable.

Mr INGERSON (Deputy Leader of the Opposition): Iwas involved at the beginning of this committee when it first looked at this issue. As the member for Victoria rightly put it, the committee's major concern involved the problem of unrealisable assets, in other words, growing timber being recognised as part of the profit line. As a small businessman, it was one of the first issues that hit me in terms of this department. I was staggered to see that a Government department would take an asset and transfer it straight to its profit line, creating what was obviously an unrealistic profit.

I congratulate the committee. Unfortunately, I left the committee in its early stages, just when I was starting to enjoy it. It is one of the better committees on which I have served in this Parliament. It had some very good members at that stage, and I notice now that two of us have left the committee. However, I congratulate the committee on an excellent report. As the member for Victoria rightly points out, I think we will see some new standards not only in the Woods and Forests Department but in other areas where assets are sometimes mistreated. I am not reflecting in any way on the department in terms of mistreatment of assets, but clearly the Auditor-General was concerned about the way in which unrealisable assets were being shown as profit.

Nothing could more accurately highlight the position than the entry on page 7 of the report which states that of the $152 million of operating revenue some $66 million is, in essence, revaluation revenue. So, 43.45 per cent of recognised revenue consisted of growing trees. As a pharmacist, I would like to see the asset value of the stock in my pharmacy increase by that sort of margin every year, but I would not like it to be recognised as revenue, because not only would I go broke but ever other pharmacist in the country would go broke because we would not be able to meet the taxation problems that would emanate from that sort of accounting method. So, it is good to see that the Economic and Finance Committee has come down very strongly on that issue.

Another important point about this report is that it was nearly two years after the Auditor-General first brought this issue to the attention of the Parliament that the Government took up the matter and through the Economic and Finance Committee investigated the whole issue. I hope there is a message for the Parliament in that exercise. The briefing that the committee received from the Auditor-General was very open but very much to the point when he said that one of his roles was not only to check the books but to give advice, albeit in a backhanded sort of way, that would enable this Government, or any Government for that matter, to reorganise its accounting methods so that its accounts reflected a much truer position in terms of profit lost and asset value. I support the report.

Mr QUIRKE (Playford): I thank all members who have taken part in this debate for their kind comments about the committee's labour. A number of people should be publicly thanked on the record. I refer to the staff of the Economic and Finance Committee who laboured extremely hard on unearthing much of the material that has been included in what I believe is a very successful report. It will be interesting to see the response from the Minister during the statutory time that is available for the Minister to respond on behalf of the department to the committee and, six days after that, to the Parliament. It will be extremely interesting because the Minister was involved in all the issues raised in the report, as he was part of the whole process of determination. I say in closing that the committee laboured extremely hard on this, and I believe it has been successful in its labours and has produced a report of which it can feel proud. I thank all who were involved in that process.

Motion carried.

SELECT COMMITTEE ON BUSHFIRE PROTECTION AND SUPPRESSION MEASURES

Mr HAMILTON (Albert Park): On your behalf, Mr Acting Speaker, I move:

That the time for bringing up the report of the committee be extended until Wednesday 10 February 1993.

Motion carried.

SELECT COMMITTEE ON THE LAW AND PRACTICE RELATING TO DEATH AND DYING

Adjourned debate on motion of Hon. D.J. Hopgood:

That the report be noted.

(Continued from 19 November. Page 1562.)

Mr ATKINSON (Spence):

The days of our age are three score years and ten;
And though men be so strong that they come to fourscore years;
Yet is their strength then but labour and sorrow;
So soon passeth it away and we are gone.

I quote, Sir, from the Psalms and in particular from that part of Psalm 90 that is used in the Order for the Burial of the Dead in the Book of Common Prayer. After reading and hearing the evidence presented to the Select Committee on the Law and Practice Relating to Death and Dying over the past two years, I can assert that the psalmist was right. Little can usefully be added to his inspired words. It is true that life expectancy continues to rise, but many elderly people are now merely rescued from death and interred among the living. The survivors gain more years for their malady to advance and more time in which to develop degenerative diseases. Our parents' and grandparents' generation succeeded in eliminating as fatal diseases the then commonly fatal influenza, tuberculosis and pneumonia, the old man's friend. Now we are left to die of the diseases of last resort, the chronic diseases of ageing. Cancer is the most important of these and it now takes one in four South Australians.

It is the widespread fear of dying painfully and slowly and of having one's final extremity prolonged by intrusive medical technology that prompted Parliament to form the Select Committee on the Law and Practice Relating to Death and Dying. It is the same fear that swells the ranks of the Voluntary Euthanasia Society. I have been fortunate to serve on this committee. As a new

MP, I am grateful for the friendship and advice with which I was blessed during the committee's deliberations by the members for Coles, Elizabeth and Baudin. I would also like to thank the member for Whyalla for his advice, conversation, files and books.

The allegation made when the committee was formed that the member for Coles was to use it as a vehicle to legalise mercy killing proved to be false. The member for Coles' argument against active voluntary euthanasia was so compelling that it ought to be printed, framed and displayed on the desk of her Right to Life Australia critic, Mrs Margaret Tighe. Alas, this would give neither the member for Coles nor Mrs Tighe any pleasure, but it would be apt.

However, before I dwell further on the benefits and pleasures of serving on this model select committee, I should state those points on which I dissent from the report and the Bill. First, the evidence left me with the impression that the common law worked tolerably well in relation to death and dying. Hard cases there were. Some of the more disturbing cases are described in the Victorian Parliamentary Report, *Inquiry into Options for Dying with Dignity*. Hard cases, though, make bad law. The common law is the distillation of centuries of experience and its flexibility enables courts to avoid silly results.

Under the common law, patients may refuse treatment. In my opinion, it is not the common law that needs changing so much as the public's understanding of its rights under it. Medical practitioners will welcome the partial immunity from homicide charges that the committee Bill gives them, but why legislate for an immunity when there is no case in South Australia of a doctor being so prosecuted? Medical practitioners could pay a heavy price for the partial homicide immunity in the American style civil actions that may follow the draft Bill's creation, under clause 10, of a statutory duty on doctors to explain to patients and their agents the nature and consequences of proposed treatment and any alternative procedures. Such breach of statutory duty actions could supersede negligence claims.

I suppose human nature is such that, having sat for two years, a select committee could not face the parliament without a draft Bill. It would have been like a hen sitting on the nest all morning without producing an egg. Members will, I hope, forgive me if, like the curate, I remark of this egg that parts of it are excellent. Secondly, the final report states at page 5 that the prohibition against assisted suicide under the Criminal Law Consolidation Act remains and that nothing in the draft Bill reduces the force of the prohibition. Why then do my comrades on the committee object to a preamble or savings clause in the Bill to preserve the prohibition on assisted suicide and, indeed, the law of homicide generally? This would do much to allay church and Right to Life fears about the Bill.

Thirdly, the medical power of attorney that will allow an agent to make decisions during the legal incapacity of the patient appears to be an excellent innovation. My worry is that the procedure for creating it is less rigorous than for creating an enduring power of attorney over property. If medical powers of attorney become controversial in a particular instance, the simplicity of creating them may be their biggest vice. They could resemble competing wills. There is no provision for registering a medical power of attorney in the Bill. I would have preferred the existing framework of enduring powers of attorney to be used for medical powers of attorney. Of course, I could be wrong on this point; time will tell. Like the living will under the Natural Death Act, medical powers of attorney will, I predict, be used by only a tiny fraction of the public.

Fourthly—and this is the least of my differences with the report—its sections on palliative care insist on Government funding in ways that can be achieved only by a State budget. It seems to me that it is wishful thinking for a select committee report to insist on funding for particular purposes and at particular levels. Funding will always be a Cabinet decision. How can a select committee order the State's priorities when it has only one topic before it? I realise I will not be popular for pointing this out, and I should add that the then Deputy Premier and Minister of Health chaired the committee, and who am 1, a new backbencher, to take the point when he did not? The committee is, of course, quite correct in pointing out to the parliament the vastly increased demand for palliative care that will soon be upon us. It is up to Cabinet and the parliament to respond as they deem fit.

Fifthly, I understand what the committee is trying to do by suggesting that 'not for resuscitation' orders be decoded, renamed 'good palliative care' orders and written only after consultation with the patient, the family and the ward staff. It seems to me, however, that the new name, 'good palliative care order', is itself a euphemistic code. I agree with the report's rejection of active voluntary euthanasia. Legalised active euthanasia would mean that patients who were terminally ill could, at their request, be given a lethal injection or a lethal dose of pills. I should note that a patient is free to administer these to himself, because suicide is no longer a criminal offence. The Voluntary Euthanasia Society argued that there was no difference between mercy killing of this kind and matters the committee condoned, such as allowing a patient to die by withdrawing futile or burdensome treatment or by alleviating the pain of a terminal illness with large doses of opioids, such as morphine, that could hasten death. I refer the House to clause 12 of the Bill.

I believe that there is a difference between the two categories. The difference is that in the first there is an intention to kill and in the second there is not. A person's intention in doing something has always been important in our moral law. Long may it remain so. The so-called right to active voluntary euthanasia would cast a duty on other people to do the killing. The distinction between active and passive euthanasia and the different legal treatment of them have my support. I also agree with the Bill's forbidding a medical agent to refuse the provision of food and water to a patient. I refer the House to clause 6(3)(b) of the Bill. As the report states:

> A patient may refuse such care (food and water) for any reason, including a desire to hasten death. Such a refusal (especially if sustained to the point of dehydration and/or starvation) requires a level of self-determination which the committee believes can only be exercised by individuals acting consciously, in all circumstances, on their own behalf.

I do not want hospital wards set aside for starving or dehydrating unconscious patients to the point of death. I should add that I regard naso-gastric tubes as a by now normal and accepted way of providing food and water, and I do not believe that anyone but the patient ought to have the authority to remove them. On the whole, I endorse the select committee's arguments in favour of patient autonomy and I look forward to debate on the Bill.

Motion carried.

SELECT COMMITTEE ON PRIMARY AND SECONDARY EDUCATION

Mr ATKINSON (Spence): I move:

That the time for bringing up the committee's report be extended until Wednesday 10 February 1993.

Motion carried.

SELECT COMMITTEE ON RURAL FINANCE

Adjourned debate on motion of Mr Ferguson:

That the report be noted.

(Continued from 19 November. Page 1565.)

Mr MEIER (Goyder): I am pleased to have the opportunity to note the report of the Select Committee on Rural Finance. I compliment the members who served on that committee from the outset, particularly the member for Eyre for taking the initiative to set up the committee in the first instance, and I thank the House for its concurrence in that respect.

It was just over two years ago, when I was serving as shadow Minister of Agriculture, that the rural recession really hit. I well remember the number of people whom I had to see or listen to in relation to the problems they were experiencing. The number of times, particularly over the phone, when people burst into tears were too often to count. At the time it often went through my mind whether 1, as the shadow Minister, was spending sufficient time on the general areas that my portfolio encompassed or whether I was simply another rural adviser or social worker. There is no doubt that to a large extent I was doing social work, but it was much needed work.

I found out then only too clearly that rural people needed help. They had not had the assistance that was needed in the build-up to the crisis. Despite countless warnings by various people that we were heading for a rural crisis, Governments and people generally seemed to ignore those warnings. One of the most ironic statements came from the then Prime Minister. After some months of the rural recession, and I could see that it was going to get worse before it would get better, the then Prime Minister, the Rt. Hon. R.J. Hawke, stated that we had turned the comer and were about to come out of the recession. I knew that the rural sector was going to lead us out, if anyone was, and I knew that was one of the last things on the agenda at that stage.

The reasons for the rural collapse were many, and they have been stated by other speakers on both sides of the House. I particularly note the collapse of most commodity prices at that stage. Sheep that had been valued in excess of $20 a head could not even attract 20c a head. I remember seeing one of the very first pits that was dug in the South-East to accommodate thousands of sheep that could not be disposed of. I remember going to a tallow factory. I had learnt about the early recession in Australia's history in the 1800s when the only value for sheep was tallow, yet we repeated it in the 1990s.

Another contributing factor was the sky-rocketing interest rates. It hit not only the farming sector but the whole of the economy. Probably it was one of the key reasons why the present Prime Minister stated that we are in the recession that we had to have. As all members will appreciate, we did not have to have the recession that we are in. It was the astronomical interest rates that got so many people into trouble and the economy could not sustain it at a time when the economy, if the experts had been able to see far enough ahead, was starting to slow anyway without the interest rates being jacked up. It must be a continual embarrassment to the Federal Government to realise that it caused the recession that we are now in.

It is ironic to think back only a few months when in Britain the Major Government sought to curb its economic activity by jumping the interest rate by 4 per cent overnight. It had to go back on that quick smart. Since then, it has decreased the interest rate because it, too, realises that unnecessary interference in that area can cause undue and in many cases unknown hardship. It is the unknown hardship which particularly affects the rural sector and which forms part of the observations of the committee that looked at rural finance.

Debate adjourned.

BRIGHTON KINDERGARTEN

Mr MATTHEW (Bright): I move:

That this House instructs the Minister of Education, Employment and Training not to approve the recommendation by the Western Region Children's Service Office to close the Brighton Kindergarten.

It is with some irony that this motion is being debated on the same day that the Minister of Education, Employment and Training, in response to a Dorothy Dix question asked earlier today, made the outrageous allegation in this place that the Liberal Party in government would slash teacher numbers and close schools. The facts are that schools and kindergartens are being closed by this Government now.

At this juncture it is appropriate to reflect on a statement extracted from the 1985 ALP policy speech which, in part, stated that teacher numbers will be maintained. Indeed, the facts show that this has not happened. Since 1985, far from maintaining teacher numbers, this Government has reduced teacher numbers by 1 200. Locked into that has been the fate of a number of educational institutions, including the Brighton Pre-School Centre, also known as the Brighton Kindergarten, which is the subject of this motion.

Mr Brindal interjecting:

Mr MATTHEW: As my colleague the member for Hayward points out, this has become something of a local scandal, because the fate of this kindergarten was determined by the so-called western development plan.

This plan was developed by the Western Region of the Children's Services Office under the guise of a reorganisation of resources, with a focus on quality early childhood services. In fact, what has happened has been far from that, because this group has had an overriding objective of selling off preschools, and I would argue that selling off preschools was a prime objective of finding cash for our cash strapped Government.

Draft proposals were finally released and they spelt out the fate of preschools in my electorate. The draft proposals lumped preschools in my electorate into one of a number of clusters, cluster five. Under the cluster five proposal the recommendation is that Brighton Preschool is to be closed. The recommendation for Dover Preschool was to establish long day and occasional care, and I at least appreciate that. The recommendation for Seacliff and Marino Preschools was to amalgamate them on a site yet to be determined. That site has now been determined as Seacliff, with Marino Preschool to close. We have yet another preschool closure, and there is now some conjecture that Seacliff itself may also close and have to use the Seacliff Primary School facilities. That will be the subject of debate at a later time.

The fact remains that Brighton Preschool Centre is to close, and it is closing after a so-called process of consultation that preceded these decisions, but it demonstrated itself to be nothing other than a sham. At this juncture it would be appropriate to reflect briefly on the history of Brighton Preschool. That history is clearly put down in the book, which relates to the history of Brighton and which was released earlier this year, *Vanishing Sands,* written by Averil Holt, a noted local resident and historian. It states in part:

...during World War 2, a number of mothers went into the work force thereby creating a demand for child-care. Inasmuch Nursery was opened by the Brighton Branch of the Common Cause Movement on 1 December 1943 in the Brighton Baptist Church Hall. In charge was Mrs Ferguson, who was a trained sister. The volunteer helpers almost equalled the number of children. The nursery was also for tired mothers who could leave their little ones for a brief hour or two. At the end of the war it became the Brighton Community Kindergarten, affiliated to the Kindergarten Union, with Mrs A. Gooden in charge. There was an increase in demand for its services but the accommodation was inadequate. After a public meeting on 20 September 1946, the Brighton Preschool Centre was formed and the original union affiliation transferred to the new body. Land on the comer of Ton Avenue and Brighton Road was bought and Mr and Mrs Sydney Crawford arranged for the purchase and transport of an old army hut measuring 60ft by 20ft from Sandy Creek POW Military Camp. It was re-erected and made useable by voluntary labour. The centre was opened on 8 February 1947 under its first Director, Miss Joan Barnes. The corrugated iron hut is still in use today.

This kindergarten facility was developed by the community for the community, using community labour, on a site acquired by the community, and now the Government seeks to dispose of it through nothing other than a cynical measure to raise revenue to bolster its ailing coffers. I find that repugnant and unacceptable, because that site was established by the community. It is interesting to look at how the debate has centred after the decision by the Children's Services Office.

The current Minister of Education, Employment and Training had the gall to announce via the *Guardian Messenger* of 4 November 1992 the closure of the kindergarten. Headed 'Children's safety a concern: Lenehan', the paper stated:

The safety of children attending Brighton Preschool Centre was a priority in the decision to close the kindy, said Children's Services Minister, Susan Lenehan. Ms Lenehan said the kindy on the comer of Brighton Road and Torr Avenue was in a dangerous location, close to fast flowing traffic on Brighton Road. It also had parking problems as it was in a cul-de-sac by a railway line.

The Minister was further quoted as saying:

...the closure was 'voluntary' and in line with recommendations from the western development plan.

In fact, the Minister is wrong, wrong and wrong again on three occasions. I can illustrate that best by referring to the letter dated 9 November 1992 sent to the Minister by Mrs Jean Hill, President, Brighton Preschool Management Committee. The President says:

Dear Mrs Lenehan,

On behalf of the Brighton Preschool Centre Management Committee, I wish to respond to the article 'Children's safety a concern: Lenehan' published in the *Guardian Messenger,* dated 4 November 1992. I feel that you have been misinformed regarding a number of points raised in this article, and therefore feel that the record needs to be set straight.

The article states that the number of children attending Brighton Preschool Centre 'had dropped to less than 30 a session'. The true facts are that during this term we had 36 children attending four sessions a week, and another three children attending part time. The numbers enrolled this year have not been lower than 35 children. We are operating at full capacity for a half day centre. In the afternoons we operate a self-funded child-care program which caters for approximately 20 children.

Parents of the children using the centre are concerned at the emphasis placed on safety in the *Messenger* article. It is true that the centre is located on Brighton Road but we have adequate fencing and an excellent safety record. We are not located in a cul-de-sac and parking problems are no more severe than at many other kindergartens. If children's safety was a concern for parents they would not enrol at our centre, and this is obviously not the case.

In our discussions with CSO we have been led to believe that closure is necessary because of the number of half day centres in close proximity to one another and because of the limited development potential of the site. Other centres are said to be better located—away from main roads and close to parks. Our building may be old but it is not 'run down' as stated in the article. CSO in the last five years have invested quite a considerable amount of money upgrading the building to bring it in line with modem standards, and the committee has recently renovated the play area. We therefore cannot see any major work being needed for a number of years.

The parents at Brighton Preschool Centre are happy with every aspect of the high quality programs offered at the centre, and could not ask for a better environment for their children to begin their formal education. We would never 'volunteer' to close. As a result of the recommendations of the western development plan parents had become concerned about enrolling their children at the centre as no guarantees could be given that they would be able to attend for a 12 month period. We therefore felt we needed to decide on a closing date now so that

our children and their parents would have time to be gradually integrated into other centres. Consequently we voted to close at the end of term one 1993, in the best interests of the children.

Our parents have had some difficulty coming to terms with the fact that the centre is to close, and they find the misrepresentation of the facts to be upsetting in what is already a stressful experience. It is for this reason we felt it necessary to present directly to you, the Minister, the facts.

That is a most disturbing letter, because it points out in no uncertain terms that the Minister has been wrong, and wrong on three occasions. The Minister has been presenting facts in her words to the public that have been demonstrated to be not so and, as a consequence, through the usual Government program of rumour and innuendo there has been an attempt to close down the centre.

I wish to close my remarks by putting down one more objectional fact on the record. The Brighton Kindergarten has successfully run a self-funded child-care centre. I was absolutely appalled to witness a Children's Services Office staff member say to representatives of the Brighton Preschool Committee that their child-care facility was too elitist, was not one generally run by the Children's Services Office and had no funding, and that they do not care if it closed. That is quite objectionable.

We had a self-funded facility that was not costing the taxpayer, one that was filled to capacity and one that had a waiting list, and a staff member of that office claims that it is elitist. That is objectionable and I would hope that no member of this Parliament would support such a statement coming from a Government employee. It is ludicrous to close this centre. The demographic situation of the area indicates that it would be well used and well used for a period of time. The facility was established by the community for the community, and I contend that this Government has no right to close it. I commend the motion to the House.

Mrs HUTCHISON secured the adjournment of the debate.

PUBLIC SECTOR

Mr HOLLOWAY (Mitchell): I move:

That this House notes the Government's decision to request the State Bank, SGIC and other statutory authorities to more fully disclose details of salary packages in excess of $100 000 in their annual reports and calls on the Federal Government to consider amending Schedule 5 of the Corporations Law to ensure that a more complete disclosure of remuneration is included in the financial reports of Australian companies.

Members would be aware that in recent times a considerable amount of publicity has been given to the salaries of State Bank executives following the Economic and Finance Committee's investigation into that matter. I am sure members would also be aware of the Treasurer's statement to this House on 10 November setting out details concerning the salaries of State Bank executives, This motion seeks to extend the measures announced in the Treasurer's statement to the private sector. In other words, it will require the high level of disclosure of executives' salaries now required of Government statutory authorities to be extended to the private sector. I certainly hope that all members will support the motion.

In looking at the question of State Bank executive salaries, we can see why the Government has acted as it has and why we need to extend this measure to cover all companies. In the most recent annual report of the State Bank, under note 30 of the accounts at page 53, it was declared at the end of the 1991-92 financial year that 41 executives in the State Bank were earning more than $100 000.

As we now know from the Treasurer's statement to this House on 10 November, in fact 95 employees of the State Bank at that time were earning a total remuneration in excess of $100 000. Why could the actual number be more than double the number in the annual report? The Treasurer pointed out why in his statement to the House. The State Bank had complied with the requirements of company law in preparing its annual report. That was attested to by the auditors, and that is made clear in the Treasurer's statement. Even though the State Bank does not have to comply with the requirements of company law, nevertheless it is clear from the statement that the bank in fact did so, Why, therefore, the difference?

Under schedule 5 of the company law regulations, the provisions for the remuneration of the executive officers in the financial statements are set out. Basically there were three reasons why the number differed from the stated number of executives earning greater than $100 000. The first reason was the definition of 'executive' excluded those executives who were working either full time or for a considerable amount of the time outside Australia. In other words, the definition of 'executive' applied only to executives working in Australia. The second reason involved the company law definition of 'executive', being 'a person by whatever name called, and whether or not a director of the body or entity, who is concerned or takes part in the management of the body or entity'. That has been interpreted by the State Bank in such a way as not to classify as an executive anyone below chief manager status.

The third reason why there was a difference was that the definition of 'remuneration' in the company law specifically excludes superannuation, so clearly there were some officers in the bank whose total remuneration, including superannuation, would be over $100 000, whereas if it were not included their salary would be less than $100 000, and thus they would not have to be included in the annual report.

So, it appears as if the statistics are consistent. Nevertheless, in a situation where there are 95 people working for a bank with remuneration broadly defined in excess of $100 000, compared with only 41 declared in the balance sheet because of the more narrow definition, we must ask the question whether that really provides a full and proper disclosure of the actual affairs of the company. Obviously it does not. Obviously the Treasurer did not think so, and that is why he quite properly issued the direction to the bank and all other statutory authorities of the Government that they should clean up their act and broaden that definition so that we can get a true and proper picture of the number of people earning large salaries within organisations.

As I said at the outset, this motion seeks to extend that requirement to the private sector. Why should we do this?

First, full disclosure in accounts is an essential element of accountability, not just for the public sector but for the private sector as well. Earlier today we have had a discussion about accounting standards and disclosure in relation to the Woods and Forests Department and an earlier report of the Economic and Finance Committee. Many members opposite drew attention to the fact that they believed that the Woods and Forests Department had not been fully disclosing the true situation. So, the State Bank has made it clear that we really need a more comprehensive definition of 'executive salaries'. Whilst full disclosure is essential in our company law, we can get that only if our regulations cannot be avoided by companies to put a veil over the true picture of their operations.

It is important that executive salaries in particular should be fully disclosed within financial statements because executives are in a very privileged position within the corporate sector. To a large extent they are in a position to set their own salaries. Because of their special position at senior levels of the company, even if a board of the company is required to approve salaries, the executives can have a large say in determining what their salaries should be. It therefore follows that there should be particular scrutiny of the salaries that are set.

I saw in this morning's *Advertiser* strong evidence as to why we need such scrutiny. In an article, Senator Cook provides some figures about what has happened to the remuneration of senior management in recent years. The article states:

> Senior management remuneration rose by 5 per cent in the year to the September quarter 1992, while average weekly earnings grew a modest 3.1 per cent to August ... was Annual inflation to the September quarter was just .8 per cent ... Base salary earnings for senior management had grown by 135 per cent since March 1983, while average weekly earnings had grown by only 75.2 per cent. 'Chief executives of companies ... have an obligation to Australia to set an example,' he said.

I certainly support that. One of the ways in which we can apply some discipline to executives in companies is to ensure that the true position of executive salaries is disclosed in financial statements. Obviously, if the State Bank is complying with company laws and yet only disclosing less than half the number of people earning a particular salary, a large number of companies in the private sector would be doing likewise. Therefore, it is important that the law is changed so that all companies in our community comply with that standard. It is also important that there be some constraint on those salaries, some public exposure of them, because there is a flow-on effect of such salaries to the public sector. Obviously, if executive salaries are rising more rapidly than other salaries in the private sector, that can easily flow on to the public sector.

Finally, it is important that we have informed shareholders. Only a handful of shareholders in a company may fully appreciate balance sheets, but it is those shareholders who are the true watchdogs of our corporate system. It is they who will act as the effective deterrent for any wrongdoing by companies. It is their decision to buy or sell shares on the basis of how they interpret the balance sheets that will determine the share price and therefore the standing of a company. However, they can perform their very important role acting as corporate watchdogs only if they are given access to true and fair accounts, and that means full and proper disclosure. I hope that members opposite will support this motion and, as a result, we will be able to get the Federal Government to accept its obligation to change the laws relating to corporations so that we can have proper disclosure of all executive salaries for all companies in Australia.

Mr S.G. EVANS secured the adjournment of the debate.

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

PRESS GALLERY

The Hon. JENNIFER CASHMORE (Coles): I move:

That, recognising the power and influence of the media, this House—

(a) supports the principle that journalists who report parliamentary proceedings are an integral part of the democratic process; and

(b) requests the Standing Orders Committee to consider establishing a formal procedure for accreditation of journalists and to consider whether those holding permanent passes as press, radio or television journalists, accredited by the Speaker to cover the proceedings of parliament, should be required to complete returns for a register of interests in a similar form to that prescribed for members of parliament, such register to be held by the Clerk of the House for inspection by members of parliament only and not by any other person.

As far as I am aware this motion is unprecedented in Australian politics. It recognises the integral role of the parliamentary press gallery in the democratic process. As all of us can plainly see, the press gallery is a physical feature of the Parliament. It is as much a part of the Parliament as the *Hansard,* Strangers' and Speaker's Galleries. Its presence denotes the value and importance that a democratically elected Parliament places on accurate, frequent and fair communication of its decisions to the public. Without that opportunity—and I see some of my colleagues looking disconcerted, shall we say—no Parliament can be said to be operating effectively. The rights of the people are not preserved unless the populace is fully aware of what is happening in the Parliament.

Nevertheless, we must acknowledge that the *Hansard* report of the debates for one week comprise approximately 140 pages. The reports of those debates, which find their way into the media, may comprise a total of half an hour at most in terms of radio and television news, and a varying number of column centimetres. Thus, the power given to those who select what is to be reported and what is not to be reported is immense. That power has grown considerably with the monopoly of the media in Australia. We now have a situation where those who report Parliament potentially have the power to make and break Governments and to exert a lasting influence on the political attitudes of the population.

That power, of course, should, in my opinion, be balanced with corresponding obligations. This Parliament recognised obligations for members of Parliament when

in 1983 it enacted the Members of Parliament (Register of Interests) Act to require members to disclose on a public register their pecuniary interests, whether or not those interests might be said to affect them in the conduct and performance of their duties as members of Parliament. We are required to disclose any source of income other than our parliamentary salary, our assets, liabilities and any financial benefit that we receive. That register is a public document.

I freely acknowledge, Mr Acting Speaker, that when that legislation was introduced, whilst I indicated my full support for the principle of disclosure of members' interests, I strongly opposed the inclusion of members' families on the register and I also opposed making the register public. I believed that that placed members in a potentially vulnerable situation and it was not fair to their families. I am quite willing to acknowledge now that I was wrong, that I have re-thought the position and, with the benefit of about 10 years' hindsight, I can see that the requirement to identify one's personal interests brings with it an inclination at the very least, or a willingness, to identify where those personal interests may overlap, interweave or at any stage conflict with the public interest. I think that most members of the House would recognise that we are now more focused on the public interest as a result of being required to declare our private interests.

I suggest that journalists who exercise this considerable power that I have described should also have similar obligations placed upon them. I do not say identical obligations, because I do not think it is fair that journalists, who are not elected representatives of the people, should be subjected to the same public disclosure as members of Parliament. However, I do say that the obligation of the disclosure which binds members of Parliament should also bind journalists who report the proceedings of Parliament. Why do I say that? Let me give examples. If, for example, a planning Bill were before this Parliament and the debates were being reported in a particular manner, with a particular bias by a particular journalist, at this moment no-one in the Parliament would have any notion whether or not that journalist had any source of income other than his or her salary from the proprietor of the newspaper.

The Hon. Frank Blevins: Is that what this is about? Everyone is wondering what this is about.

The Hon. JENNIFER CASHMORE: I am using a hypothetical example and I want to stress that. If, indeed, a journalist has a brief from, let us say, a public relations agent and is receiving a fee, then the source of the that fee—not the amount—should be known. Members should know that a journalist has a pecuniary interest in any piece of legislation or the outcome of any piece of legislation that is being reported.

The Hon, Frank Blevins: What about the journalist's family?

The Hon. JENNIFER CASHMORE: I think that is a matter that should be considered by the Standing Orders Committee. That is why I am suggesting referral to the Standing Orders Committee. This proposal is entirely consistent with the code of ethics of the Australian Journalists Association. Clause 4 of the AJA code of ethics states:

> They [the journalists] shall not allow personal interests to influence them in their professional duties.

Clause 5 states:

> They shall not allow their professional duties to be influenced by any consideration, gift or advantage offered, and where appropriate shall disclose any such offer.

Clause 6 states:

> They shall not allow advertising or commercial considerations to influence them in their professional duties.

I see that as entirely consistent with the motion and I think anyone with a sense of fairness or justice would acknowledge the. consistency between the code of ethics and the spirit of the motion. As I mentioned earlier, the proposition would respect the privacy of journalists by ensuring that the register is not available to anyone other than MPs.

It would require disclosure of membership of a political Party if it were consistent with the Members of Parliament (Register of Interests) Act—not that our Act requires us to disclose our political affiliation, because that is obvious anyway, but it does require us to disclose our membership of incorporated associations. Political Parties come into that category; therefore, a political affiliation would be caught up in that net. I am not aware that any member of this or indeed any other press gallery, as far as I know, has been a member of a political Party. I think that would be an entirely unprofessional attitude for any working journalist covering Parliament to take. We are not saying that journalists cannot belong to a political Party, it is just that members of Parliament are entitled to know, if a journalist is covering parliamentary proceedings, that that journalist has a certain political bias.

The purposes of this motion could be achieved in other ways. A select committee could be established to investigate the merits of accreditation and the cost of implementing the maintenance of a register of interest. On the other hand, Parliament could legislate by way of a private member's Bill for this requirement. Alternatively, one could move amendments to legislation that the Attorney-General has foreshadowed which would require disclosure of a pecuniary interest by senior public servants who also wield extraordinary political power in the decisions they make and the advice they give to Ministers and the Government. Nevertheless, I have chosen this particular method because I think it brings the whole subject into consideration by the Standing Orders Committee of the House, and that seems to me, in the first instance at least, to be a practical, sensible and fair thing to do.

I conclude by saying that in no other State or even in Canberra is there provision for a declaration of a journalist's interest. The provision for accreditation varies from State to State in Australia. For example, in Queensland a press pass is issued; in Tasmania the President of the press gallery nominated by colleagues ensures that journalists are accredited to media organisations; and in Canberra the press gallery committee determines who is accredited.

The practice would be consistent with the practice followed in the House of Commons since 1985 when a select committee of the Commons, after sitting for three years, recommended that members of the press gallery should disclose their interests and that the register should

be kept in the Parliamentary Library but not be available to anyone other than a member of Parliament. The debate on that motion in the Commons is very interesting. The select committee found that unexpected use was being made of the privileged access to Parliament by some journalists who held passes to the Palace of Westminster. Allegations were made that those with access to the building were providing a paid service to people who were other than their stated employers. That is why the committee recommended that, for example, journalists should register other interests. That statement was made by Sir Geoffrey Johnson-Smith and is found on page 230 of *Hansard* of 17 December 1985. Sir Geoffrey went on to say:

Curiously enough, and I do not wish to offend the powerful fourth estate as many of them are friends of mine...

I can say the same. Perhaps 'acquaintances' would be a better word. I do not think I have a warm friendship with any member of the parliamentary press gallery. My closest relationship with a journalist is one of marriage and my husband is retired, so there is no possible conflict of interest. Sir Geoffrey went on to say:

To date, it has been only the representatives of the lobby and the gallery, those journalists who are demanding that a member's register should be extended, who have objected to being asked to register the gainful uses to which they put their privileged access to the House.

I had a little feeling of sympathy with Sir Geoffrey when I read in last week's *Advertiser* report of my motion that a representative of the journalists' union described this proposal as undemocratic—I fail to see where it fits that description—and would be strongly opposed. I commend the motion to the House. I believe it is worth investigation. I think that, after a decade of failure of ethics throughout this country in boardrooms, businesses, Parliaments and in every area that affects public life, we are entitled to expect support for the motion.

The Hon. D.C. WOTTON secured the adjournment of the debate.

HARDY'S BLOCK

Mr MATTHEW (Bright): I move:

That this House instructs the Minister of Environment and Land Management not to proceed with the private sale of land known as 'Hardy's block' on The Esplanade at Seacliff and owned by the Coast Protection Board.

Few members in this place, particularly those who represent coastal electorates, would argue that a considerable financial burden is placed on coastal councils for the maintenance of seaside areas for the enjoyment of a large section of South Australia's public. Indeed, Sir, I would imagine that your constituents would from time to time enjoy going to the beach and would enjoy the facilities provided for them. When people commute to the beach in their own vehicle they expect to be able to find a convenient parking place. It is with some irony that I am forced to move this motion, because it was not very long ago when I sought assistance from the Government to pay for the resurfacing of an adjacent car park on The Esplanade at Seacliff. Regrettably, the Coast Protection Board claimed that it had insufficient funds to be able to pay for that work despite promising for more than six years that it would do so, and Brighton council was forced to pay.

This time, the car parking area is threatened yet again but in another way. Hardy's block, which is the subject of this motion, is located at lot 93 or 236 The Esplanade, Seacliff. The land in question was purchased by the Government in 1978, and at the time of purchase the Government stated that it planned to develop the land into a proper car park but regrettably it has run out of funds. Now, the land has escalated considerably in value. Today it is estimated by Brighton council to have a resale value of between $500 000 and $550 000. As a consequence, it would seem that in a bid to bolster its ailing coffers this Government yet again has decided to sell the land and use the money from the proceeds.

This would have to be one of the most shortsighted moves we have witnessed recently of an organisation such as the Coast Protection Board. At the height of the summer season, it is not at all out of the ordinary to find that the land in question is occupied by 70 or more vehicles. Indeed, in a letter to the Minister of 28 October this year I attached a photograph taken on a hot summer's day showing quite clearly 73 vehicles parked on the allotment in question. If the Government proceeds with the sale of this allotment, those 73 vehicles will have to be parked elsewhere. That means that the nearby residents will be subjected to the impost of vehicles being parked at the front of their homes, with a subsequent loss of privacy or, alternatively, Brighton council will be forced to increase its parking restrictions, thereby preventing people from having access to the beach. That is clearly not a desirable option.

I have received strong representations from the local community and, in particular, from the Brighton and Seacliff Yacht Club and also the Seacliff Surf Life Saving Club. Both those organisations have pointed out the difficulty that their club members will face if that car parking is not available. When one looks at the role of the Seacliff Yacht Club in the yachting community in our State, one sees that it is significant and, indeed, it has been the venue for three world championship titles in the not too distant past, and in the 1994-95 year it will be host to a fourth, in this case the extremely prestigious world Flying Dutchman class championships.

This sale of land would end once and for all any opportunity to ensure that we have adequate parking facilities for users of this very popular area of the Adelaide metropolitan foreshore. It is not a strictly local issue, because people who live in the electorates of many members would use the Seacliff beach, as would many of the constituents of the member for Mitchell. Similarly, the constituents of the member for Walsh would probably use it and perhaps even those of the member for Napier. It is a lovely stretch of coastline, and the car parking facility on that allotment is one which must be retained.

Certainly, the other concern is that the area of land is also part of remnant sand dune. The previous Minister for Environment and Planning has said in this House on many occasions that this Government will be endeavouring to ensure that construction of buildings on sand dunes no longer continues, and it is with some irony now that we find the Government considering selling off an allotment that is just such a structure for the purpose

of private building development. That is clearly not a sensible proposition and, in the interests of commonsense, I therefore commend this motion to the House.

The Hon. D.J. HOPGOOD secured the adjournment of the debate.

TOURISM INDUSTRY

Adjourned debate on motion of Hon. J.C. Bannon:

That this House, recognising the adverse effect that a goods and services tax will have on the tourism industry, supports the industry in its rejection of any proposals to impose such a tax in Australia.

(Continued from 19 November. Page 1569.)

Mr S.G. EVANS (Davenport): The Deputy Leader will speak at a later date, but I take the opportunity, while the matter is before the House, to say a few words on what one might call this politically opportunistic motion of the immediate past Premier, the member for Ross Smith. The member for Ross Smith's argument is based entirely on the tourist industry. He argues that the GST will increase costs across the board in that industry. The GST is only part of the package, and in that package there is reduced taxation for private individuals if they are running a private operation, and there are also benefits in the cost of fuel—it could be up to about 26c a litre by the time the policy is implemented after the Federal Liberals win the next election. What effect will that have on the cost of travel—on the hire car industry and on the tourist coaches? We all know, those of us who are members of Parliament, that, if we travel long distances, our fuel costs are high, particularly for country members. If they can get a one-third reduction in the cost of fuel, imagine the benefit to those who travel, as our country members do, or as do the city members who travel to the country at times.

The ex-Premier, the member for Ross Smith, failed to even mention that. He did not want to; he wanted to hang it around what he calls the GST. He argued that building materials would go up by 50 per cent. If he does not already know, he should know that that is a fallacy, and if he was too blinkered, as he was on the State Bank and other matters when he knew things were going wrong, to correct it, that is par for the course, and we know what his attitude is—to attack, regardless of the truth. Many of the vehicles that are used in the tourist industry are subject to a sales tax and, under the Fightback package, those taxes will be abolished, And they are higher than the intended goods and services tax. The ex-Premier failed to take into consideration the flow-on benefits of lower personal tax on the amount of money people will have to spend or the effect of the cheaper costs for carting goods throughout the country, and we must remember that one of our difficulties is the distance between populations and communications, whether by road, rail, sea or airways. We have a small population in a vast country. Transport costs of goods or people are important.

The Fightback package also seeks to abolish payroll tax. Members should ask the bigger operators what they think of a penalty to employ people at a time when approximately 11 per cent of our people who wish to work are unemployed—and the figure could be higher if the jobs were available. The former Premier is not saying that he believes that payroll tax should be abolished. He is not saying that he believes that the tax on fuel should be reduced as far as the Federal Government is concerned. No; he sits in the Government, thrown onto the back bench because of his own inability to manage the State properly, and supports the Government that increased the State fuel tax in the last budget, and that is an attack upon the tourist industry. He then tries to draw comparisons with other countries. I ask the honourable member to go to Singapore and ask the tourist operators why they pay a tourist tax, or make their clients pay it, on everything they buy within the hotels or restaurants. People pay 10 per cent. There is no comment from the honourable member about that. He ignores that, because it suits him to ignore it.

The honourable member talked about frightening people out of Australia through the high cost of travel. I ask the member for Ross Smith to look at how much it costs to fly from Europe to Australia and return as compared with what it costs an Australian to fly from Australia to Europe and return. About $1 900 was the cheapest rate from this country and return, but people who want to come here from Europe had to pay $3 300 two months ago. There is a difference of $1 400 in the air fare, and that discourages people from coming to our land, whereas the cheaper air fare encourages Australians to leave our land, spend their money and come back, Where is the benefit to the tourist industry in that?

The member for Ross Smith would not even attempt to acknowledge that, because it does not suit his political argument at this time. He seeks to attack a group of people who have no real responsibility to this Parliament—they have to the State and to tourism—when he brought this State to its knees, just as his Federal colleagues have brought the country to its knees. He seeks to judge a group of people who are seeking to change Australia so that it is cheaper for people to live, to have more money in their pockets, and to have an opportunity to compete with other lands so that we can sell our goods.

I ask the honourable member—some people in the community would say that I was wrong to use the word 'honourable', but I will honour the man who has represented this State as Premier and who is entitled to that recognition—to give a fair judgment and not to play the political game when this State is in crisis. If he is going to practise what he has been preaching for 10 years, let anybody else pick fault with his system of bad management and the degradation of this State's economy.

The GST is only part of a package. It is not to be taken in isolation. It will suit some people to do that, but it is not to be taken in isolation: it is to be taken as part of a package to create jobs. There is one issue that the Prime Minister (Mr Keating) and his colleagues might stop to consider. I always said that the fringe benefits tax was brought in for dining in restaurants. I do not practise that very much and I never have. I find that it is not good for my weight and it is not of benefit to sit around dining for about an hour. However, the Federal Government cut out the opportunity to claim it as a tax deduction and destroyed thousands of jobs overnight when people

spending the money got no benefit. They might have been dining with a lady or a man friend or with business associates—they might have cheated a bit—but many people would have had jobs, been paying tax and contributing to tourism, so it would have been to our benefit. One day we will rethink that issue. It will be cheaper to have people working and earning money, even if somebody is claiming it off tax, rather than sitting around hoping to get a job one day.

Finally, the former Premier talked about the *Cordon Bleu* project. I remind him of the great project that he launched at Clarendon for training people from Switzerland in this country. What happened to that? It brought the business to its knees.

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

The Hon. T.H. HEMMINGS (Napier): One thing that we can say about the Hewson Fightback package is that, even when it is proved to be wrong, even when it is proved to be a disaster in any particular area, Dr Hewson and, from what I have just heard, the State Liberal Party are determined not to make any concession whatsoever, no matter how valid that concession or how comprehensive the argument being put forward by any section of Australian industry. Because they believe in this myth that Fightback will be the saviour of this country, Fightback in its original form will remain as part of their policy at the next Federal election.

I was looking forward to hearing the Deputy Leader tonight, but he was not in the Chamber and we had to listen to the member for Davenport. The member for Davenport came out with the old furphy that we must not look at the goods and services tax in isolation: we must look at it as part of the whole package. That is what the tourism industry has done. The tourism industry, in asking for zero rating of tourism exports, considered the whole concept of the Fightback package. The point that it makes is that those goodies that will come into the tourism operators' operating costs, such as a reduced fuel tax, will not outweigh the tax on the goods and services that they are having to provide.

We also know that tourism is the most labour intensive industry in this country. Machines cannot make beds and do all the other jobs connected with the operation of an hotel: only people can do that. The industry, to its credit, over the last two or three years, has gone through some pretty good enterprise bargaining, which the Liberal Party should be pleased to support and which has made tourism an industry into which people can go, work their way through and come out at the top of the pile. As I said, it is very labour intensive.

We hear the furphy that they will benefit from the payroll tax. Under the Fightback package, any organisation with a wages bill of less than $500 000 will not qualify. Only the really big operators can benefit from any concession in payroll tax. The small operators will not benefit. Let us consider Kangaroo Island, an ideal holiday spot. I am sure that you, Mr Deputy Speaker, will be quite keen to go there one day when you have time for some relaxation. The tourism industry on Kangaroo Island is, in the main, made up of small family businesses offering a very good service to those who wish to take advantage of what is available on Kangaroo Island. Those people will not have one iota of benefit under the much vaunted payroll tax concession that comes as part of Fightback.

Mr Ingerson interjecting:

The Hon. T.H. HEMMINGS: The Deputy Leader interjects out of his seat. I would have preferred him to be in this Chamber taking part in the debate rather than huddled in the Liberal Party room trying to sort out the mess they got themselves into this afternoon in relation to the problems that the Liberal Party has in coming to terms with recognising the role of the Speaker in this Chamber. Obviously the Deputy Leader was not successful; he has come in here licking his wounds—

The Hon. J.P. TRAINER: On a point of order, Mr Deputy Speaker.

The DEPUTY SPEAKER: Order! The member for Walsh has a point of order.

The Hon. J.P. TRAINER: Notwithstanding the disgusting behaviour of the honourable member opposite, I believe that my colleague is out of order in referring to that matter at this point in the debate.

The DEPUTY SPEAKER: I uphold the point of order and ask the member for Napier to come back to the debate.

Mr Ingerson: Don't get too carried away.

The Hon. T.H. HEMMINGS: The Whip will get his one day, but I will come back to the debate. I am not the only one saying that; it is the tourism industry of Australia, the ATIA, which developed its policy in conjunction with Mr Judd, the Opposition spokesperson on tourism, who I understand is one of the very few Liberal members with a brain. He actually listened to the tourism industry and tried to convince it about the benefits of Fightback, but recognised that there should be some form of concession for those people.

What did the Federal Leader of the Opposition do to Mr Judd—he just wiped him off. We have members opposite, who cannot even spell 'tourism' let alone argue adequately about it, parroting their Federal Leader's point of view. What did the Australian Tourism Industry Association say? In issue No. 9 of its newsletter it said:

> The tourism industry is asking for zero rating of tourism exports in the form of tour packages pre-purchased by foreign visitors, rather than having such tourism exports taxed under the GST. The industry's request would simply help to put tourism exports on a similar footing to all other exports like wool or iron ore or manufactures—which are to be 100 per cent zero rated under the GST.

In reply to what Dr Hewson said, the association states:

> To suggest that the industry is seeking a $120 million tax break not offered to other export industries is offensive and misleading. One might argue, on that line of reasoning, that, through zero rating, merchandise exports are to get something like a $7 000 million tax break under GST that will not be available to tourism exports as things stand at present.

What is Dr Hewson doing? He is not saying that he wants a level playing field. If he were, at least there could be some credibility among members opposite, but he is not. His mates in the mining industry and the rural sector who contribute widely to the Liberal Party coffers are going to get their $7 000 million tax break under his GST Fightback package, but to the tourism operators, who put forward a very valid case that may work out

Australia-wide to a lousy $120 million, Dr Hewson is saying, 'Get nicked, I don't want to know.'

If members opposite support that, they deserve to be treated with the contempt that they will be treated with at the next Federal election because, whether they like it or not, zero tariffs are very unpopular in this country and the GST has failed to make any headway whatsoever. If members opposite persist with that policy they will lose the next election.

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

Mr INGERSON secured the adjournment of the debate.

WATER QUALITY

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

That this House strongly supports the establishment in South Australia of a Cooperative Research Centre for Water Quality Research to provide solutions to major water quality problems through the conduct of strategic and applied research, to develop innovative treatment processes to meet the needs of the Australian community and the water industry and provide a platform for this technology to benefit Australian industry internationally.

(Continued from 19 November. Page 1571.)

Mrs HUTCHISON (Stuart): In supporting the proposed establishment of the Cooperative Research Centre of Water Quality Research I would like to draw further attention to the importance of water quality in this State and to highlight some of the achievements of the existing research centre and the potential benefits of the CRC for South Australia. The primary theme underlying the research activities of the proposed research centre are the improvement of water quality, with an emphasis on drinking water, and you, Mr Deputy Speaker, would be aware of the great importance of that to me and all of my electors in Stuart, where a great deal of reliance is placed on the pipeline from the Murray River and on the quality of water that comes out of the Murray River into that pipeline. It is then filtered and distributed to the people of the Spencer Gulf cities. The demand for improvement in water quality is world-wide and not just unique to Australia. It is something that is being looked at world-wide and we need to be looking at that and leading the way in such research.

This demand arises from an improved understanding of the health and environmental consequences of water pollution. No-one can deny the fact that, largely through ignorance, all countries in the world have been guilty of polluting their waterways. We all need to look at this matter seriously. There is a need for an understanding of the actual health and environmental consequences of such water pollution and there is increased public awareness of the environmental issues and a continuing expectation of improved quality of life. People in South Australia should be fully aware of this, especially as there is an expectation that we should have good quality water. One aspect of which we are aware in South Australia and in Australia generally is the fact that we live on a dry continent, particularly in this State, and, in any event, we need to protect our waterways to the greatest extent possible.

The cost of supplying good quality drinking water to communities is significant and there is a great scope for the development of innovative techniques to achieve the required standards of performance and for reducing the costs incurred in conventional processes. In a recent visit to the North of the State and the Pitjantjatjara lands, one of the things that came across clearly was the great concentration of effort by the people in those lands on the quality of water that they were having distributed to them. They were conscious that they must always be aware of the quality of their water supply and the effect that could have on their populations generally in terms of their health.

Innovative cost effective developments are urgently required when one considers that there are still many communities, particularly in rural areas throughout Australia—and I make no bones about it, because I have a vested interest in the supply of good quality water to the rural areas of South Australia—that have unsatisfactory water supplies. There have been some rather innovative treatments of water in those areas: for instance, the Coober Pedy reverse osmosis plant, which is still in its infancy in trying to deliver the best quality water possible.

Conventional treatment technology in many cases is too costly, without the efficiencies that come with large scale systems. One of the problems we have in Australia and South Australia is the fact that we must deliver water over long distances and make sure that that water delivered is of good quality. These aspects should be pursued with great vigour, so far as I am concerned, as the existing costs of water infrastructure are significant to the Australian economy. That results from the great distances over which we must transport water.

The replacement of water assets in South Australia would cost $11 billion: approximately one-third of the State's total assets. That figure is mind boggling: $11 billion is tied up in the State's assets with regard to the distribution of water throughout South Australia. Water assets comprise a significant part of the State's infrastructure. Experience with the existing research program in South Australia has demonstrated the potential for large capital and operating cost savings in water treatment, and there is good scope for commercial development in this area.

Some of the new treatment technologies being developed by the CRC have a great potential to generate substantial export dollars for Australia, because strong overseas markets exist for this type of technology. I can see the link-up of this technology with the multifunction polls, which is a project that South Australia has managed to obtain ahead of the other States. Research into the adverse effects of nutrients and organic material will form an important part of this program. The member for Baudin has already mentioned the great importance of this aspect on the water supply of South Australia.

These two factors are closely linked to a number of Australia's more serious water quality programs, including the toxic cyanobacteria (or toxic algae, as they are more commonly known, and one of those is the blue-green algae), the taste and odours and organohalogen by-products. Organic material and nutrients are the main

factors that influence the very high cost of water treatment. The proposed CRC will adopt an integrated water quality management approach to provide solutions to these problem areas, and I support that totally.

Although at times Adelaide water has come in for some fairly blunt criticism, and I suppose I am being quite kind there, water quality is far from being a uniquely South Australian problem. I have to say that one of the problems in South Australia is that we start from a very poor base to provide a good quality water. The quality of natural water resources and drinking water is a major issue throughout Australia. In fact, the Sydney Water Board has just announced the preferred tenders for the construction of three water treatment plants expected to cost in excess of $550 million. This program is in response to community pressure for the improvement of drinking water in Sydney, so it is a nationwide push to look at the quality of the drinking water supplied to the ordinary citizens of Australia.

In South Australia specifically, we are in the final phase of a program to provide water filtration facilities for Adelaide. Over 90 per cent of Adelaide's population is now supplied with filtered water which is of a high standard. However, we cannot rest on our laurels. Ongoing research is required to provide innovative approaches to further improve the efficiency and reduce the cost of water treatment. This is one of the research aims of the proposed CRC, and we are constantly looking to provide the services at a decreased cost but more productively and more efficiently.

During the five years of its existence, the Australian Centre for Water Quality Research has led or contributed to a number of programs which have had significant benefits. For example, research on chloramination, an alternative to chlorination for the disinfection of water, has resulted in the adoption of this method of treatment for water distributed in long pipeline systems in country South Australia. I can speak very specifically on this issue, coming from the Spencer Gulf cities area of the State, where one of the problems we have faced in the past has been the amoeba for amoebic meningitis which has got into the water system and which, because of the water temperature, has been activated, resulting in the deaths of some very young people in my electorate. So, I am very conscious of this, and support any measures which will improve the water quality in this State because the loss of life of children concerns me greatly. I hope it concerns members opposite. As I said, I can speak very specifically because of the deaths that have occurred in my electorate due to this particular amoeba which has been activated.

The Hon. P.B. ARNOLD (Chaffey): Naturally I also strongly support the Cooperative Research Centre for water quality research to be established in South Australia. Following what the member for Stuart has just said in relation to water filtration in the northern towns, I remind the honourable member and the Treasurer that it was the Tonkin Liberal Government that commenced the construction of the one and only country water filtration plant built in South Australia in the past 20 years. I remind the honourable member that, during the past 22 years, the Labor Party has been in Government for all but three of those years. It is a pity that the country people of South Australia have had to put up with the type of water quality that they have received.

One only needs to travel through the river towns in South Australia to see that the quality of the water is appalling when it is pumped directly from the river. There is no time for the water to settle. It is pumped from the river straight into the distribution system of the river towns. Of course, the actual water quality is far worse than in most other parts of South Australia, and much worse indeed than it ever was in metropolitan Adelaide. What the honourable member said in relation to *naegleria fowleri* and amoebic meningitis was quite correct. She must remember that at no time did the Labor Government, under either Dunstan or Bannon, ever lift one finger to resolve the problems of the northern towns by proceeding with the water filtration plant. That was left—

Mrs Hutchison interjecting:

The Hon. P.B. ARNOLD: We have always known what the problem has been with amoebic meningitis, and the cause of it, which is the amoeba *naegleria fowleri.* There is no difficulty about knowing what the problem was. It was a matter of the will to want to do something about it. The Labor Governments of the past 20 years did absolutely nothing to come to grips with that problem. However, during the three years of the Tonkin Government, plans were developed and drawn up, and construction was commenced of a water filtration plant at Morgan to serve the needs of not only the cities of Port Pirie, Whyalla and Port Augusta but also the northern towns and the country lands in the northern parts of the State.

South Australia has approximately 22 000 kilometres of water distribution system throughout its country lands, and most of that distribution system is fed from the Murray River. The quality of water by the time it reaches the take-off points, such as Morgan, Swan Reach, Mannum and Murray Bridge, has deteriorated considerably, having come many thousands of kilometres down through Queensland, New South Wales and Victoria, picking up many impurities and contaminations along the way. However, the water filtration plants that have been built in the metropolitan area are largely coming to grips with the problems of water quality in the metropolitan area.

Apart from the one water filtration plant built by the Tonkin Government, the country people of South Australia have been sadly neglected. It has been argued often that South Australia is the driest State in the driest continent on earth, and technically that is correct as far as rainfall is concerned across the whole of the State. But most of the population of South Australia lives in about one-tenth of the area of the State. In making that statement, no consideration is given to the fact that the Murray River flows into South Australia and delivers this State with about five million megalitres of water annually. Taking into account the flood years, such as 1956, and the high rivers as we refer to them in numerous other years, we are looking at vastly increased flows over and above the average of five million megalitres.

Under the River Murray Waters Agreement, South Australia receives an allocation of 1.85 million megalitres, of which we effectively use only one million

megalitres. The other .85 million megalitres is lost in evaporation on Lake Alexandrina, Lake Albert and other wetlands and backwaters along the length of the river in South Australia.

So, out of that 5 million megalitres on average which flows into South Australia we effectively utilise only one fifth of that water. Of course, many other countries in the world—and I would venture to suggest a State like Israel—would do much more with that other 4 million megalitres of water that currently on average runs to waste into the Southern Ocean. Of course, one of the real reasons why South Australia, and Adelaide in particular, does not have water restrictions is the Murray River. But the protection that could be afforded this State is far greater than what we actually utilise if we were prepared effectively to harvest water from the Murray River, which is not done at this stage. There is an enormous potential in this State for water harvesting to utilise effectively the average annual flow that passes through South Australia.

As I said earlier today, the small quantity of water that we do harvest from the Murray River for metropolitan Adelaide use is, in fact, harvested at the worst time of the year: when the water quality in the Murray River is at its worst and at a time when the demand on the river is at its greatest—in the middle of summer, with the demand for irrigation water and diversions to all other parts of South Australia for stock and domestic water and also for the cities of Whyalla, Port Pirie and Port Augusta. So, it is not a matter of a water shortage in this State; it is a matter of our learning to utilise effectively the water that is available to us. Therefore, a national research centre as has been proposed for establishment in South Australia will be a tremendous asset for this State, because it is a matter of how we can effectively utilise the water, which has to some extent deteriorated in quality over its long journey through the three eastern States. I strongly support this motion and trust that the research centre will soon be in place.

The Hon. D.C. WOTTON (Heysen): In closing this debate I would like to thank members on both sides of the House who have made contributions. I am delighted that it has bipartisan support. It is an important proposal and I would like to remind the House of the mission statement regarding the establishment of this cooperative research centre in South Australia. The mission statement is as follows:

> To provide solutions to major water quality problems through the conduct of strategic and applied research, to develop innovative treatment processes to meet the needs of the Australian community and the water industry and provide a platform for this technology to benefit Australian industry internationally.

It is an important motion and it is timely that it be taken to a vote because it is only a matter of days before the consortium supporting this proposal will be going to the Commonwealth seeking support.

As I indicated in the contribution that I made earlier, the tangible benefits of collaborative research have been clearly demonstrated in a number of ways, particularly in regard to water quality which, as members on both sides of the House have indicated, is so important in Australia and particularly in South Australia. We have been able to recognise the benefits that have been gained over the past five years of operation of the existing Centre for Water Quality Research. During this time, highly productive interactions have been developed between the State Water Laboratory, the University of South Australia and the Waite Agricultural Research Institute (through the University of Adelaide).

The centre that we are supporting tonight will also provide a diversity of opportunities for education and training of postgraduates and post-doctoral staff, including staff and student exchange programs with other academic and research institutions in Australia and overseas. I believe it is a very important initiative, particularly for South Australia. I thank all members of the House for their support of this motion and I believe that we can all look forward, with the support of the Commonwealth, to the establishment in South Australia of a cooperative research centre for water quality research.

Motion carried.

The SPEAKER: Order! The time for private members' business has expired. Call on the business of the day.

SPEAKER'S POSITION

The Hon. DEAN BROWN (Leader of the Opposition): I move:

> That this House has lost confidence in the Hon. the Speaker for the reasons that:
>
> (a) he has discredited the role of Speaker by continual public statements about his power to bring down the Government, particularly over the State flank losses;
>
> (b) while repeatedly threatening to withdraw support for the Government, particularly if it could be shown the former Premier had misled this House about the State flank losses, he has acted in a partisan way;
>
> and, in doing so, he has demonstrated erratic behaviour inside and outside this House unbecoming of the role of Speaker, culminating in a most serious reflection on unnamed members of the House by his statement that they are 'spitting on the Chair'—a statement he has refused to withdraw or justify.

It gives me no pleasure or joy whatsoever to move a motion such as this. I do so because the member for Ross Smith has brought contempt and ridicule upon the position of Speaker of this Parliament. He has deliberately set out to shadow box on political issue after political issue, especially over the State Bank losses.

Members interjecting:

The Hon. DEAN BROWN: The member for Semaphore. I am sorry if I referred to any other member. The member for Semaphore has brought contempt and ridicule on the position of Speaker. He has deliberately shadow boxed, especially on the issue of the State Bank losses, and I will go through the evidence on that very shortly. He has tried to create the impression that he is independent of the Government, but at the same time he obviously and continuously supports the Government and maintains it in office. He is constantly creating the threat to bring the Government down, doing so as if—and as I pointed out to the House—he has enormous power. But, every time he is put to the test he fails to deliver. Mr Speaker, let us look at the evidence and just some of the

statements you have made as the Speaker and member for Semaphore.

The Hon. T.H. Hemmings interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: On 6 December 1989, shortly after the election, and when you were put in a very delicate position as Speaker of the House, an article about you appeared in the *Advertiser,* as follows:

'If the Bannon Government goes off the rails I will use my position to vote against it,' he said. 'I will support them, but if there are conditions or issues that badly affect my area or the State, I will vote against them.'

Here is a man who is Speaker of the House and an Independent who has said:

I will make it quite clear: I will bring this Labor Government down because I have the balance of the power in the House of Assembly.

Then, the day after the member for Ross Smith, as former Premier, announced the first bail-out of the State Bank, on 11 February 1991, the following report appeared in the *News:*

The two Independents keeping the Government in office say they will withdraw support if it can be proved the Government concealed information about the State Bank's financial situation. Mr Peterson agreed that if the Government had deliberately concealed the situation he would have no choice but to withdraw his support.

Mr Speaker, some months later, on 7 August 1991, you are reported in the *Advertiser* as saying:

It seems to me there is no reason to defeat the Government at this stage. If a decision comes from the royal commission that the Government misled Parliament, I would withdraw my support.

That is absolutely black and white: if this Parliament has been misled by the Government over the State Bank losses, 'I will withdraw my support.' On 31 August last year, a report in the *Advertiser* states:

The Independent Speaker in the House of Assembly, Mr Norm Peterson, warned yesterday he would throw the Government out if it was shown that the Premier, Mr Bannon, had misled Parliament over the State Bank debt. Mr Peterson said he would reserve his judgment on the future of the Government until the Commissioner's report is handed down. 'If the Premier did know about the extent of the debt, and didn't act, then I would withdraw my support.'

Mr Speaker, quite clearly, the Royal Commissioner has found, based on the terms and conditions laid down by you and no-one else in your statements last year, that the former Premier did conceal information from this Parliament about the extent of the debt of the State Bank.

The Hon. Jennifer Cashmore: Seven times.

The Hon. DEAN BROWN: Seven times. I point out that the former Premier misled this Parliament 16 times according to the evidence that I have presented to the House already. So, quite clearly, Mr Speaker, by your own conditions that you have laid down for judgment, this Government has been found guilty of misleading the Parliament and of concealing the extent of the debt. You said you would bring the Government down, but you have not done so. On 30 June this year, when pushed again over the performance of the Government, you said in the *Advertiser:*

At this time, with the royal commission still sitting, it would be wrong of me to withdraw my general support for the Government, but I am concerned, and obviously from the letters I receive, many other people are concerned. The outcome of the royal commission at the end of the year will clarify the position.

Here we are at the end of the year. The royal commission has clarified the position based on the conditions that you laid down, Mr Speaker, and under which you would withdraw support from this Government, but we now find that you have chickened out completely. On 27 August in the House of Assembly you said:

I have an undertaking that I make public to the people of South Australia that I will await the outcome of the royal commission, and I understand a report is due at the end of next month. That is the point at which the undertaking I have given to the South Australian people will be taken up.

All these statements contain exactly the same clear message: if this Parliament has been misled, if the former Premier concealed the extent of the losses within the State Bank, if he knew more than he admitted, you, Mr Speaker, would use your casting vote to bring down the Government.

I point out that on all those counts this Government has been found guilty, but, Mr Speaker, you still refuse to withdraw your support. In other words, you have been shadow boxing with the people of South Australia, simply highlighting the fact that you have the power, always threatening to use it, but the use of that power under your own terms and conditions is always put off until tomorrow. Now we have had it put off until the next royal commission report and the Auditor-General's report, and when we get to that point it will be put off further. Time after time you keep putting off the day on which you are prepared to hold this Government accountable. Last Wednesday evening, Mr Speaker, you stood at the end of the debate on a motion of no confidence in the Government in this House and made a statement as to why you were going to support the Government and vote against the motion. You said:

I have read the findings of the report.

This is a 475 page report, and you said to this House:

I have read the findings of the report.

In other words, 'I have been right through the report. I have picked out all the key evidence of the Royal Commissioner and I cast my judgment accordingly.' I point out that on the following day you admitted to the *Advertiser* that you had read only nine pages of that 475 page report. We all saw the scenes on television.

The Hon. S.M. Lenehan: How much have you read?

The Hon. DEAN BROWN: I have read the entire report. We saw the scenes on television, Mr Speaker, where you pushed journalists out of the way, because you were embarrassed that it had been revealed that you had not even bothered to read the report. In fact, you went further than that and said that you were not even interested in reading the report. I point out, Mr Speaker, that, having said you were not interested in reading the report, on the *7.30 Report* on Monday night you revealed that you had attempted to get a copy of the report at 10.30 on Tuesday morning of last week; in other words, an early copy in the same way as the media were given a copy in the lock-up and I as Leader of the Opposition was given a copy. I know that journalists asked you, Mr Speaker, whether or not you had received an early copy of the report, and you told a number of them, not just one, that you were not interested in receiving a copy of

the report at 10.30 on Tuesday morning, that you would wait until the report was tabled in the House. So, this statement that you made on the *7.30 Report* is in complete conflict with what you said to journalists last Tuesday.

During that *7.30 Report* interview, Mr Speaker, you said that the Liberal Party was running around saying that it was about to move a no-confidence motion in you and had made a public statement to that effect. I point out that there is no evidence whatsoever that I or any other member of the Liberal Party made a public statement saying that we were going to move a vote of no confidence in you as Speaker. For you to try to fabricate that sort of evidence shows the sort of campaign that you were trying to run. I point out that that campaign was being run for a very deliberate purpose. Here you were, a man who kept saying, 'Wait until Judgment Day.'

Judgment Day came last Wednesday and, even though you had not even read the evidence, you were prepared to pass judgment quite blindly in favour of the Government to keep the Government in office to save its political neck. Yet, Mr Speaker, you purport to be an Independent, as you have said in numerous public statements over the past 18 months to two years. You have done so because you want to create public attention for yourself. You want to give this impression that you are a man of strength, that you are holding the balance of power in this House and that you will decide the fate of the Government. The clear evidence is that you have abused that position for your own personal gains and ends and public notoriety, but you have never had the guts or the gumption to apply that test based on the evidence within the Royal Commissioner's report.

Because the newspaper editorials and the media overall and public opinion polls in particular came out strongly against the stand you had taken—and I refer particularly to the Statewide opinion polls—you made a statement in this House last Thursday about a plot between the media and the Liberal Party, but you produced no evidence. Of course, you did that quite deliberately to try to draw attention away from the fact that you had failed on Judgment Day when it finally came. You failed in a very embarrassing way because you had not even bothered to read a large section of the report; you read a mere nine pages of a 475 page report. We saw what happened last Friday when out of sheer public embarrassment, Mr Speaker, you decided that you had to save your neck somehow. So, you turned on others and attacked them. In fact, initially, you turned on the media, and in an interview with Channel 10 you made the following statement:

> The Parliament can't work without in the Chair. Now, if they are going to spit on the Chair, which I think they are, I have got to consider the dignity of the Chair.

Who was spitting on the dignity of the Chair, I ask? Who was bringing contempt and ridicule on the Chair—none other than the occupant of the Chair of this House, the Speaker, the member for Semaphore, because it was he who was out in the media pushing this point and trying to create a defence for the mistake he had made on Wednesday in the vote he had taken. He went on Channel 2 and talked about the sneering that was occurring publicly.

Of course, ridicule was being heaped on your head in large amounts, Mr Speaker, because of the way in which you had set up the circumstances in which you would judge this Government, and it was found wanting on judgment day. Then today we had the spectacle where you decided to take the matter further and tried to create the circumstance or the impression that the Liberal Party was picking on you in this House. You said, 'The executioner cometh,' and you sat there in the House with no mention of a motion whatsoever and asked, 'Do we get the motion now or later?', before any motion had even been referred to in this House.

Most importantly, this afternoon you clearly indicated that the people who had been spitting (so-called) on this House were members of this House. Here we have a Speaker who has been given the public role of upholding the dignity of this Parliament and maintaining the integrity of the Parliament, and he himself is reflecting on the members of this House but, when challenged either to produce the evidence or to apologise, once again you, Mr Speaker, failed to do so. You were not prepared to have the courage to come out and tell us exactly whom you were criticising in this House, although you were prepared to reflect on all members of the House. You did that in your statement to the House today quite clearly but, furthermore, you were not prepared to produce any evidence, as requested by the member for Mount Gambier in his question to you, as to why you had made that statement.

The evidence is quite clear that you, Mr Speaker, have deliberately wanted to create the impression of the power that you have in this House. You have done so not only in this House but also, more importantly, in the media by your repeated public statements. You are the person, and no-one else, who has brought ridicule on your own head. You are the person who has put your position publicly in the situation where the public no longer have respect for you as the member for Semaphore sitting in the Chair as Speaker of the House. The Opposition, particularly because of the fact that you were prepared to reflect on members of the House without apology, without explanation and without proof, now holds no confidence whatsoever in the position that you hold in this House.

The Hon. LYNN ARNOLD (Premier): I oppose this motion. I think it is a very cynical exercise and quite clearly it is an exercise by the Leader of the Opposition trying to—

Members interjecting:

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

The Hon. LYNN ARNOLD: —get himself and his own Party off the hook after the way they have behaved over the past few weeks, where they have sought to bring this Parliament into disrepute, where they have sought to use every possible tactic, where they have broken conventions and where they have simply decided that what they want is a mean, hungry grab for power at any price, without any concern for the procedures of this Parliament or for the procedures of an ongoing democratic State. They have recognised that their own embarrassment is too great for them to wear, and they are now trying to ask you to wear that embarrassment. Yet,

Sir, your own performance in this House has been a most creditable performance.

Members interjecting:

The Hon. LYNN ARNOLD: Well, members opposite may well laugh, but the reality is that, if members look at the performance of in this House regarding the matters that have faced this House not only in recent weeks but ever since he has taken the Chair, they will see that it is quite clear that he has performed with great skill as a Speaker in this place, in very difficult circumstances. There is no doubt that, in the present very close situation, which has existed since the 1989 election, where we have a Parliament that relies upon the Speaker to cast his vote on so many occasions, so much pressure is focused upon you. Any reasonable course of action would dictate that that would be dealt with with respect and care by all members of this place.

All members of Parliament and anyone who chooses to come and watch the performance of Parliament have seen from the Opposition, during the time you have been Speaker in this place, an unending series of attempts to destabilise your position, to focus on you the pressure of the entire State, to focus on you the opinions of that side of the House and to make you feel discomfited in your position as Speaker in this place. One can cite many examples of that over the period since 1989, but most particularly one can cite many occasions in recent weeks. Quite clearly the Opposition has failed in its strategy to try to have the public at large accept the situation with respect to the first report of the Royal Commissioner. The facts are that the Royal Commissioner has not finished his reporting process.

Members interjecting:

The Hon. LYNN ARNOLD: You may bleat, but let's wait until the Royal Commissioner has finished his entire reporting process on all the terms of reference and until the Auditor-General's report has come out and been considered by the public at large, and then determine what is the judgment to be cast on this Government. In all fairness, in all sense of natural justice, you have said that that is the process you wish to await, but it is quite clear that this Leader of the Opposition is not only hungry for power at any price without any credibility at all but also so uncertain of his position in the face of his own members that he is prepared to rip up any conventions and to seek, by any means of trickery, simply to grab power and not await the full reporting of the situation with respect to the State Bank and, in the words of the Royal Commissioner, the ultimate tragedy of the State Bank.

The Leader of the Opposition has created so many situations where he has selectively quoted. We hear the references to who has read the report and who has not, and we know full well that some members, by their own admission, have not read the full report. The Deputy Leader of the Opposition may now choose to be a touch embarrassed by this, but by his own words he acknowledged that he had not read the full report at that time.

Members interjecting:

The Hon. LYNN ARNOLD: I have no doubt he might have been doing a bit of reading this evening so at least he could say he has finished reading the report by this evening. But the point is that it does not really matter about the header and whether or not he has read the full report, because whatever happens he must be criticised by his own handling of the report. If he had not read the full report, his selective quoting could be excused on his own failure to have read the complete report: if he had read the full report, he is damned by his own selectivity in being so clearly partial and not prepared to allow the Royal Commissioner's own words to be read in full in this place, recognising that the actual key findings of the summary chapter of that report and many of the quotations in the text of the report simply do not support the findings he chooses to believe are in that report.

The reality is that, in terms of the concept of misleading, he has alleged misleading by the former Premier, the member for Ross Smith, on the basis of the evidence of the royal commission. That is not sustained, as we have proved in our own contributions and motions in this place and as the member for Ross Smith himself has proved in motions in this place, yet the Leader has been quite prepared to mislead this Parliament by selective misquoting of the Royal Commissioner's report, by taking out the quotes that he thinks suit his purposes and by ignoring the quotes that he knows quite clearly do not suit his purpose.

The Leader, a few moments ago, said that the royal commission has clarified the situation. It is certainly true: the Royal Commissioner has brought down his judgment on term of reference 1. We have debated that point at great length, and you, Sir, have acknowledged that you are aware of the key findings of his report and the summary chapter and that you listened at great length to the points made on both sides of the House about that report. Anyone who would listen at great length to the full 10 hours of that debate would have a full understanding of the real issues at heart, because there was the selective quoting of the Opposition, drawing out many of the points it felt served its purpose, and the points on this side of the House that brought out the full context of the report.

The Royal Commissioner has clarified the situation, but not as the Leader would attempt to portray it. You, Sir, as an individual member of this place, have cast your vote upon your assessment of that situation, and the Opposition is attempting to cast a reflection upon your judgment on that matter. That is an untenable situation—that any member should in the first instance have a reflection cast upon the judgment they have made about the issue before the House—because any member is entitled to do that. If we went through members in this place casting judgments upon the way in which they have cast their votes or the way in which they have made their opinions known, many members opposite would need to look very guilty because of their own selective quoting of what is in the report.

We then have what I think was an incredibly cute, in the worst sense of the word, exercise by the Leader when he said that there was no evidence that they were going to move a no-confidence motion. We have seen so many exercises in recent times where they will run away saying, 'We did not publicly say that,' yet any reasonable questioning of anyone in the media or in this Parliament would show that they had every intention of moving a no-confidence motion, at any price, against you, Sir, if the circumstances permitted. For them now to say, 'We

had no intention of moving a no-confidence motion; you were suggesting that,' is a gross misuse of the truth. It is a very slippery exercise and one which deserves to be condemned. I knew when the Leader said that that members opposite felt abashed by his comments in that regard, because they knew full well that the Leader had every intention of moving that motion.

Members interjecting:

The Hon. LYNN ARNOLD: He certainly did discuss it in his Party room. It is like a number of other episodes where we have had this question of evidence come before the Parliament and they have said that you, Sir, had no evidence of a plot between the media and the Liberal Party. I found those very odd words coming from the Leader, when he told us yesterday that we were going to have new evidence—that was the phrase—that was going to show that I was linked to the royal commission.

Members interjecting:

The Hon. LYNN ARNOLD: I will say it again, because the public who are listening to these proceedings need to know the situation. The new evidence that they had was not new at all: it was simply a re-stating of evidence that had already been given to the royal commission. I might say that it was the most selective misquoting of the evidence that was given to the royal commission, evidence that the Royal Commissioner had already taken into account and made his own judgment upon, and his own judgment is as proven in the key findings and summary chapter. This new evidence, which had already been on the public record and had already been heard by the media over many months before, was simply recycled evidence.

Then we had the matter of the Auditor-General's report. There was the report in Saturday's paper that members of Cabinet, including myself, had been determined to cut short the Auditor-General's inquiry. The Leader was quoted publicly as saying that he had evidence that this was the case. There was no evidence; it was in his own imagination. There could be no evidence, because there was no evidence to prove that. Then this Leader has the gall, on the basis of such fabrication of facts or misfacts, to suggest that you, Sir, might not have had evidence to support a comment that you had made. The gall of the Leader is just unbelievable.

What we have seen tonight is a very sneering, sour response from the Leader of the Opposition, who still cannot accept the fact that you are Speaker in this Parliament, serving the State of South Australia so very well indeed, and that they are not in government to reap the benefits of government—that they are not the ones to have what might be seen to be the gain of government. It is in that context that the Leader made that very sour comment that there is clear evidence that you had abused your position for your own personal gain. I find that an outrageous statement, a statement that is offensive and a statement that we on this side of the House believe is totally without any foundation. It is simply a statement of a Party which is sour, a Party which is so mean for power at any price that it will say anything and bring discredit on anybody who happens to come within its way.

The Opposition then suggested that you, again in this creation or rewriting of history—we have not seen this sort of thing since George Orwell's *1984* or since the troubled times of the Soviet Union under Josef Stalin—decided to create the impression that the Liberals had decided to move a motion of no confidence. Those are the Leader's words; that is what he suggested. Is the Leader suggesting that before Question Time today there was no intent on his side of the House? Are they suggesting that this spontaneous question from the member for Mount Gambier halfway through Question Time, followed by another spontaneous question, suddenly led to the Leader saying, 'We are going to move a motion of no confidence. We are going to do this right on the spot. We, without any forewarning at all, are suddenly going to do this, and any suggestion that we had any planning in this is wrong'? That is what they want us to believe. They just had a brain storm—I guess like the sort of storm that we are hearing outside the building at the moment.

If the Leader is going to attempt to reflect upon your credibility and integrity, Sir, at least let him do so from a position of integrity himself; at least let him do so from a position of honesty. Let him not give us the nonsense that he had no idea of moving a no-confidence motion in this Parliament this week in some circumstances. Do not discredit us by suggesting that we should believe the argument that you had no intention of doing it and that it was entirely in the hands of the Speaker that that was the case. This week we have been subjected to a simple orchestration that continues with the self-same purposes of distorting, discrediting and bringing into disrepute this House and turning it into a circus the Leader and his team have attempted to do so many times in recent weeks.

The fact, Sir, is that you have not acted in disrespect to the Chair. What we have seen is a performance by members opposite that has attempted to put unbearable pressure on the Chair, pressure that cannot bring with it anything—and members may shake their heads, but they should look at their own performance in recent weeks. Then, Sir, you react. You decide that you are not happy with that situation because, as the holder of the Chair, you actually respect the importance of that position. In that process, you use figurative language when you say that there are people in this place who are showing disrespect for the Chair, and then they react, 'Oh, not us.' I suggest that they look at the way that they have treated the Chair on so many occasions over not only recent weeks but recent months.

There are episodes both within and without this forum that bring total dishonour upon the Opposition. What you have done, Sir, is to withstand that pressure but, like any human being, you have had reactions to it. We all have reactions to those kinds of things, and you had a reaction to that. Frankly, when I heard your comments, I said, 'Hear, hear!' because I believed you were saying that the disrespect, the circus-making exercise of Opposition members, could and should not be tolerated because this Parliament, as the key democratic forum of this State, would not be able to operate successfully if such activities continued.

Mrs Kotz interjecting:

The Hon. LYNN ARNOLD: The member for Newland talks about misleading the House. If we want to go into a very long debate about this charade of the supposed 16 cases of misleading the House that the

Leader cited, I suggest that the member for Newland look again at the comments made by the member for Ross Smith and others on this side and she will discover that that situation did not apply.

Members interjecting:

The SPEAKER: Order! All right. Enough. Order will prevail here. It is my neck on the line, not yours. The Premier.

The Hon. LYNN ARNOLD: I do not believe that you have changed your mind, Sir. All the public evidence about that clearly supports my view. What you have done is to emphasise that the former Premier and Treasurer acted responsibly for the Government. He resigned, and in your view that was the only alternative that he faced in the light of the commission's report. You went further, Sir, in your very considered comments before the Parliament last week, after we had debated the no-confidence motion. You simply did not just give a vote for the Ayes or the Noes: you gave a considered comment late though the hour was. I believe that the considered comment you gave was of such profundity that it will enter into the body of knowledge that is used in Parliaments in the Westminster system, because what you did was define quite clearly how you had reached a conclusion on the matters before the House and how you had determined the way you would cast your vote. You did that, Sir, after listening to the 10 hours of debate before this Chamber.

Sir, you have also indicated that you believe it is important for Government to get on with the government of this State. You believe that what South Australia wants is for us to get back to the main game. Certainly, there is anger that all of us as South Australians feel about what has happened with the State Bank. That cannot be denied. I feel that anger, and members on this side also feel that anger. The fact is that we have a situation where the Royal Commissioner himself acknowledges that the former management of the State Bank misled the former Premier and Treasurer in so many instances. Those many quotes—

Members interjecting:

The SPEAKER: Order! The Leader is out of order.

The Hon. LYNN ARNOLD: —in this report never came out in the speeches of members opposite. It was as if they had not been written—

Members interjecting:

The Hon. LYNN ARNOLD: That is the dishonesty of it. Then they have the gall to attack you, Sir, when they themselves refused to acknowledge the points made in that report. We share the anger at that fact that we as South Australians collectively have to wear the burden of that and work our way through it. The fact is that the main game is there to be got on with, and the main game requires that Parliament be given the probity and the serious approach by all its members so that we can get on with the business of governing this State.

There will be an opportunity for the electorate of South Australia to make its decision. There will be the opportunity for the electorate of South Australia to choose which of the main Parties it wishes to govern this State. That is certainly acknowledged, but what has to happen is that government must continue and this Government is determined to continue to provide the leadership and direction that this State needs and to offer itself to the electorate in that context.

What the other side does not care about, and by its own words does not care about, is that in wanting power at any price they are prepared to bring down this State. Listen to the comments of the Leader himself on radio with respect to investment in this State, where he quite clearly was trying to scare investment away from South Australia. The fact that that would take away job opportunities, development and growth opportunities in this State did not matter to him, because all he cared about was simple political opportunism.

The fact that senior members of his own Party were prepared similarly to go public with that same kind of approach indicates the very cynicism and baseness of their approach this matter tonight. Sir, in that context, and in the context of your own record as Speaker of this place since 1989, there can be no grounds for supporting this motion of no confidence in the role you have played. You have fulfilled that role with great credibility. You have fulfilled that role with great impartiality and, Sir, you do not deserve to be brought undone by base, cynical political opportunism that simply seeks power at any price by any means. Mr Speaker, I oppose the motion, and the Government opposes the motion.

Members interjecting:

The SPEAKER: Order! The member for Victoria.

Mr D.S. BAKER (Victoria): I have listened with interest to the Premier's speech in this debate, which is probably the most important debate most members of this House will ever experience, yet the Premier had the gall to talk about honesty. When the deal was done with the Speaker, he knew well, because he had been warned on more than three occasions by Mr Hartley, that the bank was in trouble, and that was kept from the Speaker when the negotiations went on.

The member for Ross Smith knew full well what was going on with the bank. He had been warned on many occasions, but I presume that that was kept from you, Mr Speaker, when the negotiations were going on for you to take your position. I want to quote from that fateful article on 6 December 1989 under the by-line of Rex Jory, as follows:

> The Bannon minority Labor Government horse-traded its way into office yesterday after the two Independent Labor members accepted crucial parliamentary jobs in return for tacit pledges of loyalty.

As the article states, Mr Peterson said:

> I will support them but, if there are conditions or issues that badly affect my area or the State, I will vote against them.

Obviously, Mr Speaker, it had been kept from you that there was trouble in the State Bank, that there had been warnings to the Government about the State Bank, and you took on that job and made that statement with absolute honesty that you could carry it out to the best of your ability, knowing that there were to be no tragedies to beset the State Bank.

At page 167 of his report the Royal Commissioner said that there are ample grounds in Mr Hartley's evidence to show that what he was saying was correct, but that was kept from you. That allowed you to make a truthful statement and treat the whole matter of being Speaker in a somewhat flippant way, as you should have treated it at

that stage, because you horse-traded your way into it and, as a good Labor man, you said, 'I will support this Government provided they do not do anything that will bring this State into disrepute.'

Little did you know of what was to be the greatest financial disaster in the State's history—yet this mob opposite knew about it and kept it from you. Mr Speaker, this is backed up by what the *Sunday Mail* said a few days later, as follows:

> Honest answer from a pollie. That was a candid look of utter satisfaction on Norm Peterson's face when the Labor Independent was asked why he wanted the job of Speaker of the Assembly. For starters, he said, there was an attractive salary and a nice white car. None of wanting to fill a position of honour and furthering the interests of the democratic institutions for Norm. It was the perks and the package worth about $120 000 all up. It was refreshingly honest for a pollie, I suppose.

Quite obviously, Mr Speaker, you did not know the problems that were going to beset South Australia. We can go on through the months that follow and see the statements you made. Obviously, it was starting to come home that there may have been a problem, but you kept to what you said on that first fateful day, that you would support the Government as an honest Independent Labor man would unless some disaster beset South Australia.

We come to 11 February, the day after the losses, that fateful day—and you and I remember it well, Mr Speaker—when some $900 million had to be pumped into the bank and the then Premier, the member for Ross Smith, said, 'Don't worry, I have it all fixed. It will all be over in no time.' The Premier's minders were saying to the press, 'Don't worry, it will all be forgotten in a couple of weeks. The Premier's teflon profile will get us through this one.'

Still, Mr Speaker, you said that if there was any concealed information that had been kept from this Parliament you would not support the Government in future. Still, Mr Speaker, you believed that you had been told the truth when you took on the job. Later, on 7 August, you said:

> It seems to me there is no reason to defeat the Government at this stage. If a decision comes from the royal commission that the Government misled Parliament I would withdraw my support.

Still the penny had not dropped but, as we got into the royal commission, as the evidence came forward, did the former Premier, the member for Ross Smith, tell you about that sleazy deal he did before the 1989 election when he manipulated interest rates to buy an election when he got 47 per cent of the vote, which enabled you to horse-trade your way into the job? Did he tell you that that went on? I bet he did not, because the facade was still going on. You honestly said you would withdraw your support, but you did not know what was going to happen.

As we went on through the royal commission and the evidence came out, what exactly was happening? All of a sudden it became more difficult for you, Mr Speaker, because you could see, as an honest Labor man, that you had been misled, that this House had been misled, and someone was going to have to do some backing down. That is when the statements started to come out from you that, 'Well, perhaps we had better have a look at it. Perhaps I didn't say "the Government"; perhaps I said only "the Premier".' At the end of the day, you were forced to go to the Premier and say, 'It is going to be my neck or yours; you're going to have to go', because the member for Ross Smith concealed from you, the Speaker of the House of Assembly, the highest position in the Parliament of South Australia, the facts to buy your support.

Tonight the premier got up and said, 'You have been forced to wear the embarrassment', meaning the embarrassment of the Opposition. Rubbish! You have been forced to wear the embarrassment of this Government, and you are put in this unfortunate position. Your judgment over the past four or five weeks has been somewhat swayed by the way you have had to climb down. We feel for you. In fact, they are the mob you have to get rid of because, quite frankly, Mr Speaker, they dudded you—they absolutely dudded you—and now you are starting to realise it. You cannot blame the Opposition for pointing that out to you. I will now refer to the final matter raised by the Leader. You said in your statement:

> The Parliament can't work without the Speaker in the Chair. Now, if they're going to spit on the Chair, which I think they are, I've got to consider the dignity of the Chair.

Well, Mr Speaker, unfortunately, I think you do have to consider the dignity of the Chair. I think you have to stand down and let someone else take it. I support the motion.

The Hon. FRANK BLEVINS (Deputy Premier): I oppose this motion. When spending a few minutes in research on this question, I had a look at a book entitled *The Office of Speaker* by Philip Laundy, a very well-known Canadian authority, who, among other things, states:

> The comments of the Speaker may be called in question only by substantive motion moved for that specific purpose; a grave step which no member would dare to initiate frivolously.

Well, I have news for Mr Laundy: this motion has been moved totally frivolously. The various speeches that have been made by members opposite are testimony to that, because they have contained nothing in the way of comments about the role of the Speaker. What members opposite object to is the way the Speaker has voted on political issues. That is what they do not like. If anybody can tell me where this Speaker has acted without integrity or failing to maintain order in the House, they should do so, but nobody has as yet, because this motion is all about politics. It is all about what the Opposition laughingly calls tactics.

It has a leadership group, and I believe that the member for Kavel is delighted not to be a member of it. If ever an Opposition were handed an issue on a plate over this past fortnight, it is this Opposition. It is a gift from heaven. We have had a royal commission report, but what has the Opposition done with it?

Mr Ingerson interjecting:

The Hon. FRANK BLEVINS: If I had been in Opposition, I would have thought all my Christmases had come at once. But what has the Opposition done with it? What has the Leader done with it? The Leader has wasted it. He has been incapable of making anything of it. He has fluffed the use of this report from the outset, and the reason for that is that the Leader and the

leadership group have been dazzled—that is the word that has a bit of currency—by the thought that they could get power. They have not thought it through. They never think things through. Because they have been dazzled by it, they have allowed themselves to get sidetracked away from the royal commission into an attack on the Speaker, totally a side issue, right away from the main game. They ought to get rid of whoever is assisting them in determining their tactics.

However, given this golden opportunity, the Opposition has lost control of the debate. It has lost self-control and control of the debate. How inept can an Opposition be to have itself in this position when it has had such a golden opportunity! That is up to them. Members opposite can wander off into these frolics and sideshows if they wish. What I object to, and what the House ought to object to, is involving the position of Speaker in their sideshows and circuses. That is totally wrong. What they have said in this motion, and also in the speech of the Leader, is that you, Sir, have not acted impartially. I have never heard such nonsense in my life. Two weeks ago the Leader was up here berating us, praising you for knocking us off on votes four times in as many days. I did not see that as being particularly partial, I can assure you. I was not pleased about it. It is not my role to be pleased about it. How the Speaker votes is his decision. How he acts as the Speaker is what this motion ought to be about.

With respect to the question of maintaining order from the Chair, without in any way reflecting on the Chair—and I would not wish to do that, particularly at this critical time—I can be critical of one or two occasions when order in this House has not been maintained certainly to my satisfaction. I think you have been unduly harsh on me on occasions, but nevertheless I respect the position of Speaker so much that I wear it. Again, if I can pass comment without making a reflection, I think you have been fairly soft on occasions on members opposite, because on occasions they have brought into this House deliberate tactics to disrupt the smooth running of the House. I tell you that other Speakers, and certainly other Presidents with whom I have worked in Parliament, would not have given members of the Opposition the go that you have given them. They have had a tremendous go at it, so any suggestion that you have not acted with impartiality in discharging your duties in the House is absolute nonsense.

This motion is about politics. The whole debate has been the State Bank debate revisited, and members opposite cannot accept your vote on the issue of the State Bank Royal Commission report. They do not like it. It is understandable that they do not like it, but that is not the issue. The issue is: have you behaved in this House with the dignity, authority and impartiality that the position demands? I think on any objective analysis you have done so. Therefore, you should have the total support of the House.

Mr OLSEN (Kavel): The Premier said that the Liberal Party was trying to destabilise the Chair and, earlier today, that it was trying to turn Parliament into a circus. What the Premier got wrong was the tense: it already is a circus and the Chair has been destabilised by the Government's ignoring the royal commission report. The Government has left the full responsibility on you, Mr Speaker. They have put you in the hot seat, Mr Speaker. This is a difficult speech for any of us to make and for me for two reasons.

Members interjecting:

The SPEAKER: Order!

Mr OLSEN: The issue before us is far more complex than it appears on the surface, because having to censure an*y* person in this House, particularly the Speaker, can hardly be expected to be enjoyed, whatever the necessity and whatever the circumstances. Mr Speaker, I believe that you have usually followed a course of action honestly which you considered was the best for the processes of this Parliament and this Chamber. While I have disagreed with more than some of those decisions, I have respected the decision of the Chair. It is because I have respect for the Chair that I am participating in this debate tonight. The Chair has often taken a stance in the face of pressure from both sides of this Parliament, and the media. The Chair has been generally able to go about its business in a far more controlled and perhaps sensible way than some recent Speakers to whom I could point. Having said all that, the first report of the State Bank royal commission and the parliamentary difficulties which have followed the release have led me to the conclusion that the situation is now untenable for you as Speaker.

You, Mr Speaker, in recent weeks have set many benchmarks. You have set them publicly, Sir, and they have been met publicly on a number of occasions. However, every time we get near the benchmark you dismantle it. What has either been conveniently ignored or forgotten in the emotion of the past week is that it is the Government—not the Opposition as the Premier and the Deputy Premier would have us believe—that has left you in this situation where you are now taking the full brunt of so many conflicting responsibilities and certainly of the Government's mistakes.

The coalition Labor Government has sought to turn the position of Speaker into that of a political football and it has succeeded. The Government is also peddling the view—we heard it from the Premier, the Deputy Premier and the member for Napier earlier today—that this is a retaliation for not being able to force an early election last week. It is anything but that. However, it is in response to what the Government has done to the position of Speaker. Nor does the motion today deliver the Government to the Liberal Party. It is not a grab for power; it is not a power hungry action; and it does not take Government away from the Labor Party. The motion does not seek to achieve that objective. So, they are hollow words from the Premier and the Deputy Premier.

What it does do, and what it is meant to do by highlighting what has happened to the position of Speaker in this Parliament, especially since the formation of the coalition Labor Government, is make abundantly clear to the people of South Australia that Labor is in no position to continue in power legitimately. It is an illegitimate Government, kept there, Mr Speaker, by your vote. It is sitting on the Treasury benches only because of one vote: your casting vote as Speaker. You have become so tangled in all the conflicting obligations of your different positions that you have nowhere to turn for the

right answer for all the masters you are supposed to serve.

The Government knows this, and in the present circumstances it is abusing that power. No Speaker should be put in that position. The Government knows the views of the people of South Australia; its knows to what depth its standing has sunk, it knows it is no longer trusted as the Government of this State; and it knows too many people in South Australia want an election as soon as possible, for Labor's polling will be showing the same reaction to the State Bank debacle that our polling is showing. Those polls say that it is time for Labor to go, that it has lost the trust of the community of South Australia, and full well it knows it. If this Government had any intention of doing what is best for the State it has so economically devastated it would allow the people to have their say, as is their right, by going to an election as soon as possible. But, it will not do that. It prefers to hang on, to drag the State down for another 18 months of economic insecurity. That is 18 months which can only see an escalation of business frustration and community anger. The Government prefers to hang on, Mr Speaker, allowing you to take the blame for their being in power when it is really their responsibility to admit their grave mistake and do the honest, decent thing and resign as a Government.

Absolutely no-one in the private sector would keep his or her job if they had done to their company what this Government has done to this State. But, of course, the Government will not go, Mr Speaker, and that makes you its sacrificial lamb. It is willing to watch the position of the Speaker and the Chair come under intense pressure whilst the heat is shifted away from it. We see a Speaker whose two Independent Labor colleagues deserted him for the calmer waters of Cabinet solidarity. What of the other two Independent Labor members, Mr Speaker? They have left you to carry the burden of independent decision making on the royal commission report completely alone. That is Independent Labor solidarity for you—it is fine until something more secure comes along. Now it is all left to you, Mr Speaker. Naturally they support the Government's remaining in power. That is hardly surprising from where they now sit.

However, they conveniently no longer share the pressure which goes with the words. They are off the hook. The Minister of Health, Family and Community Services and the Minister of Primary Industries are not being censured for allowing Labor to continue in office because they voted for the Government in last week's no-confidence motion. They are not being censured for deciding that the member for Ross Smith's head on a platter is enough and that that was what they meant in earlier statements about withdrawing support from Labor. They are not being censured for their excuses that all Commissioner Jacobs' reports have not yet been released, when the whole State knows that only one—the one we have just read; the one that has been tabled in this Parliament—relates to the Government's role. That report roundly condemns the Government for its inaction and selective meddling. The Government is sitting comfortably out of harm's way watching its former colleague take all the pressure that is rightly its to share. This Labor Government has left you out to dry, Mr Speaker. You are hanging in the scorching heat, censured by the *Advertiser,* its editorials, the media and the public of South Australia.

Members interjecting:

The SPEAKER: Order!

Mr OLSEN: We also see, Mr Speaker, that you read only the key findings of the report. Frankly, I hold the firm view that it would not have mattered whether you had read the whole report—the full 475 pages. I think you would have reached the same conclusion, whether it was nine pages or 475 pages. That is exactly why it is an impossibility, Mr Speaker, for you to continue in your present position. I am sure you would be among the first to admit the importance of considering what the office of Speaker should be and that it should not be denigrated in any way by the cut and thrust that is Party political tactics. We have certainly seen that today and over the weeks in the way in which the Labor Party has left you. It is a Party for which support is so strong it would appear to hold the view that the worst Labor Government is better than best Liberal Government. That is the way members opposite approach it. So, it is Labor and Labor alone that has left you in this untenable position, Mr Speaker, in the midst of this disaster for South Australia. So much so that I do not really think it needs my side of the House to tell you what you already know: that it is impossible for you to remain as Speaker in the circumstances that now prevail.

The Hon. M.J. EVANS (Minister of Health, Family and Community Services): Mr Speaker, in a few days it will be eight years since I first had the privilege to serve in this House with you. We have both been Independent Labor members of this House, in my case since 1 December 1984 and in your case for a period slightly longer. In all that time, I have been well aware personally of the honour that you have brought to your position as member for Semaphore and latterly in your position as Speaker of this House. This motion tonight is not so much about you or any allegation of failure on your part but it is very much about the failure of some members opposite to deal adequately with their own position and justify their situation in this Chamber.

I do not propose to deal with issues associated with the royal commission this evening in my brief contribution to this debate, because I do not believe that that issue is relevant to the question of your capacity as Speaker. The previous speaker, the member for Navel, dealt at some considerable length with issues that are entirely unrelated to the question of whether this House should continue to have confidence in you as Speaker. We have debated the no-confidence issue and the royal commission report in this Chamber a number of times in recent days and those issues have been decided. Whatever the question may be, it has been resolved in this House by a vote of the whole Chamber. Under our Westminster system of democracy in South Australia you, Mr Speaker, are a member of this House and in your capacity as the member for Semaphore you are required to vote and you have done so. I know you very well: that vote has been given honestly. You have made honest and reasonable statements about why you voted in the way that you did. You were elected to this House as an Independent Labor member and you have lived up to the contract that you have with your electorate with honour. I know that for a

fact because I know you and your history in this place very well; I would suggest, better than any other member in this place.

The arguments we have heard from those to my right this evening have been about their own failure to maintain a case in this place for the arguments they put forward. Mr Speaker, you have not chosen to vote with their case on this issue, and it is for that that they choose to condemn you, not because of any failure in your capacity as Speaker in this place but simply because you have not chosen to agree with their point of view. You have every right in your capacity as a member of this House to vote in any way that you believe is appropriate. On one occasion which I remember only too well you voted against a view that I had in this place. I remember that very clearly. It is some years ago now, and I hope that you will not repeat it in a hurry. It is very clear in my memory and I am sure, as the Deputy Premier has said, those occasions when you voted against the Government in this House are clear in the memory of other members.

How quickly the Opposition has forgotten issues such as the WorkCover Bill. Those issues will not die very quickly on this side of the House. Just days ago the *Advertiser* said what a tremendous thing it was that you had the courage of your convictions to vote against those with whom you have often sided in this House in relation to an important matter such as that, an issue that is felt so deeply on this side of the House and by the industrial movement in this State. You had the courage of your convictions and you held out against significant pressure and voted in a way which you believed to be appropriate.

Members opposite have suggested recently that you had the integrity and capacity appropriate to take the position of Presiding Member of the Economic and Finance Committee. They put you forward in that capacity in error, from a misunderstanding of the nature of your position and the impartiality that you have to have in respect of the committees of this House and the way in which you have to deal with them and manage their business as Presiding Officer. That error has repeatedly been reflected in the Opposition's dealings in this House in relation to Standing Orders and in other matters associated with the proceedings of this House, its character and history. That is reflected in their speeches this evening and in the way in which they have confused political questions of the day with your role as Speaker of this House.

You have every right to make political judgments in this House and to vote as you see fit, but the way in which you have conducted yourself as Speaker is entirely beyond reproach. You have been an honest, effective and impartial Speaker. How many other Speakers have given Oppositions two hour Question Times in recent history? You have frequently agreed to questions which have provided the Opposition with the advantage of allowing it to expose issues of the day to public scrutiny. Indeed, you and I and other members in this House have supported the establishment of a parliamentary committee system which effectively examines the workings of Government and will go on doing so long after both of us have left this House. I would say that that is one of the legacies of Independent Labor members: the way in which an impartial committee system and select committees have been established in this House and the way in which they have worked in a bipartisan fashion and the way in which you have frequently given advice to Government Ministers behind the scenes to encourage them in views which you felt appropriate when sometimes because of the nature of your position you could not make a contribution in the House.

I have no difficulty whatsoever in rejecting this false motion based as it is on a totally erroneous premise that on every occasion you must base your views on those which would support an Opposition in order to be impartial. Impartiality has been redefined in that context. You must define it in the way which lies correctly with your conscience. I know that you will do that and that you have always done so whether it has suited me, the Government or even the Opposition, because you have put the interests of this House first in the way in which you have behaved as Speaker. The way in which you have given your political judgments as the member for Semaphore and, if I might say, as 'Norm Peterson'—I put that in inverted commas because I know it is against Standing Orders—is a matter for you, your conscience and your electorate to determine. I have every confidence that you have done that with honour and in a way which brings dignity to this House.

I believe your role as Speaker is one that you have conducted in a very appropriate manner. With respect to arguments that have raged in this Chamber for hours into the evening about issues associated with royal commissions, about politics and policies, you have sat here and listened hour after hour to the case that has been put to you and you have then rendered a judgment in respect of your personal view. In that context you were one of 24 votes in this House and, whether that is 24 votes from this side or the other side, you have given that decision in the way in which you felt was appropriate. I have confidence in the way in which you have handled the position of Speaker. I believe that confidence is shared by many members in this House, not all of whom are in a position to indicate that this evening because some of them will be forced by their position to remain silent. That is the true politics of the situation—not the false statements about your position in relation to the royal commission. That is not the reality here. This has been a debate about another issue entirely. Your position as Speaker has been justified and maintained, and I have every confidence in supporting you in relation to that this evening.

Mr BLACKER (Flinders): I feel as though I must rise and put on the record my views in relation to this motion. Mr Speaker, this motion is an endeavour to embarrass the Government. In so doing, it would, of course, cause considerable inconvenience to you. I have given a great deal of thought to it and I wish to explain carefully what I perceive the scenario of the issue to be. Before doing that I would like to explain the vote that took place this afternoon in the House. I hope that everyone would know that that vote was purely on a procedural motion and, as such, should not be questioned.

I was rather disturbed that one member of the media described my actions as an indication that I would keep the Government in office. That is not the case and it needs to be dispelled because it reflects on others who try

to draw that interpretation. They do not understand what is going on in this Chamber at this time. It is humanly impossible for my vote on this occasion to keep the Government in power. That needs to be said because the Government has 24 members, including you, Mr Speaker, as an elected member. Nothing I do can change that. Under our Westminster system every member of Parliament has the right to put their case, hopefully unfettered. I have already had a series of phone calls to my office to which I take strong exception. They were anonymous calls; those persons did not have the courage to put their names to them. But I have had a greater number of calls to my office from people saying, 'Thank you for at least having a say and putting your voice on the record.'

It is known that I am a conservative voter. I have always debated and voted on the merits of the issue, and that I intend to do tonight. If the defeat of the Government were possible by this resolution, we should be looking at it very seriously, but I know, and I think that every member here knows, that this motion cannot bring about the defeat of the Government. It is not possible for this motion to bring about the defeat of the Government. What will be the outcome? We have a scenario where there are 23 members of the Government, including the two Independents who form the coalition Government, 22 Liberals and I make up the Opposition, and the Speaker holds the balance of power. It has been said that, if a motion of no confidence were presented to this House, you, Sir, might well support that and therefore put yourself onto the floor of the House, thus opening up a new scenario of where we go from there. I have tried to track that through, to see what the outcome might be, and I will go through the possibilities.

First, if you accepted the Opposition's motion of no confidence in you and came down onto the floor of Parliament, the House would immediately have to elect another Speaker and, quite frankly, without being too presumptuous, I guess I might have been one of the targets. But if it was not me, it would have been another member, presumably on this side of the House. Had I or another member of this House accepted the position of Speaker, it would have been devastating from an Opposition point of view, because it would have resulted in 24 members on the Government side, 22 on the Opposition side and a conservative holding the Chair. That would have taken away from the Opposition the bargaining power that it has now, limited as it might be, but at least the Opposition does have some say in forcing a suspension of Standing Orders and therefore has a little bit of influence on the operations of the House. If the numbers became 24 to 22, the Opposition would have no influence on the running of the House, and this Government could, at its whim, extend beyond 12 p.m. or introduce legislation and push it through by using its numbers, because it would have the numbers.

The people of South Australia, in voting, made this House equally divided, and that should be the way we operate it. Let us take it one step further. Say for argument's sake that I did not accept the Chair (and I make a categorical statement that in no way would I accept the Chair under these sorts of circumstances) and say that no other member on this side accepted it (and I have been told that that would not occur, and I have said publicly woe betide any person if they did that, because they would get an earful from me and, no doubt, from many other people and from their own constituents), it would be for the Government to find its own Speaker. What is the scenario? The member for Walsh, the member for Henley Beach or any other member would be eligible to take the Chair. We would therefore have a situation where a Government appointee was in the Chair and you, Mr Speaker, would be on the floor of the House, and no doubt you would have a thing or two to say, if I can put it as kindly as that. There are a few scores to settle—but maybe I am going too far in saying that.

The whole scenario is this. Regardless of which way we look at the debate, whichever channel it takes, there is no tangible gain for the Opposition in trying to win in the final outcome. The very best scenario would be a break-even, with 23 on the Government side and a Government member in the Chair and 23 on the Opposition side. The very worst scenario would be 24 on the Government side and 22 on this side, with the Opposition therefore losing any advantages (if we call them advantages) and the closeness of debate that we have now. I cannot see that there is an advantage in heading down that track. We know that this vote cannot bring about the downfall of the Government. The constitutional referendum of a few years ago established a minimum of three years for a term of government, and it was stated in this House only yesterday that we cannot go to the people until March next year, at the very earliest. This motion could not bring that about. So, realistically we need to analyse just where we stand.

I do not intend to support the motion, as the honourable member says, because, quite frankly, from an Opposition point of view (and I do not wish any misinterpretation to be read into that), I believe it is better for the Opposition to have you in the Chair, Mr Speaker, than to have a member of the Government in the Chair. You have demonstrated a sense of fairness that I believe has been honoured and recognised by all. You did give this House an extra hour of Question Time on your casting vote a while back. As one of the members of the Government said, you have embarrassed the Government at times by exercising that vote. We have not had that before, and we would lose it. Quite frankly, I do not think we should lose it on that basis. I have thought this through. It is indeed a very serious decision for me to make. I know full well that flak will be emanating from it, but I would hope that the people who know what they are talking about will examine the facts of the situation, and I am sure that if they do so they will come down with the same decision that I have made or, at the very least, recognise that what I have said is appropriate.

I think I have said most of the things I wanted to say. I do believe that yesterday the Opposition had one of its best days. I believe the Opposition was effective in embarrassing the Government of the day. It effectively tied up the Premier and drew an association between the present Premier and the former Premier in parliamentary debate. I believe that that was good strategy and that it scored points on that, and I think that that was an appropriate way to go. I have made my position clear and I conclude by saying that I have put on the public record

my reasons for my vote. I do not intend or accept that there is any malice in this debate at all, but I reserve the right to put on the record my views and why I am making a particular decision. I believe that is within the Westminster system and in the best interests of the Opposition and the conservative members who, hopefully, will occupy the Government benches in the not too distant future.

The Hon. FRANK BLEVINS (Deputy Premier): I move:

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

Motion carried.

The Hon. J.P. TRAINER (Walsh): I commend the member for Flinders—

Members interjecting:

The SPEAKER: Order!

The Hon. J.P. TRAINER: —for his integrity and his intelligence, which is more than I can say for the rest of the Opposition. I oppose this cynical device to abuse the proceedings of the House for political purposes by in effect attacking the umpire. The office of Speaker is one of the four highest civic positions a South Australian can aspire to, the other three being Governor, Premier and Supreme Court judge.

Mr Matthew interjecting:

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

The Hon. J.P. TRAINER: I was honoured, Sir, to have occupied that position for the four years prior to your assumption to office. The circumstances of my yielding to you at that time are well known, but I believe that you have honourably attempted to meet your triple duties: your duties to this House, your duties to the traditions of this Parliament and your duties to your constituents in Semaphore. The fact that I, who might be expected not to be amiably disposed towards you, am firmly determined to most strongly support you against the Opposition motion of no confidence should be powerful and tangible evidence of the justice of your defence and the appalling cynicism of Opposition attacks on you. Similarly, the stance of the member for Flinders should be evidence for even the most ill-informed person that the Leader of the Opposition and his tacticians are full of humbug (I use that word as a polite substitute for another) and are making a mockery of parliamentary practice, no matter how much they attempt to camouflage it.

The position of Speaker is a most onerous one. He must balance four contending principles: he must uphold the authority of the Chair, which is above all else the prime directive; he must protect the rights of individual MPs so they can go about their duties and so they can exercise their right to be heard (though not necessarily listened to); he must preserve the dignity of the House; and he must expedite the business of the House. Occasionally, those directives clash with one another. For example, the Speaker might occasionally turn a deaf ear to a stupid interjection so as not to hold up proceedings, but nevertheless the prime directive is upholding the authority of the Chair. That is the directive on which all else is based and that is the role that the Opposition has done so much to sabotage.

I believe that in some ways, until the *coup d'etat* of the Steele Hall faction against the DeGaris faction deposed some people in here, and the DeGaris clones from Kavel and Victoria suffered their fate, you have been blessed with a slightly smoother path than I had. With a finely balanced House, an Opposition normally tends to avoid provoking the Speaker into suspending anyone, and that was the case (with the exception of the stunt by the member for Coles) until the change of Opposition leadership. And what a cynical change of tactics we have seen since that change in leadership.

At first, for three years, the Opposition offered you blandishments rather than the abuse that we have seen in recent days. I have reason to believe that following the 1989 election, prior to the likelihood of your being made Speaker becoming well known, people associated with the Opposition attempted to bribe you by offering you well paid directorships of companies if you ignored your constituents and put the Liberals in office in December 1989. I do not know whether Gerard Industries was among those companies. The Opposition still wooed you for some time after that, including some arrangements which seemed to have been made concerning the Commonwealth Parliamentary Association. But how all that changed after the Parliament resumed on 6 August this year following the change of Opposition leadership.

For a little while the blandishments continued, up to and including one of the most disgusting attempts at bribery in our parliamentary history. That incident in your office on Tuesday 25 August was related in the *Advertiser*. I should like to quote it again for the benefit of the House. It is from the *Advertiser* of 27 August 1992. Under the caption, 'Speaker not amused over "joke",' it states:

A remark to the Speaker, Mr Norm Peterson, that he could keep his job if he voted to bring down the Government was made as a joke, the Opposition Leader, Mr Dean Brown, said last night. Mr Brown confirmed he had made the remark to Mr Peterson on Tuesday evening shortly before a crucial House of Assembly debate. But he claimed it had been made in jest and was just one of at least 12 jokes he had shared with Mr Peterson since returning to Parliament.

I should like to hear the other 11; they must be hilarious. The article continues:

Mr Peterson yesterday refused to comment on the conversation which is alleged to have taken place in Mr Peterson's parliamentary office after dinner on Tuesday. He said any inquiries about the incident should be addressed to Mr Brown. The private conversation between Mr Peterson and Mr Brown on Tuesday was followed by a stormy debate in Parliament during which Mr Peterson warned Mr Brown against making 'accusations or allegations' about the Speaker.

I asked a question about this which you, Sir, were too gracious in the circumstances to answer. I asked whether in the privacy of your room you had been offered a three-year term as Speaker under a Liberal Administration. So much for those who have no confidence in this Speaker; they would have offered him the position of Speaker in their Administration. As I said, I asked whether you had been offered either a three-year term as Speaker under a Liberal Administration—I do not know what the members for Eyre or for Hayward would

have thought of that, because they are the two factional aspirants opposite—or a term as Governor of this State.

The Speaker is being charged by members opposite in a no-confidence motion but, if some of those facts that I have related are completely accurate, the Leader of the Opposition could well be charged with the attempted bribery of a public official. It is the most ignominious example of corruption since the Praetorian Guard publicly auctioned off the position of the Roman Emperor to the highest bidder in 193AD. There is an interesting quote from Gibbon that I found relating to that time. He said, 'History has accustomed us to observe every principle and every passion yielding to the imperious dictates of ambition.'

Make no mistake, Sir: it was just greed for power, it was ambition and cynicism, that prompted that attempt to bribe you. You, Sir, rejected their advances. But hell hath no fury greater than a grafter scorned. Like a rejected suitor, the Leader turned on the object of his blandishments. He began to attack the Speaker. Bribery turned to bullying, but the ex-boxer proved a hard nut to crack. Not only did they attack the Speaker but they began to criticise him for defending himself against their attacks. That reminds one of the old French saying, 'This animal is very wicked. When it is attacked, it defends itself.'

One of the reasons why Standing Orders do not allow reflections on the Chair is to uphold the authority of the Chair—the prime directive that I mentioned earlier. Another is the basic unfairness, the gutlessness, of such an attack on someone who is not in a position to defend themself. The Chair is in a no-win situation faced with such attacks. If the Chair is dragged into political debate, and if the occupant of the Chair does not respond, he allows the Chair to be debased by implication. On the other hand, if the occupant of the Chair does respond, the Chair is affected by being actively dragged into the debate as a participant.

The Opposition has criticised and abused you, Sir, since that time in August. We can even pick the date when it all began—25 August, the night that you rejected its bribe offer. A taxation measure was brought before this House by the Government, and the Opposition sought your support for that tax measure. We cannot quote *Hansard* in this debate, but members of this House and members of the media can look up page 354 and see the bullying that was clearly evident on the part of the Leader of the Opposition against the occupant of the highest office in this Parliament. Several of us commented on it at the time.

We could not understand the political intelligence of someone who tried to woo the casting vote of another by abusing that individual. We just could not believe such political idiocy. I draw attention to the remarks that were made in *Hansard* by me, by the former and now again Deputy Speaker (the member for Henley Beach) and by the member for Albert Park, at pages 362, 363, 366 and 460. What is recorded on those pages, and what we have heard today, makes clear that the Opposition does not care what damage it does to our parliamentary heritage.

This has basically been a well run House for the last decade or more, and I include the member for Light who occupied the position of Speaker from 1979 to 1982. This House has not been allowed to degenerate to the standard of debate that we see on the television coverage of the House of Representatives in Canberra, which gives all parliamentarians in Australia a bad name. The member for Light, as I have been reminded, was not the choice of most members opposite, and it was the fact that he had bipartisan support in the House that made it possible for him to occupy the Chair in 1979. But how embarrassed he must be at this motion. As a person who once occupied the Chair and who is aware of the principles that the Chair is sworn to uphold, how embarrassed the member for Light must be, because he knows in his heart, I am sure, how disgraceful this episode is and what has led up to it in recent weeks.

And I wonder how embarrassed the member for Custance is, who told Simon Royal on 5CK on Monday, 23 November that 'Norman Peterson has been a very good Speaker.' All Speakers try to uphold the heritage of this Parliament. If they could be alive to hear what has been said today and to witness what has been done by the Opposition, what would people like Speaker Nicholls, whose portrait is behind me and who was in charge of this House for 23 years, think; or George Strickland Kingston, the first and third Speaker of the House, whose portrait also is behind me; or Jenkin Coles alongside, who was Speaker for 21 years from 1890 to 1911—

Members interjecting:

The SPEAKER: Order!

The Hon. J.P. TRAINER: —or even, though he was not a Speaker of this House, Holder, whose portrait is in the comer, who was the first Speaker of the House of Representatives and so dedicated that he actually died in the Chair carrying out his duties during a fiery debate? This House was well run until the Opposition began to pull it down, and this is clearly a cynical device by people greedy for power who do not care what damage they do. They remind me of the Liberals in Canberra in 1975—so hungry for power, ahead in the polls, pushing for an early election, they did not care what terrible damage they did to the office of Governor-General, to the Constitution or to our parliamentary traditions. It is that same greedy, cynical attitude that we see here again today from this disgraceful rabble opposite.

The Opposition is debasing this Parliament by dragging the Chair into the political arena. First, they tried to bribe you, Sir, and then they tried bullying you. They attack you, knowing how hard it is for the Chair to defend itself. It is a gutless attack on someone who has one hand tied behind his back, metaphorically speaking. No-one here cherishes the tradition of this Parliament more than I do, nor does anyone have more respect for the heritage passed on from one occupant of the Chair to another. No-one, therefore, is more disgusted than I am at this appalling attack, and I call on every member who seriously believes in supporting the authority of the Chair to reject this motion.

The Hon. H. ALLISON (Mount Gambier): Having had a number of no-confidence motions moved against me in the past, I know how serious it is. You feel as if you are carrying the whole weight of Government on your shoulders and, Mr Speaker, perhaps you are. Mr Speaker, there is tension and unease in the House and, although you have been called the umpire, you are a vital part of the game and subject to criticism.

Today I felt an increasing evidence of what I was going to say was 'arrogance', but perhaps I will say 'indifference' in your response to me when I sought an apology for accusing an unnamed member for spitting on the Chair, and thereby indicting all members of Parliament. The peremptory 'No' which you delivered generated considerable heat, and that heat has generated tonight's motion of no confidence.

I wonder also whether I detected from members opposite some element of siege mentality. After all, I posed a perfectly civil question on behalf of all members of the House, and I have a feeling that the Opposition is being treated with contempt. This is increasingly evidenced by the maniacal laughter that comes from the Government side when you make your responses to members on this side of the House—the same laughter, Mr Speaker, incidentally, which met the questions which were being asked year after year about this very same State Bank, the subject of the royal commission report. We are all aware that you did in fact reflect on members of Parliament in your comments to Channel 10, but I am more concerned that today I felt that the Leader was being overtly threatened when you said that his problem would be very easy to fix. I construed that as being some suggestion that his removal would obviate your need to vote in the House this evening. I had not conferred with the member for Flinders at that stage.

Mr Speaker, I am equally concerned that only a week ago you also implied that there was an Opposition and a media plot—that is a sinister word 'plot'—against the Chair. I was too slow to take a point of order that perhaps the Chair itself should not impute impropriety against members of the House. I regret that inaction on my part. But a measure of the overbearing attitude that I have detected was exacerbated today when you overruled the member for Hayward. I did not think you really listened to his motion, and you also overruled the member for Coles who was seeking clarification.

Surely, Mr Speaker, a member can at any time move a suspension of Standing Orders, other than during Orders of the Day. It is for the members of the House to decide. The motion was dismissed, maybe unheard; it was refused and it was not put to the House. I did not feel happy about that. It is the minutia of daily decisions that are just as important as the broad brush issues that we canvass.

The events of the past few days have further reduced the Opposition's and the public's confidence. Mr Speaker, by unilateral action, unsolicited by the Opposition, you have raised the hopes of the South Australian public by personal unsolicited statements, repeated over several months, that you would withdraw support for the Government if the royal commission report showed that the Premier—and therefore the Government—was culpable.

This has been clearly demonstrated, Mr Speaker, and now you are claiming that the member for Ross Smith's resignation has expiated the Government's responsibility and that your commitment to the people of South Australia—oft repeated—is now null and void. I dispute that claim. The royal commission report clearly shows that the Government of South Australia—the Premier and the Cabinet Ministers—had and still have collective responsibility for events leading up to the State Bank failure.

The people of South Australia are the ultimate guarantors and still expect more than the resignation of the former Premier. Mr Speaker, it is difficult to serve two masters, as you would be aware. I have never questioned your support for the Labor Party. I do not think that you will ever let them down. I think you have Labor first and Independent second: I have said that out of the House in your defence. I have no criticism of that, but you have personally raised expectations of people and now you either cannot or will not deliver what you promised, even in the face of damning evidence against the Government, the Premier and the Cabinet.

In the royal commission report examples abound of the Government's perfidy. It is a pity, Sir—by your own admission, it is a pity—that you did not read the body of the report, because the recommendations are relatively bland and shallow. It is the substantial lengthy body of the report which carries the trenchant, weighty criticism of the Government, the Treasury, the former Premier, the State Bank, the board and even the Reserve Bank of Australia. I really do wish that you had read the criticisms before arriving at your decision, which was so critical the other night.

My confidence was certainly reduced when I realised that you had not read the report, after having had so much promise, saying, 'That will be the point when my decision is arrived at.' Your decision, Sir, appears to have been based on a Government whitewash advice, not on a personal reading, and it was the biased view of the Premier—after all, the Premier is going to present the best perspective, not necessarily the accurate one—and public statements from you regarding the royal commission report and your repeated threats of withdrawing support from the Government are of themselves destabilising of the Parliament.

Such remarks personalise the position of Speaker. They remove the traditional impartiality of the position and destroy the objectivity of decisions, an objectivity that is usually in fact traditionally associated with the Speaker. Decisions are increasingly subjective. Westminster Speakers are held in such high regard that they are not electorally opposed. Speakers set a model as independent adjudicators over affairs of the House.

Moreover, the Opposition has been challenged several times by you, Mr Speaker (and this I find unusual, and I quote 20 November 1992 as one case—'Let's see if they have the guts', and that is a meaty challenge) to question the Speaker's role and to question the Speaker's actions. What can a responsible Opposition do in the face of provocation like that from an independent, impartial and objective Speaker?

It is really the stomach-churning stuff of politics. You, Sir, publicly aired your views on the possibility of a no-confidence motion when the Opposition had at no stage broached the subject. Another provocative challenge. Again, you raised public expectations on that count and media speculation quite unnecessarily. These actions are antagonistic and adversely affect the running of Parliament and its stability. You, Sir, have initiated comment. You have aroused public and media speculation. You have served to destabilise Parliament in your own right and to destabilise the Government, and I

believe that you claimed a substantial role in unseating the former Premier through threats to withdraw support following release of the royal commission report. These are not the actions of a typically aloof, impartial and objective Westminster style of Speaker. They are the actions of a very active and involved Speaker. They make for increasingly uncomfortable relations in Parliament.

I turn now to the Premier. He threw down the challenge and gave his biased perspective of the royal commission report. He said we had not thrown out cases. However, I threw out 20, 30 or 40 examples the other evening where the Royal Commissioner was trenchant in his criticism. Let the premier answer why you, Sir, should have read the second part of the report—the major part of the report. The Government did not carry out its inquiry into the bank until too late. It ridiculed the Opposition when questioned over the State Bank. It misled Parliament 16 times. It often refused to reply at all on commercial confidentiality grounds. It raided the State Bank profits, and profits not even there, year after year. It asked for home loan interest rates to be frozen—in 1985, 1987 and 1989—duplicity—before the State and Federal elections. That hurts.

The Government acted to save its political future and not to save South Australia's economic future. These facts are out of the commission report, Mr Speaker. It is dereliction of duty because it cost South Australia's taxpayers $3.15 billion. Under the Westminster system the Government is collectively responsible and collectively guilty in the matter of the State Bank failure. The Government failed to act in the face of increasing evidence of problems with BFC, Pegasus, East End Market, State Bank, Remm and so on. The Government was panic stricken, frozen in the 'Look, no hands' position. It misconducted affairs of State, rode the economy into the ground, and there is more from the report—not from the recommendations. It failed to reveal the extent and its knowledge of State financial problems—deceit. The Government repeatedly understated the size of the financial catastrophe. It repeatedly claimed the bank was profitable when substantial loss was likely.

The Government approved the State Bank CEO's appointment despite denials from the Premier. The Government treated taxpayer funds in cavalier fashion. It failed to rein in the bank's operations whilst the taxpayer had to carry the losses incurred. There were the seeds of fallibility, said the Commissioner, in the Government's policy of allowing the bank to determine the appropriate course for the bank to follow in commercial operations.

The Government asked no questions when the bank doubled its planned expansion in 1988, far exceeding the major banks in Australia. The Government did not question State Bank rationale or planning—whether quality was being sacrificed for quantity of business, and maybe commissions paid. The Government failed to question whether Hong Kong and London operations would benefit the State taxpayer. The Government did not monitor performance of the bank's overseas profit centres. The Government exerted pressure instead for the bank to declare a profit—focus on profit rather than on quality of performance was reflected in the bank's strategies and the quest for ever increasing profit, pre-budget generally and pre-election certainly.

The premier's 'hands off' role only became 'hands on' before the 1985, 1987 and 1989 elections, with interest rates frozen to further the ALP's election chances. The Government failed to act except when it suited its own political ends—in budget time profits and in pre-election interest freezes. It is common knowledge that Tim Marcus Clark and the Treasurer confirmed that the Treasurer had asked the bank not to raise interest rates until after Christmas 1985. That is blatantly political. The Government failed to monitor the extent of the guarantee which taxpayers might ultimately have to meet for the State Bank.

In 1986 the Government was told that the London office would not be profitable. Why did the State Bank need a Cayman Island branch? Mr Speaker, were you not interested in all these things? Why did the Government not ask whether the board and management were competent or in sound control of its rate of development? There is more and more, page after page. Mr Speaker, these and so many other questions were raised by Commissioner Jacobs, and I am simply echoing them.

A reading of the report would have demonstrated clearly that the Government had failed the people of South Australia—that the Treasurer, Treasury, the State Bank and others were jointly involved—and must surely have convinced you, Mr Speaker, as it has convinced the general public, that the Government was guilty. I believe that your failure to ascertain the correct facts has really undermined the confidence in you as much as anything by your own admission, because you promised the people of South Australia so much upon receipt of the report, and actually said that that is the point when you would make your critical decision regarding the future of the Government, the date of the handing down of the report. But this most significant document in South Australia's financial history went largely unread.

I have no criticism of you for supporting the Government. After all, you are Independent Labor, but you have personally raised community hopes and made commitments based upon the findings of the royal commission report, which has been a damning document for the Government. I believe that you have lost the confidence, not only of the Opposition by tonight's motion, but of the people generally in South Australia. I support the motion.

The Hon. DEAN BROWN (Leader of the Opposition): In debating this motion of no confidence, the only defence whatsoever that has come from the Government benches tonight has been that it is a simple grab for power by the Liberal Party. There is absolutely no evidence whatsoever, upon the passing of this motion, that the Liberal Party would be given any power whatsoever. It has nothing to do with obtaining an election. It has nothing to do with votes that have occurred in this Parliament. Nowhere in this motion before us is there any reference as to how you, Mr Speaker, have voted in this Parliament.

The motion is about the ridicule that you have brought on the Chair, on the position of Speaker of this House. The motion is about the fact that you have been erratic in your behaviour. Look back over the evidence. It is you, Mr Speaker, who stood there day after day making public statements that judgment day would come when the royal

commission report was brought down. It was you who set the standards. It was you who indicated that judgment would be passed on this Government on the day the first royal commission report was brought down—yet when that judgment day came (and this is the most revealing fact of all) on the morning of Wednesday 18 November, before the motion of no confidence had even been moved in this House, you, Mr Speaker, had made statements to the media that you would vote to support the Government.

Before the Liberal Party had even had the chance to produce the evidence in this House to highlight the 16 occasions on which the former Premier had misled this Parliament, you had made statements to the media outside that you would support the Government. That is damning, absolutely damning. It has nothing to do with your vote in this House. It is the fact that you have chosen to ridicule the position of Speaker of this Parliament. It is for that reason that the Liberal Party no longer has confidence in you as Speaker.

I come back to highlight your erratic nature. As I said, I went through the details, not of statements made by the media but specific quotations that you have made since becoming Speaker of this Parliament in 1989. It occurred in 1989 when you made statements, it occurred also in 1991, and it has occurred throughout this year. You have set down the standards by which you are now not prepared to be judged. That is the reason why the people in the streets are now mocking you. In mocking you—and this is the part that concerns me—they are bringing contempt and mockery on the Speakership of this House and on the House itself. It is because of your behaviour that this has occurred.

Just to highlight some of your erratic nature in the past week or so, when you were stung by the editorials of the *Advertiser,* when you were stung by the polls calling for this Government to go to an election, when you were stung by the mockery of the public, you said last Friday that, if a vote of no confidence in you was passed, you would quit as Speaker. It is there in the *Advertiser* of Saturday morning. You laid down the standards yet again, that if there were a vote of no confidence in you as Speaker, without qualification you would resign as Speaker. But two days later you were backing off once again. It is so typical of the way that you have ridiculed your position, not in this House, but out in the street and to the media, because of your inconsistencies and the fact that you cannot remember from one day to the next the undertakings you have made.

Look at what you did with respect to WorkCover. You stood up and said that, if the trade union movement did not get a letter to you before the legislation was passed by this Parliament, you would remove your support for this Government. We all know about it. We all read about it in the media. We all heard about it and saw it on television. But what happened? The trade union movement did not send you that letter withdrawing its opposition to the WorkCover legislation package, but you still continued to support this Government.

I highlight the fact that you have set yourself up as judge, not as Speaker of this House. I respect your position as Speaker of this House, but you have set yourself up as judge to the public, and you have been found wanting in that respect. Through that, you have brought disrespect and ridicule upon this House. It is for that reason that I can no longer have any confidence whatsoever in the position you hold as Speaker of this House.

To finally cap off this ridicule that you have brought upon yourself, you then go out into the public and bring ridicule upon the members of this House by accusing them of spitting on the Chair. So far in this debate you have not produced any evidence whatsoever. I understand that you are speaking next, but I point out that you have been unable to produce any evidence at all where we as members have spat on the Chair. If you had such evidence, you should have approached the appropriate members involved and criticised them.

I have not been approached, and neither has any other member in the Liberal Party. No, Mr Speaker, although this occurred last Friday, you have not bothered to approach any single member of the Liberal Party and heap that criticism upon them. It was not until we challenged you in the House today and asked for an apology that you repeated the statement that it was members in this House who had spat upon the Chair. Mr Speaker, I repeat that it is you who has brought your position into ridicule, and in doing so you have brought contempt upon the integrity and standing of this Parliament. I ask members to support this vote of no confidence.

The SPEAKER: It is usual for a Speaker to make a statement in support of his actions. Whilst it seems there is nothing to defend, on this occasion I would like to make the following points. It seems to me that there is nothing to defend and the debate seemed to be more about the royal commission report and the Government's performance than about my performance. No member in this debate has suggested any area where I have not been totally fair and even handed to both sides of the House. Indeed, recently the Leader and the member for Hayward came to my office. The member for Hayward did not plead, but he certainly made a very strong appeal for me, because of my impartiality, my fairness and my open mindedness, to take the Chair of the Economic and Finance Committee—that was only a matter of weeks ago.

The only thing that has happened here is that members have criticised my vote. The only criticism is about how I have voted and that I have held improper sway over the Government. I have one vote in this place and it is equal to the value of each one of the other 46 votes. I exercise that vote in the way that every member should: by my conscience and according to the wishes of my electorate. Mention was made of surveys of the State. The State does not elect me: I am elected as the member for Semaphore by the people of Semaphore. A survey taken by the *Advertiser*—which by all stretch of the imagination is no friend—showed that 48 per cent of those surveyed supported my actions, encouraged me and urged me to continue in the manner in which I was conducting myself.

Mr Matthew interjecting:

The SPEAKER: The member for Bright will be left for half in a minute. The survey showed that 37 per cent of those questioned said, 'No' and 17 per cent were uncommitted. If the result had been the other way around

it would have been headlines. As it was, it was well down in the script. I challenge anyone to tell me that 48 does not beat 37 every day of the week. I particularly note that Speaker Stott used his casting vote on no less than 47 occasions in this House, and that would have been to support the Liberal Party—the Playford Government. Speaker Conley did so on 59 occasions and Speaker Eastick did so on seven occasions during the time that the present Leader of the Opposition was a Minister in the Tonkin Government. On seven occasions he supported the Government with his casting vote.

This motion has done nothing to enhance the image of the Parliament in the eyes of the public or the electorate generally. It is all the more remarkable that it is the Leader—a member who aspires to the highest office the Parliament can bestow and who, if he achieves that office, should be second only to the Speaker in upholding the dignity and rights and privileges of the House—who has moved this motion. While it may be considered 'unspeakerly'—if I can use that term—to say so, I hope that the Leader's colleagues and the electorate at large understand that point and judge him accordingly.

The point raised by the member for Walsh comes to mind. It seems to me also that from that day on relationships and attitudes in this House have gone downhill. The Leader also earlier today alleged that I had deliberately postponed debate until now to wait until the television cameras had gone. I can only ask all members who it was seeking the publicity. It was certainly not the Chair. The motion also refers to my suggesting that members were 'spitting on the Chair.' That certainly needs to be put in context. The remark was a figure of speech to describe what I consider to be a recent lack of respect for the Chair and the appropriate forms of the House. My choice of phrase could possibly be offensive to some who come from a different school to me, but the meaning was clear. It certainly did not reflect on any particular member.

I would like to put a few more observations on the record. the Speaker's role in our Westminster system of Parliament is hundreds of years old and it has hundreds of years of tradition. Indeed, previous Speakers—not in Australian Parliaments but in British Parliaments—have died to uphold and protect the rights of the Chair. Are we in our State Parliament to erode these rights? If we are to do so, let there at least be some vestige of legitimacy in the reason and not some ploy to wrest temporary political gain from an exercise that only damages and depletes the establishment of Parliament.

I would like to touch briefly on the role of some members of Parliament. The member for Light, who was a distinguished Speaker in this place, and a mentor of mine when I was unanimously elected as Speaker of this House—before the Leader turned up here—understood, upheld and insisted upon respect for the Chair. Let us also be very clear: he was no stickler for Party decisions. Indeed, he stood against the Party nominee for the job of Speaker and I supported him in votes of no confidence from the Opposition when he was the Speaker. How will he vote?

The member for Eyre is said to have aspirations for the Chair. How does he see this exercise and how will he vote? The member for Murray-Mallee is a stickler for decorum and believes we should expand the powers and the role of Parliament. I ask him: how can we do that if we deplete Parliament? How will he vote? The member for Coles is principled enough to lay down in front of bulldozers to save a tree and the environment. How much care does she have for this establishment? How will she vote? The member for Hanson has demonstrated his independence in other political days. How will he vote? The member for Hayward is a noted student of *Erskine May*. He has just about worn out the carpet standing for points of order. He upholds the standards and traditions of this Parliament, allegedly, but how will he vote? His offsider, the member for Adelaide, I think also takes a copy of *Erskine May* to bed with him. How will he vote?

In summary, I totally reject any suggestion that any of the decisions or statements from the Chair have been other than scrupulously fair in the interests of the House and its place in the Westminster system. I am happy to accept any questioning of my decisions in accordance with the Standing Orders, including motions of no confidence in my performance. However, I would hope that any further motion at least has some basis in reality. The motion is an unseemly attempt to undermine all of those principles upon which our system of parliamentary democracy depends and I urge all members to reject it.

The House divided on the motion:

Ayes (21)—H. Allison, M.H. Armitage, P.B. Arnold, D.S. Baker, S.J. Baker, H. Becker, M.K. Brindal, D.C. Brown (teller), J.L. Cashmore, S.G. Evans, G.M. Gunn, G.A. Ingerson, D.C. Kotz, I.P. Lewis, W.A. Matthew, E.J. Meier, J.W. Olsen, J.K.G. Oswald, R.B. Such, I.H. Venning, D.C. Wotton.

Noes (23)—L.M.F. Arnold (teller), J.C. Bannon, P.D. Blacker, F.T. Blevins, G.J. Crafter, M.R. De Laine, M.J. Evans, D.M. Ferguson, R.J. Gregory, T.R. Groom, K.C. Hamilton, T.H. Hemmings, V.S. Heron, P. Holloway, D.J. Hopgood, C.F. Hutchison, J.H.C. Klunder, S.M. Lenehan, C.D.T. McKee, M.K. Mayes, J.A. Quirke, M.D. Rann, J.P. Trainer.

Pair—Aye—B.C. Eastick. No—M.J. Atkinson.

Majority of 2 for the Noes.

Motion thus negatived.

DOG CONTROL (DANGEROUS BREEDS) AMENDMENT BILL

The Hon. M.K. MAYES (Minister of Environment and Land Management) obtained leave and introduced a Bill for an Act to amend the Dog Control Act 1979. 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 Dog Control Act was enacted in 1979. It replaced legislation relating to the registration of dogs dating back to 1924. The 1979 Act contains measures for controlling and regulating dogs as well as for the registration of dogs. During the past 12 or so months there has been considerable publicity given to savage dog attacks, especially attacks on children by American Pit Bull Terriers. The Dog Advisory Committee recommended in June 1991 that legislation to control American Pit Bull Terriers

be introduced. The Federal Government has moved to prohibit certain breeds of dogs known to be of a potentially savage nature (including American Pit Bull Terriers) from being imported into Australia. The 1991 Conference of Ministers Responsible for Animal Welfare expressed overwhelming support for stringent controls on such dogs.

This Government is committed to introducing stringent controls in order to curb attacks and to ensure that owners and others in charge of dogs known to be of a potentially savage nature take full responsibility for the dogs. The Bill introduces special measures relating to prescribed breeds of dogs—the American Pit Bull Terrier, Fila Braziliero, Japanese Tosa, Dogo Argentina. These are the breeds that may not be imported into Australia. The Bill allows for further breeds to be added by regulation if the necessity should arise in the future.

The Bill provides controls in relation to dogs of those prohibited breeds that are already in the State or that are brought in from interstate. The Bill requires such dogs to be muzzled and to be held on a leash by a person of at least 18 years of age at all times while in a public place. It also requires the dogs to be desexed and it makes it an offence to sell the dogs or to advertise them for sale. The Bill provides that repeated breaches of these provisions may lead to disposal of the dog, as it may with certain other repeated offences. The penalties for not registering such a dog, not attaching a registration disc to the dog, allowing the dog to wander at large or to enter a place such as a shop or school are increased to a maximum fine of $2 000. It is important that the dogs are registered so that the Dog Advisory Committee can monitor the situation effectively. The Bill also contains a housekeeping amendment related to greyhounds and a consequential amendment related to the evidentiary provision. I commend the Bill to honourable members.

Clause 1 is formal.

Clause 2 provides for commencement of the measure.

Clause 3 amends section 5, the interpretation provision, by adding two definitions. 'Prescribed breed' means American Pit Bull Terrier, Fila Braziliero, Japanese Tosa, Dogo Argentina or any other breed specified in the regulations. 'Sell' is defined for the purposes of an offence of selling a dog of a prescribed bred (see clause 9).

Clauses 4 to 7 amend various sections by increasing the penalty where the dog involved in an offence is of a prescribed breed. The offences concerned are failure to register a dog, failure to have a registration disc attached, dog wandering at arge and dog in shops, schools etc.

Clause 8 amends section 48 which deals with the muzzling of greyhounds. The amendment is of a technical nature to tidy up a reference to 'land' and 'premises'.

Clause 9 inserts a new section 48a dealing with dogs of a prescribed breed.

The section provides that such a dog must be muzzled and secured on a lead held by a person over 18 whenever off premises occupied by the person responsible for control of the dog.

The section also requires the dogs to be desexed. The person responsible for the control of a dog that is not desexed is guilty of an offence. A defence of reasonable belief that the dog was desexed is provided.

The section also makes it an offence to sell such a dog or to advertise such a dog for sale.

Clause 10 amends section 59 by adding new section 48a to the list of prescribed offences that enable a court to order disposal of a dog for repeated offences.

Clause 11 amends section 61 by providing further evidentiary aids—an allegation that a dog was of a prescribed breed or that a dog of a prescribed breed was not desexed is to be accepted in the absence of proof to the contrary.

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

PUBLIC AND ENVIRONMENTAL HEALTH (REVIEW) AMENDMENT BILL

The Hon. M.J. EVANS (Minister of Health, Family and Community Services) obtained leave and introduced a Bill for an Act to amend the Public and Environmental Health Act 1987. Read a first time.

The Hon. M.J. EVANS: 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 Public and Environmental Health Act, when introduced into Parliament in 1987, was described as 'one of the most significant changes to public health legislation in the history of South Australia'. It was the legislative instrument to maintain traditional public health controls, which have been effective in eradicating or controlling major health problems resulting from inadequate sanitation and infectious disease, and to extend those controls to deal with new public health concerns. The legislation was the end product of a long, formal consultative process involving a working party which included significant local government representation. The Act embodied changed relationships between the State and local government, recognising local government's major, historical role in ensuring proper standards of public and environmental health in their area. The Act made the Health Commission responsible for public health standards in non-local government areas and for Statewide monitoring.

The Public and Environmental Health Council was set up under the Act to keep the legislation under review, to recommend any amendments, and to act as the interface with local government, for example, in appeals. Local government has significant representation on the council, with three of the six members being nominated by the Local Government Association or local government Environmental Health Officers. Some provisions of the Act (Part IV) came into effect in 1989, and the rest of the Act became operational from July 1991. In drafting Regulations to bring the Act into operation, extensive consultation took place, including the circulation of a green paper. The consultation process was overseen by the Public and Environmental Health Council.

The council has recommended amendments to the Act as a result of that consultation process, and taking into account experience with the Act since it has been in operation. There has been further formal consultation with the Local Government Association during the preparation of the Bill.

In summary, the Bill seeks:

- to clarify the respective responsibilities of the Health Commission and local councils in the area of notifiable diseases and vermin control;
- to incorporate provisions relating to waste disposal systems which address the concerns raised by local government during the consultation on the draft regulations;
- to clarify the circumstances under which personal or confidential information may be obtained under the Act to ensure public health surveillance, whilst protecting privacy;
- to update the Schedules of Notifiable and Controlled Notifiable Diseases, so that they reflect the national list of Notifiable Diseases recommended by the 113th Session of the National Medical & Medical Research Council in June 1992.

While it was not intended to change local government's important role in the control of notifiable diseases and vermin, there was some concern that the wording of the principal Act may limit local council responsibilities to Part III of the Act, and not include Part IV relating to notifiable diseases. Local councils have important responsibilities in this area, such as the provision of immunisation services, and in the control of head lice, and it is therefore desirable to remove any ambiguity. New section 12a essentially restates existing section 13, but specifically mentions notifiable diseases and vermin as coming within the duty of local councils. The section is relocated into Part lI which is related to the administration of the whole Act.

Section 12a also incorporates provision for cost recovery where local council powers are transferred to the Health Commission, and more clearly spells out the consultation required before such a transfer occurs. The consultation steps reflect the agreement between the State and Local Government on the relationship between the two tiers of Government.

Consequential amendments are made to the definition section, section 6 relating to delegations and section 36. Section 37 provisions relating to vermin are transferred out of Part IV as they were inappropriately included with the provisions relating to notifiable diseases.

The Act was drafted on the basis that applications and approvals for septic tanks and other effluent disposal systems would be dealt with under the Building Act, but standards for installation, operation and maintenance would be set by the Public and Environmental Health Act. The consultation process on draft regulations indicated that this approach was not acceptable to local government, who wished the whole process to be dealt with under public health legislation. It is proposed that the function will transfer to local government once the Regulations, which will be developed in consultation with local government, are in place. The amending Bill provides wider regulation making powers as well as incorporating a wide definition of waste disposal systems to cater for new technological approaches such as aerobic wastewater treatment systems, sand filters, wetlands and woodlots for treatment and disposal of effluent.

The proposed amendments to section 41 and the insertion of new section 42a seek to clarify the circumstances under which personal or confidential information may be obtained and the restrictions on disclosure of that information to other persons. These amendments are considered necessary to ensure proper public health surveillance in the public interest, whilst protecting the privacy of individuals.

The Bill also seeks to update the Schedules of Notifiable and Controlled Notifiable Diseases, so that they reflect the national list of Notifiable Diseases recommended by the 113th Session of the National Health & Medical Research Council in June 1992.

The requirements for epidemiology studies and for urgent public health action in response to the occurrence of infectious disease vary with time. Priorities will inevitably change, depending on the importance that the public places upon a particular disease, the ability to prevent or control the disease and perhaps the severity of any particular disease. The recommendations for notifiable diseases for Australia issued by the 113th Session of the NH&MRC in June 1992 reflect the current Australian views on these matters.

The only significant South Australian addition to the NH&MRC list is that of Cryptosporidiosis. This bowel parasite was responsible for a widespread epidemic of diarrhoea in Adelaide in the summer of 1990-91. Preliminary investigations indicated a potential for waterborne spread during that epidemic, and more investigation into the origin of the parasite and the extent of the distribution of infection are necessary in South Australia.

Other amendments:

- bring the inspection provisions into line with those in other legislation administered by local government to address concerns expressed by local council officers about the existing 'reasonable notice' requirement.
- provide for Divisional fines;
- expedite proof of authorisation of commencement of proceedings.

Clause 1 is formal.

Clause 2 provides for the commencement of the measure.

Clause 3 inserts three definitions into section 3 of the Act. The definitions of "child" and "vermin" are taken from existing section 37. The definition of "waste control system" is included for the purpose of making regulations concerning various systems that provide for the collection, treatment or disposal of human, commercial or industrial waste.

Clause 4 relates to delegations under the Act. The new provisions incorporate the material presently found in section 14 of the Act (to be repealed by this Act).

Clause 5 provides for the enactment of a new Division in Part Il of the Act relating to the enforcement of proper standards of public and environmental health. The purpose of the amendment is to "transfer" the content of section 13 of the Act (relating to Part III) to that Part of the Act dealing with Administration, that relates to the whole of the Act. The opportunity has also been taken to revise the steps that must be followed if it appears that a local council has failed to perform any function or duty under the Act. The new arrangements are appropriate in view of the new relationship between State and local government.

Clause 6 provides for the repeal of Division I of Part III of the Act (comprising sections 13 and 14).

Clause 7 prescribes a 14 day time limit for instituting appeals against decisions of the Council under Division V of Part III (unless the Court allows an extension of time).

Clause 8 provides for the deletion of the word "controlled" where it appears in conjunction with the term "notifiable disease". The effect of the amendment is to require councils to take action in relation to any notifiable disease, not just "controlled" notifiable diseases.

Clause 9 strikes out subsections (2), (3) and (4) of section 37 relating to the infestation of vermin. It is intended to enact replacement provisions under Part V of the Act, being a part of the Act that is subject to the general administration of local councils.

Clause 10 revises the powers of an authorized officer under section 38 of the Act. The changes are "modelled" on provisions under the Water Resources Act 1990. It is intended to provide that an authorized officer can enter premises or a vehicle at any reasonable time. The powers of an authorized officer to use force to enter premises or a vehicle will be clarified. Except where immediate action is justified, an authorized officer will be required to obtain a warrant before he or she can use force.

Clause 11 provides that a person who is required to furnish information under section 41 of the Act cannot, by so doing, be held to have breached any law or code of professional ethics.

Clause 12 facilitates the collection of certain information by an authorized person relating to public health in the State.

Clause 13 provides for the re-enactment of provisions struck out from section 37 of the Act.

Clause 14 is consequential on a review of the penalties under the Act.

Clause 15 relates to the regulations that can be made under the Act. The powers to make regulations in relation to "waste control systems" are revised. New paragraph *(j)* provides that the Council will issue guidelines to assist local councils in the administration of the Act. Subsection (5) of section 47 is revised so that it is consistent with comparable provisions under the Building Act 1971.

Clause 16 enacts a new the schedule of notifiable diseases.

Clause 17 enacts a new schedule of controlled notifiable diseases.

Clause 18 provides for a review of the penalties under the Act.

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

SUPERANNUATION (BENEFIT SCHEME) BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1—Page 8, line 13 (clause 9)—Leave out "be paid to the member or".

No. 2—Page 11, line 37 and 38 (clause 15)—Leave out all words in these lines and insert the following:

"(2) Where the member had fulfilled the requirements for membership of the scheme under section 4 for an uninterrupted period—

(a) that included the last three complete financial years before termination of the member's employment;

and

(b) that extended up to the termination of the member's employment,

the".

No. 3—Page 12, line 6 (clause 15)—After "three" insert "complete".

No. 4—Page 14, lines 6 and 7 (clause 16)—Leave out all words in these lines and insert the following:

"(3) Where the deceased member had fulfilled the requirements for membership of the scheme under section 4 for an uninterrupted period—

(a) that included the last three complete financial years before the member's death;

and

(b) that extended up to the member's death,

the future service".

No. 5—Page 14, line 12 (clause 16)—After "three" insert "complete".

The Hon. FRANK BLEVINS: I move:

That the Legislative Council's amendments be agreed to.

The amendments are of a technical nature that were approved by members in another place, and I think they add to the clarity of the Bill.

Mr S.J. BAKER: I have looked at the Government's contribution to these amendments, and I support them.

Motion carried.

SUPERANNUATION (SCHEME REVISION) AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1—Page 14, line 12 (clause 16)—Leave out "at retirement" and insert "at the age of retirement".

No. 2—Page 14, line 14 (clause 16)—Leave out "at retirement" and insert "at the age of retirement".

No. 3—Page 23, lines 30 to 32 (clause 23)—Leave out subclause (3) and insert new subclause as follows:

"(3) Where conditions limiting the payment of benefits applied in relation to the contributor under the old scheme the same conditions will, if they can be applied without modification, apply in relation to the contributor under the new scheme, but if not the board will apply conditions that are, in its opinion, appropriate limiting the payment of benefits to or in relation to, the contributor under the new scheme."

The Hon. FRANK BLEVINS: I move:

That the Legislative Council's amendments be agreed to.

The amendments are of a technical nature and have been agreed to by all members in another place. Their aim is to add further clarity to the Bill.

Mr S.J. BAKER: The Opposition supports the amendments, has read the explanation provided in another place and is satisfied.

Motion carried.

AMBULANCE SERVICES BILL

Consideration in Committee of the Legislative Council's amendments:

Amendment No. 1

That the House of Assembly agrees with Amendment No. 1 made by the Legislative Council.

Amendment No. 2

That the House of Assembly disagrees with Amendment No. 2 made by the Legislative Council but makes the following alternative amendment in lieu thereof:

Clause 12, page 4, lines 13 to 15—

Leave out paragraph (b) and insert new paragraphs as follows:

(b) two members nominated by the Priory;

(ba) one member who is a serving volunteer ambulance officer nominated by the Priory from a panel of three such officers selected by the advisory committee established under section 13;

(bb) one member who is a person serving as a volunteer in the administration of the provision of ambulance services nominated by the Priory from a panel of three such persons selected by the advisory committee established under section 13.

Amendment No. 3

That the House of Assembly disagrees with Amendment No. 3 made by the Legislative Council but makes the following alternative amendments in lieu thereof:

Clause 13, page 4—

Lines 22 and 23

Leave out 'comprised of members who are volunteer ambulance officers'.

After line 24—

Insert new subclause as follows:

(2) At least one third of the members of the Committee must be volunteer ambulance officers and at least one third of the members of the Committee must be persons serving as volunteers in the administration of the provision of ambulance services.

Amendment No. 4

That the House of Assembly disagrees with Amendment No. 4 made by the Legislative Council.

Amendment No. 5

That the House of Assembly disagrees with Amendment No. 5 made by the Legislative Council.

Amendment No. 1:

The Hon. M.J. EVANS: I move:

That the Legislative Council's amendment No. 1 be agreed to.

The proposed amendments of the Legislative Council have been circulated and a schedule that I have circulated ha also been made available. This amendment helps to clarify the legislation in as much as it ensures that a criterion of efficiency need not be taken into account in relation to these issues if a particular ambulance service is not able to provide the most efficient possible service for the community. In accepting this amendment we must take into account that some aspects of an ambulance service are inherently inefficient inasmuch as officers are in position awaiting a call. When one looks at the whole ambulance service one needs to take into account an efficiency principle across the ambulance service as a whole to ensure that it provides the most effective emergency service for the community. When one takes into account that aspect of the need to provide a total emergency service for the community and the fact that on occasions that is inherently inefficient, in that context one can certainly accept an overall principle of the need to provide a service efficiently, and I am prepared to accept that aspect of the amendment.

Dr ARMITAGE: The Opposition agrees with amendment No. 1 and agrees with the Minister that efficiency is one of the paramount considerations in the provision of ambulance services. I accept a good deal of what the Minister said. In relation to clause 6(l)(b), we have discussed at great length that there may well come a time when efficiency between two equal services may be a criterion and the Minister may have some dilemma, as I have indicated previously, but the Opposition supports the amendment.

Motion carried.

Amendment No. 2:

The Hon. M.J. EVANS: I move:

That the House of Assembly disagrees to the Legislative Council's amendment No. 2 but makes the following the alternative amendment in lieu thereof:

Clause 12, page 4, lines 13 to 15—Leave out paragraph (b) and insert new paragraphs as follows:

(b) two members nominated by the priory;

(ba) one member who is a serving volunteer ambulance officer nominated by the priory from a panel of three such officers selected by the advisory committee established under section 13;

(bb) one member who is a person serving as a volunteer in the administration of the provision of ambulance services nominated by the priory from a panel of three such persons selected by the advisory committee established under section 13.

The alternative amendment, which I propose the House of Assembly should adopt, modifies the nature of the membership of the committee to be elected by the priory. It specifies that two members shall be simply determined by the priory, one member who is a serving volunteer ambulance officer being nominated by the priory from a panel of three such officers selected by the advisory committee established under section 13. This is in anticipation of the committee subsequently accepting my advice in relation to these other clauses, but I believe that the scheme of arrangement in which the priory will be able to nominate two members and then select one from a panel of three in respect of volunteer ambulance officers and then subsequently in respect of volunteers in the administration of ambulance services will guarantee effective representation of the volunteers in relation to the ambulance service.

I strongly support the very important role which volunteers play in the provision of country ambulance services, and I know that this role is supported on a bipartisan basis. I believe it is very important that that should be on the record and that the amendments accepted by this House should ensure that their role is a strong one, as it continues to be in the country areas. So, I have moved that we disagree with amendment No. 2 but make this amendment in lieu thereof.

Dr ARMITAGE: The Opposition agrees with the course of action proposed by the Minister, specifically, to disagree with amendment No. 2 made by the Legislative Council and to agree with the amendment circulated in the Minister's name. The Opposition believes that this amendment protects the input of the serving volunteer ambulance officers and of the volunteer administrators who have provided such excellent services to the ambulances and ambulance services in the past, and I am quite certain they will continue to do so in the future. As the Minister indicated, it protects their interests in that a panel of three in each category is put forward from which one member will be selected by the priory. The panel will be selected by the advisory committee which, one presumes, this committee may now establish according to the circulated amendments, and that advisory committee has a strong input from both the volunteer ambulance officers and from the persons associated in a volunteer capacity with the administration of ambulance services.

The Opposition believes that there is good opportunity for input from those people. The priory is, after all, keen to preserve the good name of St John and, from my discussions with those people, they are very keen to see the volunteer component protected. It provides them with a measure of autonomy but still protects the volunteer interests. So, as indicated before, the Opposition supports the amendment moved by the Minister.

Motion carried.

Amendment No. 3:

The Hon. M.J. EVANS: I move:

That the House of Assembly disagrees with the Legislative Council's amendment No. 3 but makes the following alternative amendments in lieu thereof:

Page 4—

Lines 22 and 23—Leave out 'comprised of members who are volunteer ambulance officers'.

After line 24—Insert new subclause as follows:

(2) At least one-third of the members of the Committee must be persons serving as volunteers in the administration of the provision of ambulance services.

This guarantees that at least one-third of the advisory committee members must be volunteer ambulance officers, at least one-third of the members of the committee must be persons serving as volunteers in the administration of the provision of ambulance services and the remaining third would be selected from the general community because of their expertise or interest in these areas. I believe that this guarantees the representation from the appropriate areas and again, as the member for Adelaide has said, it effectively protects the volunteer component, which I believe everyone supports in this context.

Dr ARMITAGE: Again, the Opposition agrees with the course of action outlined by the Minister, and we point out that the new membership of the advisory committee as proposed in this amendment will have input from the volunteer ambulance officers and persons serving as volunteers in the administration of the provision of ambulance services in equal thirds. It allows one-third of the membership to be chosen from people with expertise who may well not be volunteer ambulance officers or volunteer administrators. It would be unfortunate to deprive an advisory committee of that expertise by being too definitive in the membership of the committee, as the Legislative Council has proposed. The Opposition supports the alternative amendments.

Motion carried.

Amendment No 4:

The Hon. M.J. EVANS: I move:

That the Legislative Council's amendment No, 4 be disagreed to.

This is a consequential matter in relation to the other issues that the House of Assembly has already resolved.

Motion carried.

Amendment No. 5:

The Hon. M.J. EVANS: I move:

That the Legislative Council's amendment No. 5 be disagreed to.

I remain of the view that it would be inappropriate in the transition provisions to guarantee licences, in effect in perpetuity, for the remaining country ambulance services outside the system, but in so doing I indicate my strong support for those organisations and indeed my wish that they should continue to provide an effective service in their local communities. If the Committee were to accept this motion, it would in no way imply a wish that those organisations should not continue to be licensed on an ongoing basis, but of course it would be subject to the necessary standards and conditions that all ambulance services in that context would have to meet and, certainly, they would be required to perform and to improve their performance and provision of service in the way that will be required of all ambulance services.

However, I am sure that they are up to that challenge and that the volunteers and the services to which this amendment relates can effectively continue that service and will qualify for the issue of a licence on an ordinary basis. So, without wishing to give them licences in perpetuity, I am sure they will meet the requirements and standards of a continuing licence provision, but I do wish

to include the safeguard in the legislation to ensure that, in the unfortunate or unlikely event that they did not meet those standards, the requirements of the legislation that they not continue to be licensed could be put into effect.

Dr ARMITAGE: In the previous debate in relation to the Ambulance Services Bill, a large percentage of the input from both sides of the House was dependent on the standards of ambulance services, both in a historical and in a prospective view. A large percentage of my input related to how standards would be measured and who would be doing those measurements. As such, it is important to record that the Opposition is not suggesting with its amendment, which it originally moved and which was moved in the Upper House, that licences, particularly for the independent country services, ought to be granted in perpetuity without any regard to the continuation of the excellent standards in ambulance services. Our purpose in moving that amendment was to guarantee those independent country services some security of tenure, because the Bill, as originally presented to the Lower House, did not grant that. Indeed, people were suggesting that the fact that there was only a 12-month continuation of their present licences indicated that that was the longest term to which people in the country could look to having those licences. It was that which the Liberal Party was against and it was that about which we were distressed.

Earlier in the debate the Minister indicated his strong agreement that standards were important. His view was that licences for the independent ambulance services would be resumed only if they were failing to meet rigorous standards. The Minister reiterated that suggestion when speaking to this amendment. The Opposition, by indicating its support for the disagreement with amendment No. 5 made by the Legislative Council, is keen to see those independent ambulance service licences continue, provided that they supply the services at the standards which they are presently providing or better, and it takes full note of the Minister's commitment that licences will be resumed only for failure to meet those standards.

Motion carried.

SUPPORTED RESIDENTIAL FACILITIES BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 3, lines 39 to 41 (clause 4)—Leave out paragraph *(e)*.

No. 2. Page 4, lines 3 to 6 (clause 4)—Leave out subsections (3) and (4).

No. 3. Page 4 (clause 4)—After line 11 insert new paragraphs as follows:

(5a) Without limiting the operation of subsection (5), the Minister may, by notice in the *Gazette,* confer an exemption from this Act in relation to Commonwealth subsidised nursing homes or aged care hostels if he or she is satisfied as to the adequacy of Commonwealth monitoring of outcome standards for residents.

(5b) Subsection (5a) is subject to the qualification that the Minister may, by notice in the *Gazette,* determine that an exemption conferred under that subsection does not apply in relation to particular premises specified in the notice.

(5c) The Minister may, at any time, by further notice in the *Gazette,* revoke a determination under subsection (5b).

No. 4. Page 4, line 12 (clause 4)—After 'subsection (5)' insert ' or (5a)'.

No. 5. Page 4, line 15 (clause 4)—After 'subsection (5)' insert 'or (5a)'.

No. 6. Page 7, line 32 (clause 11)—Leave out '12' and insert '13'.

No. 7. Page 8 (clause 11)—After line 8 insert new paragraph as follows:

(da) one will be a legally qualified medical practitioner nominated by the Minister.

The Hon. M.J. EVANS: I move:

That the Legislative Council's amendments Nos 1 to 7 inclusive be agreed to, but that the following consequential amendment be made to the Bill:

Clause 22, page 13, after line 4—Insert new subparagraph as follows:

(iii) at any reasonable time, enter and inspect any premises in relation to which an exemption under section 4 applies for the purpose of investigating any matter relevant to determining whether or not the exemption should continue (and may, for that purpose, exercise any of the powers set out below);.

I believe that the amendments made by the Legislative Council, which are the result of extensive discussions on a bipartisan basis, allow a much better appreciation of the Commonwealth nursing home issue and will empower the Minister to exempt Commonwealth subsidised nursing homes from the Act provided the Minister is satisfied that the Commonwealth outcome standards monitoring is of an appropriate nature and imposes sufficiently rigorous standards on Commonwealth subsidised nursing homes that they do not need to be subject to the support of the Residential Facilities Act 1992.

In doing that, we need to have some concern about the way in which the Minister is to be satisfied that each nursing home meets those criteria. For that purpose, I believe it is necessary for local government to have the appropriate powers to enter into and inspect any Commonwealth subsidised nursing home where concern exists so that they may report appropriately to the Minister in the terms of the amendments that I have accepted from the Legislative Council. This will certainly strengthen the Bill and allow the Minister to bring back under the ambit of the legislation any individual nursing home which does not provide the appropriate high level of care that we expect of these facilities.

I would assume that the overwhelming majority of Commonwealth subsidised nursing homes would not need to be made subject to the Act. Indeed, only a small number of premises will need this kind of supervision. However, it is essential that they be dealt with on an individual basis and brought within the ambit of the legislation should that necessity arise. For that purpose, it is essential that local government has the ability to inspect an*y* premises where concern exists and to make appropriate recommendations to the Minister.

The Hon. D.C. WOTTON: The Opposition supports the action outlined by the Minister after a considerable amount of consultation. The purpose of the Bill is to ensure that standards of public health and personal care are upheld by the facilities that come under this legislation. We are talking about nursing homes, hostels, rest homes, psychiatric hostels, boarding houses, some service departments and so on.

As the Minister indicated, following the moving and support of the amendments in this place and their going forward to another place, some concern was expressed. I acknowledge that I received representations from local

government health surveyors and members of the Australian Institute of Environmental Health and of the Eastern Metropolitan Regional Health Authority, two organisations which expressed concern about the broad effect that the amendment would have. As a result of that and following discussions with the Minister, it was suggested that another amendment be put forward, to which the Minister has referred, whereby, for an exemption to be conferred, the Minister must be satisfied as to the adequacy of Commonwealth monitoring of outcome standards for residents. Since then we have seen a further amendment moved tonight. I believe it is perfectly reasonable and it sets out that at any reasonable time these facilities can be entered and inspected 'in relation to which an exemption under section 4 applies for the purpose of investigating any matter relevant to determining whether or not the exemption should continue'. I believe that is fair. The legislation, as it comes out of this place, is much better and stronger. The Opposition supports the amendment.

Motion carried.

DAIRY INDUSTRY BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 5, lines 18 and 19 (clause 11)—Leave out 'and, if the votes are equal, the member presiding at the meeting may exercise a casting vote'.

No. 2. Page 7 (clause 15)—After line 10 insert new subclause as follows:

(3) The authority must arrange for the audit of any money collected and paid under section 23(3) and ensure that the farm gate price is paid under a price equalisation scheme.

No. 3. Page 9—After line 13 insert new clause as follows:

Application of Division

22a. This Division applies only to milk of a bovine animal or dairy produce processed from milk of a bovine animal.

No. 4. Page 10—After line 25 insert new clause as follows:

Application of Division

25a. This Division applies only to dairy produce processed from milk of a bovine animal.

Amendments Nos 1 and 2:

The Hon. T.R. GROOM: I move:

That the Legislative Council's amendments Nos 1 and 2 be agreed to.

I am not going to be fussed about depriving the Chairperson or the person presiding at a meeting of a casting vote. It would have been desirable to maintain a casting vote, but I will not hang out on it. I often think that a Chairman ought to have that additional power. With regard to amendment No. 2, the power is already contained in the Act with regard to audit provisions.

I was willing to give an undertaking that I would include it in regulations, but that is not acceptable to another place. My concern was the sheer cost the industry would have to bear in carrying out an audit. However, as I am ambivalent, apart from the issue of the cost burden, I am prepared to have the provision inserted and I will review it further down the track.

Mr D.S. BAKER: I agree with what the Minister said about amendments Nos 1 and 2. These amendments were supported by the Liberal Party in another place, and I support them here.

Motion carried.

Amendments Nos 3 and 4:

The Hon. T.R. GROOM: I move:

That the Legislative Council's amendments Nos 3 and 4 be disagreed to.

This matter has come up late in the piece. There has not been adequate consultation with the industry to restrict the legislation to 'bovine animal or dairy produce processed from milk of a bovine animal'. It limits it. There are sheep and goat milk producers in South Australia. They are covered by the Dairy Industry Act at present. They are licensed under the Act and I have had conflicting information on this matter. I understand two major producers of goat and sheep milk support a uniform approach to all dairy produce.

However, I am willing to review this and hold discussions with the industry and, if necessary, limit it further down the track. I do not want to limit the Act at this time without adequate consultations with the industry. I note that some people have expressed the view that they do not mind if this restriction is imposed, but I have other information to the contrary and, as it has come up extremely late in the piece and as it is an extremely important piece of legislation, I do think the Bill should remain as it has been discussed with the industry generally. I undertake to take the views of all people in the industry and liaise with the shadow Minister in regard to that information.

Mr D.S. BAKER: In light of the Minister's assurance, I agree with what the Minister has said.

Motion carried.

CONSTRUCTION INDUSTRY TRAINING FUND BILL

Adjourned debate on second reading.

(Continued from 10 November. Page 1288.)

Mr SUCH (Fisher): This is quite an exciting piece of legislation now before the House, largely because it represents something that has come from the industry itself. It originated within the construction industry and it is something that the industry itself will own. It represents what I would consider to be the first of a new generation of industry training Bills, whereby each major industry grouping will fund from within the industry itself measures to improve the quality of training and to establish a training board to administer a training fund, and to coordinate appropriate training for that industry.

The Bill parallels successful Tasmanian and Western Australian Industry Training Fund Acts. As I indicated earlier, the Bill is a forerunner to what I believe will be other industry owned and driven training Bills. The training for this industry will be funded by a levy of .25 per cent on the value of building and construction work, where the value of the work exceeds $5 000. It is intended to improve the level of skill of new and existing employees in the industry, with the consequence that there will be an undoubted lift in productivity.

It is important to note that we are talking not only about new employees but about existing employees. In a changing economic and industry environment it is important that the people in whatever industry have the opportunity to upgrade and update their skills over time.

The training board proposed in the Bill, as I suggested earlier, will be controlled by the industry, reflecting the fact that the initiative for this measure has come from within the industry itself.

I would like to acknowledge publicly the contribution not only of the constructors and the contracting industry people but also the unions. What will be a tripartite board is a welcome development. The training board will purchase training in accordance with an annual training plan established by the industry via the board. That will not only give flexibility but will also help ensure that the industry can get training for the relevant sectors within it. The Bill has significant advantages for the industry and for the community as a whole, because the legislation will ensure that all the participants within the industry are treated equally with regard to training levies and the provision of funds for training.

That is not currently the case, so this is a welcome measure in terms of treating the various components of the construction industry in a fair and equitable way. The Opposition supports this measure and, as I indicated at the start, I believe it represents a very exciting and innovative development in South Australia. Over time I am sure it will be matched by other industries pursuing a similar approach. It might not be the same approach but I believe that industry driven training is what industry will be on about and what it will need to be on about.

The training fund, as I suggested earlier, will help to ensure that there are trained workers in the construction industry during times of demand. This will help address the situation where training in the construction industry in recent years has not reached or been maintained at the level desired by the industry itself or by the wider community. I believe that the training fund provides an opportunity to ensure that quality training is provided. A range of training options will be available, which is what should prevail, because the industry has various sectors within it, and this measure will allow flexibility to cater for the various needs of the sectors within the industry.

I believe that the underlying premise of the Bill is a fair one with regard to the fact that the people who do construct, who are the owners of buildings and so on, will contribute towards the training of people within the industry. In the long term, as well as the short term, that will benefit the whole community as well as the purchasers of a property or people entering into a contract for the construction of a facility. I do not wish to take up the time of the House but just indicate that during the Committee stage I will seek to address a couple of matters and will possibly query one or two others. I have amendments on file but at this stage repeat that the Opposition supports this measure and looks forward to the passage of the Bill through the House.

The Hon. S.M. LENEHAN (Minister of Education, Employment and Training): I thank the member for Fisher for his contribution. He is quite right: this Bill has certainly come about because of the direct and unanimous requests from industry for it. It is designed, as the honourable member says, to increase and improve the level and quality of training in the industry at a time of considerable change and requirement for greater efficiency, best practice and global competitiveness. We must recognise that, at a time when we want to develop international best practice and to be internationally competitive, it is important that the construction industry in this State put into its own area a level of training that will provide that quality and assurance, not only to the South Australian community but to ensure we can compete internationally and do so effectively. I commend the Opposition for its support of this Bill, and I commend the Bill to the house.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—'Constitution of the board.'

Mr SUCH: I move:

Page 3, lines 22 and 23—Leave out 'experience in vocational education or training' and substitute 'appropriate experience in vocational education or training and who are or have been employed or engaged in the provision of such education or training'.

The Hon. S.M. LENEHAN: I accept the amendment.

Amendment carried; clause as amended passed.

Clauses 6 to 22 passed.

Clause 23—'Exemptions.'

Mr SUCH: I move:

Page 10—

Line 23—Leave out 'The' and substitute 'Subject to subsection (3), the'.

After line 29—Insert new subsection as follows:

(3) Subsection (2) does not apply if the building or construction work has been awarded to the Government authority through a public tendering process.

The Hon. S.M. LENEHAN: I accept the amendments moved by the Opposition.

Amendments carried; clause as amended passed.

Clause 24—'Liability of project owner to pay levy.'

Mr SUCH: The question of farmers and owner/builders undertaking construction has been raised with me. My understanding of the Bill as proposed is that owner/builders or owner/constructors would be liable for the levy. I understand that that is the situation in Western Australia and Tasmania, and that this provision has been included because of simplicity and workability of the legislation in those States. Will the Minister comment on that aspect?

The Hon. S.M. LENEHAN: The honourable member is quite correct: an owner/builder will pay the levy because the way the Bill is constructed indicates that council approval will not be given unless the levy is paid. It is important to note that even if someone is actually building their own home they have to engage skilled and qualified labour in the form of electricians, plumbers, air-conditioning mechanics, etc. Therefore, their training still has to be provided. Even though somebody might be carrying out the owner/builder concept, the levy would need to be paid on the value of the building.

Mr SUCH: In respect of farmers or graziers undertaking fencing and minor dam construction on their property, I understand that the general intent of the Bill is not to be unduly zealous in terms of seeking levies from those people because the cost of trying to police someone constructing a fence in the outback, for example, would not be offset by the potential value of the levy. Will the Minister comment on the way the provisions within similar interstate Acts operate in respect of farmers and

graziers undertaking fencing or minor dam construction work?

The Hon. S.M. LENEHAN: I would if I could refer the honourable member to schedule 1, pages 18 and 19 of the Bill, and particularly 1*(g)* on page 18 where the first part deals with alterations or repairs, etc., in respect of dams. Paragraph *(g)* covers this area. The exclusion in clause 2 of the schedule on page 19 refers to the exclusion where work is maintenance or repairs of a routine or minor nature. I guess in one sense it could be argued that technically, in terms of building a fence or a dam, this is covered under the Bill. However, in the practical reality the answer to the honourable member's question is, no, it is not the intention of this Bill to cover such things as repairs to fences, for example, and those kind of property maintenance activities which would normally be regarded as maintenance and repairs. They will not be covered and I think that the reference I have just given the honourable member in schedule 1 would indicate that I think that is well and truly covered.

The other point is that, of course, the industry will not pursue the collection of levies where this proves to be quite uneconomic. For example, because the levies are collected before people apply to councils for permission to do any building, to do these sorts of repairs or to provide dams on a property, people do not have to get council approval. So, first, it would probably be quite unrealistic to collect those levies. Secondly, this is not the intention of this legislation and it is not the intention, as I understand it, of the industry in working with the Government to get this legislation to this point. I hope that reassures the honourable member about the intent of the legislation and the way in which it is intended to be carried out.

Clause passed.

Clauses 25 to 37 passed.

Clause 38—'Review of Act.'

Mr SUCH: I refer to an earlier point regarding matters raised by rural members in relation to how the legislation will operate and to some of the activities in which farmers and graziers are involved. I welcome this aspect of the legislation because it entails a review. I think it is important to highlight for any person who has any concern about the Bill that it will be subject to a vigorous review after the third anniversary of its commencement. I ask the Minister that the matter of construction and so on, particularly affecting the rural community, be noted for consideration during the review of the legislation.

The Hon. S.M. LENEHAN: I am quite pleased to take the honourable member's request on board because it is certainly very sensible and relevant. I imagine that it would be the intention of the industry and the Government that once the Act is proclaimed we will advertise its existence, and certainly in part of that advertising we can ensure that it is made clear that there will be a review of the Act about three years after its proclamation. At that time the Minister of the day I guess will seek comments from industry. Indeed, I think it is relevant to ensure that the rural community is involved in that consultation and review process.

Clause passed.

Schedule 1—'Building or construction work under the Act.'

Mr S.G. EVANS: I am seeking clarification because there are some works that individuals do themselves. For example, during this Christmas break I will be building a prefabricated shed, which is most probably worth about $12 000. I have no benefit from any trades people working on that project. There would be many farmers and people who would do things for themselves that cost in excess of $5 000 and who will have to pay a fee towards this fund when the fund will not serve them in anyway whatsoever in their life in all probability. I wonder whether the Minister or the industry has considered people who may erect their own structures without using trades people; they have the skills to do it themselves, and yet they will be committed to make a payment of .25c in the dollar towards the fund. There would be other examples.

There are some farmers who are quite capable of using their own machines to build dams that cost in excess of $5 000. If I am wrong in my interpretation I am happy to be corrected. But that is the way I read it—a form of structure or construction. I do not think we should be asking those people to make a contribution to the fund. As another example, if one spent $2 500 four years ago to do something, that same construction would cost $5 000 now. So, in four or five years, $5 000, if we have another inflationary trend, at today's prices for the same project could be $10 000. I am not asking for the figure of $5 000 to be increased, but I see it as a problem for some people who do work for themselves.

One must seek permission to build a dam or a shed or whatever. I have sought and been given permission, but that is one example, and it would happen thousands of times throughout the year in this State. I do not think it includes fencing. If it does, that brings in another problem. I cannot see where it picks up fencing. However, the Minister might clarify that also, because if it does that also makes it difficult for some people in some areas of operation on the land.

The Hon. S.M. LENEHAN: Unfortunately, the honourable member was not present when his colleague asked me the question about fencing and dams. The short answer is that they will not be picked up in the levy at all. However, I want to be very clear for the honourable member. The building of a prefabricated shed for $12 000 would indeed incur the levy of $50, because I assume the honourable member will be getting council approval for his shed. If it is to cost $12 000 it would be a fairly substantial shed. The industry representatives who worked on this legislation did give consideration to whether it was possible to have exemptions. In the final analysis, I understand—because a lot of this preliminary work was done by the previous Minister—that in the negotiations and discussions it was determined that the costs of trying to pursue some kind of fair and equitable exemption and exclusion policy would far outweigh the benefit, because we would be talking about $50 in this case.

It really makes a lot of sense to administer this thing in the simplest possible way and in a way that creates the least number of problems for the organisation or body administering this legislation. So, the simple answer is that dams, fencing and ordinary maintenance will be exempt. However, with a shed costing in excess of $5 000, if council approval were needed, the levy would

need to be paid. However, I take the honourable member's point about ensuring that the cut-in point of the levy at $5 000 does need to be adjusted. I understand that within the regulations there is provision for it to be adjusted. I would assume that that would happen at regular intervals. The honourable member's point is very valid: $5 000 in today's terms is one thing, but in another two or five years time the levy will be cutting in at a comparatively much lower level than was intended by industry and by the Government. I am sure that with consultation between the industry and the Government the figure at which the levy cuts in will be increased to take account of the point that the honourable member makes.

Mr S.G. EVANS: I accept what the Minister has said. I have a personal objection to people having to pay if they do the work themselves. Sporting fields may be exempted, but they are included in the Bill at the moment. I was involved with an oval which on present day prices would cost $250 000 to construct, but we did it voluntarily. I raise that sort of area which is of concern to me if we do not accept it.

The Hon. S.M. LENEHAN: I canvassed this matter in response to a question from the member for Fisher. In most cases, with respect to an owner-builder, a level of professional expertise is required. The people doing the building will need to have a wide range of skills and qualifications. In some cases where airconditioning is needed they may need mechanical, electrical and plumbing skills. the whole concept of this levy—

Mr S.G. Evans interjecting:

The Hon. S.M. LENEHAN: No, but in 99.9 per cent of cases with respect to owner-builders, even though they are overseeing the building themselves, they have to employ qualified tradespeople. The underpinning of this legislation is to ensure that we have the best possible training so that we have qualified tradespeople. We are looking at the world's best practice here. That is why the whole thrust of this Bill has come from the industry itself. It has not come from the Government wanting to impose a levy on industry.

Schedule passed.

Remaining schedules (2 to 4) and title passed.

Bill read a third time and passed.

WINE GRAPES INDUSTRY (INDICATIVE PRICES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 24 November. Page 1623.)

Mr D.S. BAKER (Victoria): This is an important piece of legislation. I think it is a pity it had to come in at this late hour, but it is important for the grape industry. I will not say much in my second reading speech—I will leave that to the member for Chaffey who has had much to do with this matter over the years. The Opposition supports this measure and we hope it will be rushed through before the end of the session.

The Hon. P.B. ARNOLD (Chaffey): As the member for MacKillop said, this is a significant piece of legislation because it expands the areas which come under the Wine Grape Industry Act 1991 to include most of the wine grape growing areas in South Australia, not just the Riverland. This piece of legislation is significant because there is complementary legislation in Victoria and New South Wales that was largely brought about by the initiative two years ago of the New South Wales Minister of Agriculture (Ian Armstrong) who brought together a group of wine makers and grape growers from Victoria, New South Wales and South Australia in an endeavour to try to reach agreement so that there would be common pricing or indicative prices in the MIA, Mildura and Renmark areas—the Riverland of South Australia and Sunraysia.

I believe that the legislation that was passed by Parliament last year was the basis of a sound approach for the future for a single wine industry in Australia and not a wine industry on a State by State basis. Of course, if we are to have a serious wine industry in South Australia with a significant export market and potential, it has to be a nationally based wine industry and not a State by State fragmented industry. This is an important piece of legislation. Perhaps the Minister could indicate in his response whether similar complementary legislation is about to be introduced in Victoria and New South Wales to extend this legislation beyond the MIA and the Sunraysia area. I support the Bill.

The Hon. B.C. EASTICK (Light): I support the Bill. My constituents in the Barossa Valley are keen to see this measure passed as an advance on the preliminary action taken in the Riverland. The very fact that the wine industry has a flaw in it with the very high increase in the amount of export wine has given fresh hope to a number of vignerons. There is still a fear that companies in some circumstances will seek to circumvent grape prices by putting in double the quantity for a single tonne load and that they will value some grapes as poorer types than the ones they might actually be.

These are features of the industry that still exist in some cases, and there have been recent events of bankruptcy which have had a deleterious effect upon grape growers. Notwithstanding those problems which still exist but hopefully will disappear, the change that has come over the grape industry by improved sales and the indicative price being a yardstick against which to make sales is well respected. One matter of concern which has been conveyed to me recently is that the type of weather that we have had has tended to increase the chance of downy mildew to rather massive proportions. The crop for which many had hoped may not eventuate, thus making it likely that grapes will come in on the higher rather than the lower side of the indicative price. I trust that those matters will be given proper consideration to provide a significant range when the group gets together to determine 1993 prices. I support the Bill.

Mr VENNING (Custance): I rise briefly to support the Bill as a representative of the Clare Valley. Discussion on indicative prices has been occurring for some time. I remember discussing this with Mr Ludas of the UF&S, now the South Australian Farmers Federation. It is good that it will be a nationally based industry, which it ought to be, because it is Australia's premium industry, our greatest industry at the moment, and it is performing well. The industry requires this legislation. It

is a pity that it has taken so long to get to this point. I hope the weather improves this year for our vignerons. I support the Bill.

The Hon. T.R. GROOM (Primary Industries): I will be brief. I want to thank the Opposition for its contributions, and particularly the shadow Minister for ensuring that the measure was debated this afternoon so that it can be passed in this session. In thanking the shadow Minister for the cooperation of the Opposition, I also want to say that Cabinet really did move with considerable haste, because this measure was agreed by the industry, by letters to the department, dated only 13 November, from the South Australian Farmers Federation and the Wine and Brandy Producers Association, and the matter was put before Cabinet straightaway.

The industry has asked that the indicative prices be in force by the 1993 vintage. So, it is an important measure from the point of view of the industry, and I think it will be most grateful for the way in which the Parliament has dealt with the matter. With regard to the interstate situation, I will let the member for Chaffey know tomorrow. I will check it out, because I do not have any officers here and I do not want to put anything on record that is not 100 per cent accurate.

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

STATE BANK OF SOUTH AUSTRALIA (INVESTIGATIONS) AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. FRANK BLEVINS (Treasurer): 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

This Bill makes a number of technical amendments which will ensure that the Auditor-General's investigation into the State Bank Group proceeds expeditiously. The Government is committed to allowing the Auditor-General sufficient time to complete his inquiry but is concerned at the possibility of costly and time consuming legal challenges delaying the inquiry and reporting process.

The Auditor-General has received correspondence from the solicitors acting for the former non-executive directors of the State Bank other than Mr Prowse, in relation to a number of matters, and particularly concerning the validity of the terms of the appointment of the Auditor-General and his ability to comply with the terms of his appointment. The Auditor-General has drawn these matters to my attention.

This Bill will clarify section 25 of the State Bank of South Australia Act with respect to investigations.

The Bill strikes out section 25 (2) and section 25 (6) and recasts them into the one subsection (the new section 25 (2)). This will overcome a potential argument that there are two different investigations dealt with by section 25 for which different procedures apply. An argument which has been put is that section 25 (2) provides for one type of investigation while section 25 (6) provides a code for an entirely different type of investigation if certain criteria are fulfilled.

Members would be aware that in answer to the Auditor-General's inquiry he was advised that that inquiry could deal with conflict of interest, impropriety, etc. The argument now raised questions whether the Auditor-General can do so in the context of his current hearings.

This position is arguable although it is not accepted by the Government's legal advisers. It is considered simpler to settle the doubt and to prevent the delay which may be caused by legal challenge on the point, by making clear the nature and ambit of the investigation contemplated by the Act.

The Bill introduces a provision in similar terms to that contained in the Royal Commissions Act, which will ensure that the acts and proceedings of the Auditor-General's investigation are not liable to be reviewed or restrained. The Government has become increasingly concerned that the Auditor-General's inquiry may be frustrated if it does not have this protection, and considers this provision will provide an appropriate framework in which the inquiry can be finalised. In this regard it is noted that the Full Court has recently explained the requirements upon the Auditor-General in the conduct of his inquiry in order to afford natural justice to those who may be criticised in the report. The Auditor-General will comply with those requirements.

The Bill also ensures that authorisations made by the Auditor-General will be taken to have been properly made; there has been a suggestion that the existing authorisations are technically defective.

The other matters addressed by the Bill are a number of amendments designed to clarify the Auditor-General's powers. These amendments have already been introduced to the Parliament as amendments to the Public Finance and Audit (Miscellaneous) Amendment Bill. That Bill will not pass in this parliamentary session and it is considered appropriate to expediate the passage of certain amendments which will improve the procedures that apply where a person objects to answering questions put by the Auditor-General or attempts to frustrate the Auditor-General into carrying out his investigation.

These provisions reflect the Government's commitment to giving the Auditor-General adequate power to conduct his investigation without the frustration of non-cooperation or the possibility of deliberate delay.

The Government is committed to allowing the Auditor-General reasonable and sufficient time and sufficient legal backing to complete his report. The Bill underlines the importance the Government places on the Auditor-General's Report. To place a number of matters relating to the authority of the investigation beyond doubt, this Bill is considered necessary. I commend this Bill to honourable members.

Clause 1: Short title—This clause is formal.

Clause 2: Commencement—This clause provides that the measure (other than clause 3) is to come into operation on the day on which it is assented to by the Government. Clause 3 is to be given effect from the date of commencement of the 1991 Act that last amended the State Bank of South Australia Act 1983 and made various amendments to section 25 relating to investigations of the State Bank and its operation.

Clause 3: Amendment of s. 25—Investigations—This clause is (under clause 2) to have effect from the commencement of the 1991 amendment Act. It brings together into a proposed new subsection (2) the separate provisions currently providing for the subject matters of an investigation under section 25 of the principal Act. The new provision is designed to make it clear that the subject matters referred to the Auditor-General by the Governor for investigation could lawfully have included the matters of possible conflict of interest, breach of duty, negligence, etc., in the pat of a director or officer of the State Bank or a subsidiary of the Bank and that such matters were not only open to investigation under the current subsection (6) as matters arising incidentally in the course of the investigation of other matters referred to the Auditor-General by the Governor. Paragraphs *(a)* and *(e)* of the clause make this change and paragraphs *(b), (c)* and *(d)* make consequential or related amendments to section 25.

Paragraph *(f)* inserts a new provision enabling the Supreme Court to make orders, on the application of the investigator or an authorised person, to enforce investigative requirements made by the investigator or an authorised person in the exercise of powers conferred under the Public Finance and Audit Act 1987. The paragraph also inserts a further new provision authorising the investigator to report to the Governor and the Economic and Finance Committee of the Parliament on any contravention or non-compliance by a person with requirements imposed by or under the section in the course of the investigation.

Clause 4: Validation and exclusion of judicial review—This clause is (under clause 2) to have prospective effect only. Subclause (1) limits the application of the clause to the investigation by the Auditor-General in pursuance or purportedly in pursuance of the instrument of appointment issued by the Governor and published in the *Gazette* of 28 March 1991. Subclause (2) is designed to ensure the validity of the authorisations issued by the Auditor-General conferring investigative powers on 'authorised persons'. Subclause (3) is designed to exclude any future proceedings of judicial review relating to the investigation.

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

ADJOURNMENT

At 11.57 p.m. the House adjourned until Thursday 26 November at 10.30 a.m.