HOUSE OF ASSEMBLY

Wednesday 25 October 1995

The SPEAKER (Hon. G.M. Gunn) took the Chair at 2 p.m. and read prayers.

SOUTH AUSTRALIAN HOUSING TRUST BILL

Her Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as may be required for the purposes mentioned in the Bill.

URBAN BUSHLAND

A petition signed by 283 residents of South Australia requesting that the House urge the Government to ensure that effective legislation is enacted to protect urban trees and/or bushland from destruction was presented by the Hon. G.A. Ingerson.

Petition received.

INTELLECTUAL DISABILITY

A petition signed by 135 residents of South Australia requesting that the House urge the Government to fund and provide appropriate accommodation, care and support services for people with an intellectual disability was presented by the Hon. H. Allison.

Petition received.

SCHOOL SERVICES OFFICERS

A petition signed by 18 residents of South Australia requesting that the House urge the Government to restore school services officers' hours to the level that existed when the Government assumed office was presented by Mr Caudell.

Petition received.

WATER, OUTSOURCING

A petition signed by 43 residents of South Australia requesting that the House urge the Government to retain public ownership, control and operation of the water supply and the collection and treatment of sewage was presented by Mr Clarke.

Petition received.

STORMWATER, WEST BEACH

A petition signed by 550 residents of South Australia requesting that the House urge the Government to reassess its proposal to direct stormwater via a channel through sand dunes at West Beach was presented by Mr Condous.

Petition received.

HUS EPIDEMIC

The Hon. DEAN BROWN (Premier): I seek leave to make a ministerial statement.

Leave granted.

The Hon. DEAN BROWN: Last night on television and in this morning's press the parents of Nikki Robinson have made statements which I now respond to on behalf of the Government. In doing so, the Government respects the right of Mr and Mrs Robinson to speak publicly about the circumstances as they see them. At the outset I also indicate that the Government's response has to recognise the potential for further legal proceedings on behalf of the Robinson family and others who suffered as a result of the tragic HUS epidemic earlier this year.

I must respond, first, to the suggestion that the Robinsons have been ignored by the Government since the death of their daughter. On 1 February, the day Nikki died, the Minister for Health immediately issued a public statement in which he 'expressed his deep regrets' about her death. On 7 February, in a ministerial statement to this House, I said:

> On behalf of the Government and the Parliament I express my deep sympathy to the parents of Nikki Robinson, her twin sister Kelly-Ann, her other family and friends. This is a personal tragedy which has deeply touched all South Australians. Our thoughts are also with those other victims of HUS and their families who have suffered or continue to suffer.

On 28 September, on the day the Coroner's findings were handed down, the Minister for Health in a ministerial statement to this House said:

> Today our sympathy goes out to the Robinson family and all those families affected.

During the period of hospitalisation of the victims the Minister for Health made an unannounced visit and spent considerable time speaking with the families of the victims. The Coroner observed in his report that at the Women's and Children's Hospital:

> . . . the treatment administered was exemplary, consistent with modern practices in the field and, particularly in view of the heavy demand being placed upon resources in the midst of such a serious epidemic, to be applauded.

Following Nikki's tragic death, it immediately became apparent that there would be an inquest. Soon after her death the Minister for Health was contacted by a lawyer acting on behalf of the Robinsons. My office and the Attorney-General had further contact with the lawyer for the Robinsons on subsequent days to make arrangements for representation to the Robinsons at the inquest. The Government readily agreed to fund their legal representation in full and ensure the inquest began expeditiously.

The decision to fund the Robinsons would not ordinarily have occurred. It has been the practice of Governments not to fund parties before coronial inquires. However, because of the scope of the HUS epidemic and the involvement of the Health Commission, the Government took the view that it was in the public interest to provide such funding. The Government also agreed to fund counsel assisting the Coroner and to fund the appointment of an Acting Coroner to release Mr Chivell from other coronial responsibilities to permit him to give priority to this inquest. The advice available to me indicates that the total cost of the inquest is expected to be just over $255 000. This includes almost $120 000 for the legal representation of the Robinsons and other families.

Contact between the Government and the Robinson family throughout the period of the inquest clearly had to recognise not only those legal proceedings but ensure that there could be no attempt to interfere with witnesses to the coronial inquiry. Since the inquest there has been further contact between the Government and the legal representatives for the Robinsons and others.

It should also be recognised that the statements made in the past 24 hours are not consistent with those made in the

immediate response to the findings of the inquest. On the *7.30 Report* on 28 September, the day in which the Coroner handed down his findings, Mr Doherty, acting as the lawyer for the Robinsons, stated:

> If we don't focus on chopping heads off and blaming people, and if we put some attention on what is to be drawn from here, then hopefully this won't be repeated.

In addition, the following report was carried in the *Advertiser* on 29 September:

> The Robinsons, speaking through their lawyer Mr John Doherty, said it was unlikely a claim would be made against the commission.

The *Advertiser* article quoted that lawyer as stating:

> It wasn't the Health Commission that released the product. . . if there is to be litigation, the primary focus will be on Garibaldi and its insurers.

The Robinsons have been critical of the Minister for Health in the past 24 hours. The information provided to the inquest and accepted by the coroner was that Nikki Robinson consumed Garibaldi garlic mettwurst on 21 January. It was not until two days later on 23 January that the Government was advised to make a public statement identifying Garibaldi mettwurst as a likely source of the HUS epidemic. The acting Minister for Health arranged a press conference within two hours of receiving this advice. I stress that the Coroner did not find negligence on the part of the Health Commission or the Minister for Health, and there are accordingly no grounds for seeking the dismissal of the Minister.

I come now to the suggestion that the Government acted in this matter to protect the position of the Garibaldi company. The Opposition has been dancing all around this accusation virtually since this tragedy occurred, without quite having the courage to come to the point. So, let me make it for it. The intent of the insinuations and innuendo which have run through all the Opposition's questions has been to encourage a public belief that the Government has been involved in a perversion of the course of justice. The Opposition wanted the public to believe that the Government has acted to ensure that the Garibaldi company can escape any legal consequences arising from the company's actions in this matter. I now challenge the Opposition. Instead of playing any more with the politics of death and grief, produce evidence to support the accusation.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: Make the accusation outside Parliament. Take any evidence you have to the police or to the Director of Public Prosecutions. So far, the Opposition—

Mr Atkinson interjecting:

The SPEAKER: I warn the member for Spence.

The Hon. DEAN BROWN: So far, the Opposition has been unable to produce a single shred of evidence to justify its despicable behaviour.

Members interjecting:

The SPEAKER: Order!

FIREFIGHTERS UNION

The Hon. W.A. MATTHEW (Minister for Emergency Services): I seek leave to make a ministerial statement.

Leave granted.

The Hon. W.A. MATTHEW: It is with regret and disappointment that I advise this House that the United Fire Fighters Union has seen fit to place public safety at risk for union political reasons. Today the firefighters union has reneged on an agreement with the Government, with its fellow emergency services union (the Ambulance Employees Association), with the management of the South Australian Metropolitan Fire Service and indeed with its own union membership by physically blocking ambulance vehicles and staff from being located at South Australia's first purpose-built fire and ambulance station at Brooklyn Park. The reason for this refusal is that the United Fire Fighters Union wants the Government to pay its members extra money for the privilege of enjoying improved facilities and providing the public of South Australia with a more timely and efficient response to potentially life threatening incidents by their fire and ambulance crews.

Let me make perfectly clear that, throughout the extensive consultation with management, the unions involved and fire and ambulance staff regarding collocation and the significant benefits to emergency service delivery, the Ambulance Employees Association has behaved with propriety, responsibility and a genuine desire to improve its service to the community while at the same time improving the working environment of its members. This latter union has in no way been a part of this latest cynical back-off that has culminated in the United Fire Fighters Union physically placing barriers around the new Brooklyn Park fire and ambulance station in an attempt to refuse entry to the facility by ambulance crews. Further, the firefighters union has threatened to expand its industrial action to include blocking ambulances at the city station.

Members of this House would recall that several months ago I informed the House of the successful partnership that had been forged between the two services during a 3 month trial when the two services collocated at the Wakefield Street fire station. The results were impressive—so impressive that the management of both services, with the blessing of both unions, decided to permanently station an ambulance crew at the city station. Amongst the most pleasing results of this trial was a significant drop to priority one response times from the city station. In three months the response time dropped from 7.7 minutes to 5.6 minutes, meaning ambulance crews were arriving at potentially fatal incidents two minutes faster than they could previously from the city area. These two minutes could mean the difference between life and death.

After these impressive trials and thereafter an ambulance being stationed permanently at the Wakefield Street headquarters from 17 March this year, an ambulance crew was stationed at the O'Halloran Hill fire station on 31 July, again with the agreement of both the Ambulance Employees Association and the United Fire Fighters Union. At the same time, the construction of Brooklyn Park was nearing completion, and architectural design plans were being finalised for the expansion of Camden Park fire station to allow the State's collocation program to expand further.

I stress that the construction of Brooklyn Park was commenced only after extensive consultation with all staff and the unions involved. In fact, staff members who would occupy the new fire and ambulance station participated in the design and layout of the new facility. Similarly, staff involved with future collocations are participating in exactly the same way. The staff from both services are eager to move into this new station. I am advised by the staff of both services that they are 'disgusted' at this latest attempt by the United Fire Fighters Union to thwart the collocation program.

The disappointing aspect of the United Fire Fighters Union today is that collocation has been the subject of negotiations since early 1994. The secretaries of both unions

wrote to me on 10 March 1995 in a joint letter in which they stated:

> We re-emphasise our in-principle support of collocation of the organisations on a permanent basis.

On 16 March 1995, both unions agreed to the plans for the fire and ambulance station at Brooklyn Park. The building was completed on 18 October, seven months for the United Fire Fighters Union to voice its concerns to Government. But just one week before the scheduled official opening of the new fire and ambulance station, the United Fire Fighters Union has decided to ban ambulance crews from collocated sites in Adelaide.

As a consequence, the potential now exists for residents in the following suburbs to face slower ambulance response times than would otherwise have been achieved. Those suburbs include Brooklyn Park, Lockleys, West Beach, Underdale, Torrensville, Cowandilla, Richmond, West Richmond and Hilton. These suburbs are recognised by the Ambulance Service as having a higher than average incidence of cardiac arrest.

The actions of the United Fire Fighters Union in my view are reprehensible. The union has defied the wishes of its own members, the management of the Metropolitan Fire Service, and the Government's strong commitment to the South Australian community for improved life saving, emergency service response. I echo the sentiments expressed by my Chief Executive Officer of the South Australian Ambulance Service to United Fire Fighters Union officials in regard to the Wakefield Street location when he recently stated that he would oppose the union's action toward the city collocation on the grounds that they would:

> . . . be endangering human life by causing a reduction in the response times to the central business district.

My management teams from both services and staff who want to be involved with this collocation are endeavouring to convince the firefighters union to exercise common sense. It is disappointing that the good work of both ambulance and fire staff and their management has been soured by the antics of a union which is supposed to represent them.

QUESTION TIME

GARIBALDI SMALLGOODS

Ms STEVENS (Elizabeth): Did the Premier or any of the Premier's staff discuss with Dr Kerry Kirke, the Director of Public Health, the implications of the HUS epidemic for Garibaldi and the smallgoods industry; when did these discussions take place; and what instructions or requests did the Premier or his staff convey to Dr Kirke? In his evidence to the Coroner, Dr Kirke said that at the meeting on 4 February the Premier was keen that all steps possible were taken to enhance the possibility of Garibaldi's trading out of trouble.

The Hon. DEAN BROWN: The answer is 'No'; I had no discussion with Garibaldi—

An honourable member interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN:—or Dr Kerry Kirke except at that meeting on 4 February. I did not become involved in any of the discussions with either the Health Commission individuals or any representative of the company and so, quite clearly, any suggestion that the honourable member would make that I in some way tried to infer that Garibaldi should be able to continue to operate against any legal proceedings that might be taken against them is entirely false.

An honourable member interjecting:

The SPEAKER: Order! The evidence will not help the honourable member if Standing Order 137 is applied.

WINE INDUSTRY

Mr BROKENSHIRE (Mawson): Will the Premier advise the House of the reasons for the formation of the South Australian Wine Tourism Council which he has announced today and explain the role that the council will have in giving a further boost to the tourism industry? On Friday we will see the start of another famous and popular McLaren Vale Wine Bushing Festival in my electorate and many of my wine-making constituents have been asking me what are the thoughts and direction of the Premier and the Government in respect of the formation of the South Australian Wine Tourism Council.

The Hon. DEAN BROWN: I was very pleased to announce this morning at a special breakfast on the tourism industry, in conjunction with the Australian Council of Tourism, that the South Australian Government was to set up the South Australian Wine Tourism Council. The purpose of the council will be to bring together the international reputation that South Australia has now developed in the international wine industry and the potential to create very substantial tourism for South Australia through the promotion of that wine industry, and particularly our international reputation in it. Together with the Minister for Tourism, I met last week with industry leaders of the wine and tourism industries. We put together this strategy and it is something that I have been talking to the Minister about for some time. Amongst other opportunities in developing tourism in this State, I see a huge opportunity, probably the biggest in the tourism area, to do so around the wine industry. After all, we are the wine State of Australia; we want to maintain that position very strongly; and if overseas or interstate people are going to visit anywhere to look at the wine industry, it must be to South Australia.

The purpose of the South Australian Wine Tourism Council would be, first, to promote an excellent publication that is coming out, which is a tourism guide of the wine industry of South Australia. It covers all the regions and virtually all the wineries and is an excellent publication in highlighting the characteristics of the regions and of the product of the individual wineries. The council would also help to develop here in South Australia specific events leading up to the year 2000, major events that we can develop around the wine industry here in South Australia, again attracting interstate and overseas people. Last year the wine research industries triennial conference was held in South Australia and it was an outstanding event. But I believe we can go much further than that.

I also want to see this council use the wine industry to add tours to the international and national conventions held here in South Australia. We are very proud to be able to boast that we get about 20 per cent of all national and international conventions in Australia. I regularly attend to help open the conventions, and what has struck me is the potential to expand the period of stay in South Australia, so that the people who come to these conventions stay for another two or three days and, perhaps, visit the Barossa Valley, the Coonawarra, McLaren Vale, the Clare Valley, the Riverland, the Adelaide Hills or Langhorne Creek, in my electorate, and

some of the other areas of the State as well, such as Kangaroo Island. It does not need to be based only on wine. I see the potential to put together very significant wine tourism packages in association with national and international conventions.

Another role is to work with the State Government in putting together a wine museum and interpretive centre, and the final area of responsibility for this council is to make sure that, in specific regions of South Australia, suitable wine package tours are available, so that we can market them very broadly in conjunction with tourism promotion in South Australia. The other important feature is that I was able to say this morning to the leaders of the Australian tourism industry that we have picked out tourism as a key industry for expansion in this State, not only with the new strategy and other initiatives such as those I have pointed out but we have actually put in extra funding. We have taken the funding of the former Labor Government from $21 million a year to $29 million a year. So, we are putting in the hard money to back up these initiatives.

HUS EPIDEMIC

The Hon. M.D. RANN (Leader of the Opposition): Given the Premier's statement today and the fact that the Opposition was approached by the Robinson family with their concerns, is the Premier now prepared to meet with victims of the HUS epidemic and their families to establish how the Government can assist those who have been seriously affected? Legal counsel for the victims of the epidemic have today told the Opposition that the families wish to discuss with the Premier a range of issues, including whether the Government will provide assistance to the victims for a class action against QBE Insurance and whether the Government will investigate reports that a director of Garibaldi repurchased specialist smallgoods manufacturing equipment at the company's own liquidation sale.

The Hon. DEAN BROWN: In relation to the last matter raised by the Leader of the Opposition, rather than raising it here and trying to score a cheap political point under the protection—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order!

The Hon. M.D. Rann interjecting:

The Hon. DEAN BROWN: I am dealing with your last point—

Members interjecting:

The SPEAKER: Order! The question has been asked.

The Hon. DEAN BROWN: The Leader of the Opposition knows full well that there are due processes, particularly under company law, whereby he can take action without raising the matter publicly here to make sure that, if anyone is attempting to breach a State or Federal law in relation to the matter—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: —and many of them are, in fact, Federal and not State laws—they should be pursued under that Federal jurisdiction. I would ask: why has not the Leader of the Opposition, like any other—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I do not want any more interjections from the Leader of the Opposition.

The Hon. M.D. Rann interjecting:

The SPEAKER: I warn the Leader of the Opposition. The Premier will resume his seat. I do not know whether the Leader of the Opposition thinks that there are two sets of Standing Orders, one for him and one for other members. When the Chair asks him not to interject, I intend to see that that is carried out. The Premier.

The Hon. DEAN BROWN: So, if the Leader of the Opposition has evidence—and I raised this during the ministerial statement—he should contact the officials, the representatives of the various Government agencies, Federal or State, and let them take the action. I invited the Leader to produce evidence to the police, the Crown prosecutor, or any others, but the trouble is that he does not do that. The Leader of the Opposition tries to make points in this Parliament, instead of talking to the respective people if legal action is to be taken for a breach of any law. Regarding the previous matter the Leader raised, it is up to the Minister for Health, who has the authority of Cabinet in this matter, and the Health Commission through the legal representatives to ensure—

The Hon. S.J. Baker: Send the police around to see him.

The Hon. DEAN BROWN: We could send the police around to see the Leader of the Opposition and he could put forward his evidence. I stress the fact that it is the responsibility of the Minister for Health, the Health Commission and their legal representatives to ensure there is appropriate contact with the families of all of the victims involved in this tragic event.

STAMP DUTIES ACT

Mr VENNING (Custance): I direct my question to the Treasurer. When does the Government intend to introduce legislation to rewrite the Stamp Duties Act? I am aware that South Australia and a number of other States are working on the stamp duty rewrite project which aims to ensure a greater level of consistency in legislation between States, a move which has provoked criticism from some industry groups.

The Hon. S.J. BAKER: Five States have been looking at a total rewrite of the Stamp Duties Act. All members would recognise that, because of the different jurisdictions and the different laws that apply, people become confused with the various jurisdictions when undertaking financial transactions across the border. So, officers from at least five of the States have been cooperating in determining a consistent set of rules that can apply at least over those five jurisdictions, namely, New South Wales, Victoria, Tasmania, the Australian Capital Territory and South Australia.

In the rewriting of this legislation the officers have been considering a number a issues. Indeed, when they had drawn a conclusion the matter was canvassed in the national arena. There were at least five points of contention regarding a suggestion that extra taxes would be collected as a result of these changes. At the time this matter was being given a public airing, I had yet to receive a report on what the officers had been discussing but, more importantly, I said that Government had not agreed to anything. Whilst there can be a review of particular areas, for example, looking at where doors that may have opened should be closed or where there has been avoidance in the industry, there are a number of recommendations. Until Government considers those recommendations there will be no consideration of the legislation. We are hopeful, in terms of some of the more contentious issues, at least from a publicity point of view, once some of those matters are ironed out, that early in the

new year we will be looking towards introducing legislation which will sit comfortably in a uniform fashion across the five jurisdictions, and then the Johnny-come-latelies like Queensland can perhaps do the same thing.

GARIBALDI SMALLGOODS

Ms STEVENS (Elizabeth): I direct my question to the Minister for Health. On what date did the police request advice from the Director of Public Prosecutions as to whether Garibaldi could be charged under criminal law, and will the Minister table a copy of this request? On 11 October the Minister told the House that he intended to speak with the Attorney-General to see whether there may not be some amendment to the Food Act to allow for an extension of time for prosecution to occur under that Act. On radio this morning the Minister said:

> Well and truly prior to any Opposition questioning on this the police had referred the matter to the Director of Public Prosecutions for his advice as to whether there could be charges laid under other criminal law.

The Hon. M.H. ARMITAGE: The actual date is, of course, a matter for the police and the Minister for Emergency Services. However, what I should identify is that—and I am talking months ago—the police identified to me, on a confidential basis, that they were investigating a number of matters in relation to allegations which had been made by people who had previously worked with Garibaldi and who were working, from memory, on Kangaroo Island and in Queensland. That matter was subsequently followed up, because those matters were investigated by the Coroner. I was interested and pleased to see that those matters were there. The police have been well and truly involved in this matter for a number of months in relation to the Coroner's inquest, and they were doing this as part of the Coroner's original inquest.

FAMILY CARE LEAVE

Mr WADE (Elder): Will the Minister for Industrial Affairs advise the House of the position adopted by the State Government before the State Industrial Relations Commission with respect to the family carers leave test case?

The Hon. G.A. INGERSON: Last Friday the Government took the step of supporting the flow-on case from the Federal family carers leave case to the full bench of our Industrial Relations Commission. As with the industrial legislation that was brought in some 18 months ago, the Government believes that carers should be able to use their sick leave if it relates particularly to their family. In supporting the application, the Government has stipulated that the 10 days sick leave should not be varied at all other than by agreement in an enterprise agreement. If the two parties agree that there should be more leave, that is entirely up to them, and that agreement can be registered with the commission.

Another point that needs to be noted is that 66 per cent of the 110 agreements covering approximately 16 000 employees in this State have special carers leave entitlements compared with the federally registered enterprise agreements, of which only 2 per cent contain such an entitlement. There is a significant difference in our State industrial law as a result of having enterprise agreements. Another issue that is important to note is that none of this would have happened if the Government had not put forward changes to the industrial relations system 18 months ago. As I said, it has been picked up in enterprise agreements and, with the restriction that the number of days should not extend beyond the 10 days sick leave currently provided for in awards, the Government believes that it should flow on.

PUBLIC PROSECUTIONS DIRECTOR

Ms STEVENS (Elizabeth): I direct my question to the Premier. Will the Government make additional resources available to the Director of Public Prosecutions following reports in the media that a decision on whether the directors of Garibaldi can be charged under criminal law has been delayed by considerations on another matter involving the shooting of a man who allegedly held up a service station, an incident which happened in the past two weeks?

The SPEAKER: The Chair is of the view that the last matter mentioned by the honourable member may be before the courts and, therefore—

Mr Atkinson: No, it is not.

The SPEAKER: Order! The Chair is addressing the House and it does not need any assistance. Therefore, I ask the Premier—

Mr ATKINSON: I have a point of order.

The SPEAKER: Order! The Chair is still addressing the House. I ask the honourable member to resume his seat forthwith. The Chair is getting sick of finicky points of order which bear no relationship to the welfare of the House. I suggest to the Premier that, in answering the question, he bear in mind that the last matter raised in the question may be before the courts. The honourable Premier.

Mr ATKINSON: I rise on a point of order. It is of the essence of the Kingsley Foreman case that it is not before the courts, that the Director of Public Prosecutions is now in the process of making a decision.

The SPEAKER: Order! The Chair has made a suggestion to the Premier, and the Chair stands by it.

The Hon. DEAN BROWN: It is pretty shabby for the honourable member to raise this matter in this manner when she knows from public statements made that the time for consideration of this matter by the Director of Public Prosecutions is simply a matter of days—literally days. I understand that the Director of Public Prosecutions is expected to bring down a finding in relation to the shooting early next week and, therefore, we are talking about two or three days at the most. On the earlier matter raised by the honourable member, I point out that the Government is having constant contact with the legal representatives of the family.

An honourable member: Is that right?

The Hon. DEAN BROWN: Yes, that is right. I indicated in my ministerial statement that there has been contact between the legal representatives of the families and the Government. Indeed, they have had very recent representation with the Government. Therefore, if any relevant matter needs to be addressed, it should appropriately be brought forward through those legal representatives. What the Leader of the Opposition and the member for Elizabeth are saying in this House completely ignores the fact that there has been direct representation to the Government by those legal representatives. I ask members to think why the Leader of the Opposition and the member for Elizabeth would have a so-called public agenda when the legal representatives are talking to the Government on an entirely different basis. The Government will continue to deal with the legal representatives of the families involved.

WATER FILTRATION

Mr EVANS (Davenport): Following last weekend's public criticism about the quality of drinking water in the Adelaide Hills, will the Minister for Infrastructure advise what action the Government is taking to improve the quality of drinking water in the Adelaide Hills and the Barossa Valley region and how soon we can expect to see some changes?

The Hon. J.W. OLSEN: I am pleased to advise the House that tenders to build and operate water filtration plants in the Adelaide Hills, Strathalbyn, Barossa Valley and some Murray River towns will close next week. Site selection has been undertaken and identified. Some five or six companies have submitted tenders, particularly for the Adelaide Hills and Strathalbyn areas, for filtration of the water supply. That will bring an additional 100 000 South Australians onto filtered water. In the Adelaide Hills, this is important for companies such as Jurlique, which is today celebrating its tenth birthday of operation. That company exports to a dozen or more countries and now employs 56 people in Mount Barker. Its product is 100 per cent pure and the company relies on product quality to access the international market-place, so filtered water is particularly important. It is important not only from the point of view of Hills consumers, who will have filtered water equal in quality to that provided in metropolitan Adelaide, but also from the point of view of a commercial and, in this instance, export market perspective.

I remind the House that, when this Government was elected, the Adelaide Hills water filtration scheme was scheduled for about the year 2003 or 2005. We have brought that forward. Immediately upon coming to Government, we fast-tracked plans for the filtration of water, and it is hoped that building of those filtration plants will commence in March 1996 and that they will be completed and commissioned in the third or fourth quarter of 1997.

HUS EPIDEMIC DOCUMENTS

Ms STEVENS (Elizabeth): What action will the Premier take over strong criticism by the Ombudsman of a statement made to this House by the Minister for Health on 18 October 1995 concerning the Ombudsman's order to the Health Commission to release documents to the Leader of the Opposition? Last week the Minister for Health told this House that the Health Commission had received a direction to release documents pursuant to the Freedom of Information Act without any prior notification to the commission. Today's letter from the Deputy Ombudsman to the Minister for Health clearly details the prior notice and protracted correspondence received by the Health Commission, contrary to what the Minister told the House.

The Hon. M.H. ARMITAGE: I am delighted to address this issue. I confess that I am surprised to do so, given that the Ombudsman's letter sent to me today with a copy to Mr Rann concludes as follows:

> The Ombudsman has indicated that he would be happy to discuss this matter with you personally when he returns from overseas late next week.

I very much look forward to meeting the Ombudsman to discuss that matter.

Members interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: The Ombudsman clearly identifies in the letter that he believed the next appropriate step was to speak to me personally about this matter. I look forward to doing that because, prior to finishing in that manner, the letter also says:

> A telephone conversation between a staff member of this Office—

in other words, the Ombudsman's office—

> and the commission's principal legal officer on 4 October confirmed that this was still the commission's position.

In other words, we believed that some of the remaining documents were exempt. On 4 October the Ombudsman took the time and effort to ring the commission and say, 'What do you believe is the situation?'. We informed the Ombudsman of that matter. So, I was surprised when the Ombudsman made contact, not with the Minister's office or with the Health Commission but indeed with the office of the Leader of the Opposition. I was surprised when that occurred because a simple telephone call on the day when it was clear—

Members interjecting:

The Hon. M.H. ARMITAGE: I am not blaming the Ombudsman at all but merely stating the facts, which are that a telephone call was made to the person who was the instigator of the freedom of information request, but no telephone call was made to the Health Commission. As I indicated previously, on the day in question, to which the honourable member referred, if the Ombudsman had lifted the telephone and said, 'Have you sent all the documents?', the answer would have been 'Yes.'

Members interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: On 18 October (the day after the matter in question) Mr Ray Blight, the Chief Executive Officer of the Health Commission, wrote to Mr Biganovsky, as follows:

> I am concerned that your direction was made without reference to this office, particularly as Ms Philpot—

the person who made the telephone call—

> and the Health Commission's principal legal officer had been discussing this issue at length. I am also concerned that Mr Rann's office was contacted last night by one of your officers, but that no effort was made to ascertain the accuracy of the information provided to you and upon which you issued your direction.

Quite clearly—

Mr Foley interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: The simple fact of the matter is that the Ombudsman made a telephone call to the office of the Leader of the Opposition and was given certain information, but he failed to check that information with the Health Commission. One simple telephone call and he would have received all the relevant information. As I said before, I am surprised to be dealing with this matter in this public forum.

Mr Clarke: Why?

The Hon. M.H. ARMITAGE: Because, clearly, the Deputy Ombudsman finishes his letter by saying:

> The Ombudsman has indicated that he would be happy to discuss this matter with you personally when he returns from overseas late next week.

I very much look forward to speaking to him about it.

AGED PERSONS

Mr CONDOUS (Colton): Will the Minister for the Ageing advise what action is being taken to reduce the cost of living for older people in South Australia? Many older

people face difficulty making ends meet because of limited income. This is a particularly important issue in South Australia because we have the highest rate of ageing of any State.

The Hon. D.C. WOTTON: It is appropriate that this question be asked today because I had the good fortune this morning to be present to hear the Deputy Premier launch Seniors' Week for 1995. Before I respond directly to the honourable member's question, I take this opportunity to again congratulate COTA (Council of the Ageing) in South Australia on the magnificent work it does, particularly in the organisation of Seniors' Week and for the way it represents older South Australians. It is always a pleasure to be involved in any of the activities organised by COTA.

The Office for the Ageing has launched a major push to extend and further develop the current seniors card to offer a broader and more comprehensive discounted range of products and services which, hopefully, will amount to substantial weekly savings for people over the age of 60 years. As members would realise, the South Australian seniors card is available free of charge to all seniors over the age of 60 years who work no more than 20 paid hours a week. Currently there are about 170 000 holders of a seniors card, and cardholders are not means tested.

I am pleased to advise that more than 300 businesses throughout the State offer holders of a seniors card a range of discounts and bonuses on everyday products and services including food, hardware, jewellery, insurance, lighting, security, transport, and so on. This year I am keen to see a greater number of businesses and services offering the type and variety of discounts that will be translated to meaningful and substantial daily savings by all older people in South Australia. One example that we might consider is for supermarkets to offer discounts on shopping bills. I understand that that matter is currently being considered. Businesses are increasingly recognising that to neglect our senior citizens may mean missing out on major sales from a growing and very loyal consumer base.

The Seniors Card Unit is currently undertaking a marketing campaign, and I appeal to all businesses in this State to help ease cost burdens for our seniors and support this campaign. It is one that I strongly support and I hope people in business will recognise the importance of the campaign also.

HUS EPIDEMIC DOCUMENTS

Ms STEVENS (Elizabeth): Will the Premier give the House an undertaking that the Government will accede to a request being lodged today by the Opposition for the following documents relating to the HUS epidemic: all documents held by the Minister for Health or his ministerial staff; all correspondence between the Government and the Director of Public Prosecutions; and, all notes kept by ministerial staff and Government officers of the meeting convened by the Premier with directors of Garibaldi on 4 February?

The Hon. DEAN BROWN: First, I have not seen the request, but I remind the honourable member of the statement the Minister made yesterday: that all of the documents held by the Health Commission in relation to the Coroner's inquiry will be made available when the appropriate request for freedom of information is lodged. I repeat: all of the documents. On the specific point about correspondence with the Director of Public Prosecutions, the honourable member knows that any legal opinion from within Government is not subject to freedom of information. Whatever the issue, it is not subject to freedom of information and is specifically excluded by the legislation. For the honourable member to deliberately include in her request information concerning potential prosecutions, which would include legal opinions, shows ignorance, or she is deliberately trying to make a shabby political point, as I suspect is the case.

The other request related to minutes of the meeting held on 4 February. Any minutes held for that meeting would be with the Health Commission or the Department of Primary Industries, as they are the two areas from which the officers came. Any of the minutes would be included in the information made available by the Health Commission. I will ensure that, if the honourable member puts in a request to the Department of Primary Industries, that is included as well. I suggest that in her freedom of information request she includes the Department of Primary Industries.

LEIGH CREEK COAL RAIL FREIGHT SERVICE

Mr KERIN (Frome): Will the Minister for Infrastructure report to the House on any progress to reduce Australian National's monopolistic freight charges on the Leigh Creek to Port Augusta railway to a more competitive level? It has been reported that the Federal Minister for Transport, Mr Brereton, is reluctant to listen to ETSA's request to reduce these charges.

The SPEAKER: The Minister for Infrastructure. The Chair is particularly interested in the Minister's answer.

The Hon. J.W. OLSEN: I am sure you will be, Mr Speaker. As I have previously advised the House, ETSA has advertised for expressions of interest for people to operate the Leigh Creek to Port Augusta railway line to tranship coal from Leigh Creek to Port Augusta. That 250 kilometre line is currently operated by AN. For three years we have been attempting to negotiate freight rates that are anywhere near world's best practice, without any success. The current agreement expires on 31 December this year, yet AN has still not been prepared to negotiate on a fair and reasonable basis. For that reason we have taken up the matter further with the Federal Government.

I advised the House previously that ETSA had sought expressions of interest from the private sector as to companies that might be interested in operating the Leigh Creek to Port Augusta rail line. That expression of interest has just recently closed, and 16 companies and enterprises have registered an interest with the Electricity Trust to operate the Leigh Creek to Port Augusta rail link. So, there is plenty of competition out there in the marketplace if only we can get there.

Therefore, I have written to George Gear, the Assistant Federal Treasurer, requesting that this matter of AN rail freight rates be referred to the Prices Surveillance Authority. I signed that letter off on 12 October, seeking a full inquiry and a report by the Prices Surveillance Authority Chairman in relation to this monopoly line where rates are not in the interests of ETSA or South Australia's having to access the national electricity market. In particular, this line supplies a fuel source to Port Augusta which supplies 40 per cent of base load power for South Australia. We have to achieve reform in that line to get those costs down and to position South Australia for the national electricity market. It is urgent and it is about time the Federal Government addressed it as such. In addition to that, it is about time the Federal Govern-

ment practised what it preached in that, if it wants competition and Government trading enterprises like SA Water and ETSA to apply commercial trading principles, it is about time it applied it to AN and the Leigh Creek to Port Augusta railway line.

TAFE DEPARTMENT

Ms WHITE (Taylor): In light of the Minister for Employment, Training and Further Education's assertion to the House yesterday that he is satisfied with the organisation, management and strategic direction in which he has led his department, how does the Minister now respond to the conclusion of the Department of the Premier and Cabinet document entitled 'DETAFE strategic scan' which has been leaked to the Opposition? It finds that the South Australian vocational educational and training system is in 'strategic limbo' and that 'strong and purposeful leadership is required over the next few months to oversee the substantial changes required in the organisation, structure and management of DETAFE'.

The Hon. R.B. SUCH: The strategic scan was something that I encouraged and in which my department participated fully. It was a very positive report. The member for Taylor obviously has not had time to read the whole report. Certainly, in any Government agency there will be areas in which improvements can be undertaken, but that scan, which involved TAFE officers, Treasury officers and officers from Premier and Cabinet, was a very good report. We are addressing some areas, which I mentioned already, such as corporate services and supply, where we can get greater efficiencies. DETAFE is an excellent department. There are areas where we can get improvement. It is in good hands with the recently appointed CEO Brian Stanford and with me as the Minister.

CONSENT TO MEDICAL TREATMENT AND PALLIATIVE CARE ACT

Mrs HALL (Coles): Will the Minister for Health advise when the Consent to Medical Treatment and Palliative Care Act will be proclaimed and what preparatory work has been undertaken? The latest edition of the *Voluntary Euthanasia Newsletter* contains a story questioning the delay in proclaiming the Consent to Medical Treatment and Palliative Care Act. Under the heading of 'Why the delay?' It states:

> Six months down the track there is no sign of progress. Meanwhile, South Australians are being denied the undoubted benefits of the Act.

The Hon. M.H. ARMITAGE: There are obvious and undoubted benefits of this Act and, while it took a long time coming to fruition, it did eventually pass both Houses as ground breaking legislation. The matter of the proclamation date relates to the history of a previous Act, the Natural Death Act. The Natural Death Act fell into most unfortunate disfavour, I believe, primarily because of a lack of public awareness or a public education campaign about the benefit or otherwise of the Natural Death Act and the provisions thereof. In relation to the Consent to Medical Treatment and Palliative Care Act, we were very keen to ensure that this did not occur with this Act and that the public was fully aware of the opportunities provided for better palliative care. Indeed, to that end, we have had a committee working on a public education campaign. That committee is chaired by the Hon. Jennifer Cashmore who, as all South Australians would recognise, was instrumental in instigating the select committee which first examined the matter, and she was very involved in everything but the ultimate stage in the parliamentary phase of the debate on the Bill.

Literally yesterday I received a facsimile from Jennifer Cashmore indicating that yesterday the committee received an excellent presentation from graphic designers in relation to a pamphlet for publicity. I am told that the committee is very much in agreement with the approach and in fact is delighted with it. The next process will be of market testing on elderly citizens' groups and community health centre groups. I make the point specifically that the market testing will involve both sexes and young and middle aged people. So, accordingly, we are well down the track. In my discussions with the Hon. Jennifer Cashmore I have asked that she relay to members of her committee that I would like to have the Consent to Medical Treatment and Palliative Care Act finally proclaimed towards the middle or end of November.

POLICE PAY DISPUTE

Mr QUIRKE (Playford): Will the Minister for Industrial Affairs give the House a report on the police pay dispute and is he still confident, as he was in this House last week, that the matter will be resolved 'in a couple of days'?

The Hon. G.A. INGERSON: Yes.

UNIVERSITY GOVERNANCE

Mrs PENFOLD (Flinders): Will the Minister for Employment, Training and Further Education provide a progress report on the review of university governance?

The Hon. R.B. SUCH: I thank the member for Flinders for her question. She is an excellent member and is making a significant contribution not only in her electorate but throughout the State. The review of university governance was something I initiated in the middle of the year. I am pleased to say there has been a very good response to invitations to submit recommendations to that review. In fact, we have had in excess of 30 written submissions.

The committee is chaired by Alan McGregor and consists of other distinguished people, including Professor Jeremy Davis, Professor Nick Saunders, Ms Jan Lowe and Mr Geoff Fry. The submissions to date, in summary, focus on the need for change. The most frequently mentioned issue is the composition of the councils, as one would expect—how many students, how many staff, how many members of the community, how many members of Parliament should be included, and so on.

One of the issues the committee has to grapple with is whether the council should be representative or have some other prime function. The suggestion has been put that schools and TAFE institutions should be represented on university councils because, as members know, schools generate the young people who end up going to university. The question has been raised of the technical competence of people on the existing councils in areas such as business acumen and skills. There has been comment about the hierarchical nature of university administrations and concern about increasing Commonwealth control over the operations of our universities.

The universities are vital in our community. They have close to 40 000 students and are multi-million dollar enterprises, being key players in our positioning to become the education training centre for the Asia-Pacific region. Whilst

they are very good universities, there is always room for improvement, as I acknowledged earlier in relation to TAFE. We have three outstanding Vice Chancellors, Professor Brown, Professor Robinson and Professor Chubb, who are committed to ensuring that our universities are not only Australian leaders but world leaders. I look forward to the completion of this review and, more importantly, the implementation of its recommendations in the very near future.

POLICE PAY DISPUTE

Mr QUIRKE (Playford): My question is again directed to the Minister for Industrial Affairs and follows his full answer to the last question. Will the Minister rule out the sacrifice of police jobs as part of any final pay settlement with members of the South Australian Police Force? Please say 'No.'

The Hon. G.A. INGERSON: The answer has to be 'No.'

QUEEN'S THEATRE

Mrs KOTZ (Newland): Will the Minister for the Environment and Natural Resources provide a progress report on work being undertaken on the Queen's Theatre. The future of this historic site is attracting considerable interest, particularly given the news that it will feature in next year's Adelaide Festival.

The Hon. D.C. WOTTON: I am pleased to be able to respond to this question on the part of the—

Mr Clarke: Can't you just give a yes or no?

The Hon. D.C. WOTTON: No. I would have thought that the Opposition would recognise the importance of this building, one of the most significant heritage buildings in this State and one which was totally ignored by the previous Government. In fact, I think they lost it; they could not find it; they did not know anything about it. In fact, when the member for Newland asked the question, I was interested in the reaction of members opposite, and they were saying, 'Where; who; what?' The old Queen's Theatre, in the city of Adelaide, is one of if not the most significant heritage buildings in South Australia. I was delighted to learn that there will be new life for this old institution.

Mr Atkinson: Where is it?

The Hon. D.C. WOTTON: I will tell you in a minute. I would invite all members—

Members interjecting:

The SPEAKER: Order! The Minister needs no encouragement.

The Hon. D.C. WOTTON: I would invite all members of the Opposition to come with me to see and to give me their support for what the Government and the community are doing in regard to this building. As members opposite do not know where it is, what it is, how it is or anything else, they might have missed the fact that this old institution is to house the production of Mozart's *Magic Flute* in March next year as part of the Festival of Arts.

Mr Brindal interjecting:

The Hon. D.C. WOTTON: That is a very old institution. I believe that between 300 and 400 temporary seats are to be fitted into the theatre for its production, and that will certainly put what is Australia's oldest mainland theatre back in the limelight: I am delighted about that. The original section of the theatre was built in 1839, just three years after South Australia's settlement, hence the importance of this building as a heritage item.

The State Heritage Branch, I am told, will be taking on a considerable role in ensuring that the theatre is up to standard for its production. Work will include the removal and exclusion of pigeons, I was interested to learn—so perhaps the Parliament might be able to learn from what is happening in the old Queen's. Work will include the removal of spare soil from the 1989 archaeological excavation as well as repairs to roof cladding, drainage and other associated site works. This is an important building and I would be delighted if all members opposite joined me in having a look at what is being done about preserving our heritage in this State. I hope that members will take advantage during the Festival of visiting this important site so they can enjoy both Mozart and one of if not the most significant heritage item in this State.

RENT RELIEF

Mrs GERAGHTY (Torrens): Is the Minister for Housing, Urban Development and Local Government Relations aware that, when the income eligibility test limit is applied to pensioners in private rental, the limit is not adjusted in line with CPI pension increases? One of my pensioner couples has been caused financial hardship because the CPI pension increase of $8 has taken them above the threshold of $300, and they have lost $44 in rent relief.

The Hon. J.K.G. OSWALD: I will certainly ask my officers to investigate that case. If she provides me, after Question Time, with the name and address of the people concerned, I will certainly have the matter investigated and bring down a report. Certainly, I would not like to see the honourable member's constituents being disadvantaged, if something can be done to accommodate it.

LAKE EYRE BASIN

Mr CAUDELL (Mitchell): My question is directed to the Minister for the Environment and Natural Resources. What is the current status of South Australia's position on the world heritage listing proposal for the Lake Eyre Basin? I believe that the CSIRO's final report on world heritage national values of the basin has been presented to the Commonwealth's reference group and other reports on cultural values and a socioeconomic profile study are also due soon. I have also received advice from homesteads and tourist operators in the area that, if it is heritage listed, it will be devastating for the surrounding economies. I have been advised by four-wheel drive operators that they may be precluded from entering the surrounding areas.

The Hon. D.C. WOTTON: This is a very serious and important matter for South Australia.

Mr Brindal interjecting:

The Hon. D.C. WOTTON: Yes, from a very good member, the member for Mitchell. I know that the member for Mitchell has visited this area and is aware of many of the issues involved. I would hope that all members of this House are aware of where the State Government stands on this issue. Since it was first made clear by the Prime Minister that there was a suggestion that the Federal Government move to list the Lake Eyre Basin under world heritage listing, this Government made it very clear that we were totally opposed to such listing. We have indicated that we felt that, if we were really serious about preserving parts of Lake Eyre Basin, we could best do that under State legislation. That is exactly what

we are doing. While the Federal Government continued to work with desk-top studies and so on, as a State Government we are out there getting our hands dirty, getting things done and helping to bring about the key conservation land management work that is needed in that area.

Recently, I took the opportunity to visit the new Queensland Minister for the Environment to determine where Queensland stood on this issue. It is generally understood by most people, other than those in the Commonwealth and those who are carrying out this task, that only a very small part of the Lake Eyre Basin and the catchment area is in South Australia: the majority of it is in Queensland. It is interesting that the Federal Government has said that it does not want to know anything about Queensland; it does not want to know about the heritage issues in Queensland but wants to concentrate on South Australia. I was keen to talk to the new Queensland Minister, and I was delighted to learn that they felt as strongly about this issue as do we in this State and that, if we were looking at anything, we should be looking at total catchment management rather than any hint at all of moving towards world heritage listing.

I also point out, as you, Sir, are aware, that I have spent some time in meeting and talking with the pastoralists and operators in the northern areas of this State who would be affected. I understand their concerns because it is very difficult, given the uncertainties that surround this whole issue, for them to obtain funding through banks etcetera, and I realise why they feel as strongly as they do about this issue.

The State Government is in the process of spending $1 million which we indicated at the time of the last election we would spend to protect the key areas of the basin. The new conservation park has been declared to protect the Mound Springs; camp ground redevelopment is under way at Dalhousie; management plans are being developed under the RAMSAR wetlands agreement and in principle agreement has been reached with the major pastoral holders for cattle free zones and fencing in the wetland area of Innamincka regional reserve. Nobody can say that we are standing aside from all this and that we are not doing anything. We are carrying out the commitment that was made and spending $1 million—and by using State legislation—to protect this vitally important area and we will continue to do so.

It appears to me that the Lake Eyre Basin and the people within it are being used as pawns by the Federal Government in a bid to win a green vote interstate and, perhaps, in this State. All this is at the social, economic and environmental expense of the outback people in South Australia. I would hope, because of the work that is being carried out effectively by this State in preserving those important conservation areas, that the Federal Government will move away from any future thought of this area coming under world heritage listing. I am sure that members on both sides of this House realise that this is futile and that it will not help this State and the people in the area in the future.

SNAKE BITE ANTIVENENE

Mr De LAINE (Price): Will the Minister for Health take steps to ensure that as many hospitals around the State as possible, or at least major regional hospitals, have stocks of brown snake antivenene? Following the recent case of a brown snake bite victim having to be transferred from two hospitals to another because antivenene was not available, it has been put to me that, given the widespread distribution of brown snakes throughout the entire State of South Australia, the potential for bites from this particular snake is very high and would justify the widespread availability of the antivenene.

The Hon. M.H. ARMITAGE: This is a particularly important question and I feel some empathy with the member for Price and people who have had children or relatives who have been subjected to a snake bite. I was involved in getting the then Government, some many years ago, to continue to support the position of Dr Julian White: not only was he a person whom I met when I was at the Women's and Children's Hospital but also, much more importantly, he is one of Australia's, and indeed the world's, leading toxicologists. Some five years ago Dr White prepared a protocol for the treatment of snake bite. This included a schedule of the hospitals which should hold snake antivenom and testing kits. Indeed, Hawker Hospital, which was the hospital in question most recently, was one such hospital for which it was recommended that one ampoule of polyvalent snake antivenom should be held.

All professionals agree that the most important facet of first aid for people who have suffered snake bite is, literally, first aid. Properly applied, it can prevent the effects of invenomation for some hours. That enables the patient to be taken to the most appropriate hospital for further treatment, when the first aid measures are removed. Importantly, it also allows for testing and identification of the species involved and, therefore, use of the most appropriate antivenom, be it specific brown, black, or whatever antivenom rather than the polyvalent. Treatment should be given only when there is a clear indication that the patient is suffering from the effects, as a number of people are bitten but apparently the amount of venom that gets in is quite small. Because of the potential for allergic reactions to the antivenom, it is essential that this treatment be carried out under particularly close medical supervision.

It is very important that people treating patients should have an appropriate level of training and experience and there should be appropriate facilities to deal with any complications, such as anaphylactic shock, in other words, total circulatory collapse from the effect of the antivenom rather than the venom the snake has put in. It is not just a matter of providing the antidote, giving it and all is well: the antivenom itself has the potential to be particularly dangerous. What that means is that the number of sites where these things can be made available is limited but certainly, since the most recent instance, I have spoken with a number of people within the commission to identify this matter and it is my intent to speak with people like the Rural Doctors Association and country hospitals so that the first aid principles might be re-emphasised and so that the patient can be taken to the most appropriate facility to provide the final antivenom.

QUEEN'S THEATRE

The Hon. D.C. WOTTON (Minister for the Environment and Natural Resources): I seek leave to make a very brief ministerial statement.

Leave granted.

The Hon. D.C. WOTTON: Because of the strong interest that was shown by all members of the House as to the

whereabouts of the old Queen's Theatre, and because I would hope that the Opposition will join with the Government in what we are trying to achieve in the protection of that building, I am pleased to say that the old Queen's Theatre is situated on the corner of Gilles Arcade and Playhouse Lane off Waymouth Street in the City of Adelaide.

LEGISLATIVE REVIEW COMMITTEE

Mr CUMMINS (Norwood): I bring up the eighth report of the committee and move:

That the report be received.

Motion carried.

GRIEVANCE DEBATE

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

Mr FOLEY (Hart): I rise today to speak about an issue in my electorate that is causing me and many local residents significant concern; that is, the Government's decision today to commence a program of removing some 25 000 cubic metres of sand from Semaphore beach. I want to say from the outset that this was a practice of the former Labor Government and one that has been continued by this Government despite representations from me (as the local member in Semaphore) and from many constituents. There is no doubt that there is a sand drift and erosion problem in South Australia, due to some very sloppy planning laws in years gone by, with the decision to build houses on the Semaphore Park and Tennyson beachfronts. But no longer can the Government rip or dig up a local beach for a quick-fix, short-term solution to a problem that requires a long-term strategy, one that is not environmentally damaging to the Semaphore beach and destroying a magnificent beach at the most important time of the year.

How ridiculous it is, as we go from spring into summer, to have somewhere of the order of 1 200 trucks over the next three months running up and down that beach from 7 o'clock in the morning until 5.30 in the evening. Local residents have formed an action group to undertake a peaceful blockade of the trucks, and they have my support. They have my support for a peaceful blockade that demonstrates to this Government and to the Minister for the Environment and Natural Resources that no longer will the Semaphore community tolerate a situation in which its prime asset (the Semaphore beach) is treated in such a distasteful manner. The former Government adopted this practice, this Government has continued it, and it is simply not good enough at a time when some fantastic work has been undertaken by local residents through the Semaphore Residents Association, through the Semaphore Traders Association and through many other community networks to revitalise the Semaphore community, to bring Semaphore back to the halcyon days gone by when it was a major focal point of beach activity, amusements and, indeed, when many thousands of South Australians would travel to Semaphore beach.

All the work that has been done is being put at risk; all the good publicity for Semaphore is being put at risk. The work being undertaken to re-establish Semaphore as the prime beachfront residential and tourist area in Adelaide is under severe threat, because for the next three months, as we lead into summer, you simply will not be able to use some 60 to 70 per cent of the Semaphore beach, as somewhere of the order of 1 000 trucks a week will be ploughing up and down that road. I appreciate that the Minister has a problem to deal with and I do not dispute the fact that it is a difficult problem, but until the Government makes it very clear to the Coast Protection Board that no longer can it put up a solution such as carting sand from Semaphore beach there will be no motivation and determination for the Government to seek a rational solution.

At the end of the day the Government is going for the cheapest, quickest fix it can find, but at what cost: at an environmental cost to the beach and a loss of amenity for the Semaphore community that will mean that people can no longer walk their dogs, go for a run or a stroll along the Semaphore beach in the months leading up to Christmas, as they have to contend with the rumblings and the dangers associated with at least 1 000 trucks a week. I want to make very clear that it is time that this Government came up with a long-term solution, not a short-term quick fix. No longer should the residents of Semaphore be subjected to the destruction of their beach for a short-term solution to long-term problems. It is time that this Government treated my community—the Semaphore community—with the respect that that community deserves. All those residents in my community and others who are down on that beach protesting have my full support for their peaceful protest. I stand with them in support of their actions.

Mrs PENFOLD (Flinders): I wish to highlight a sad anomaly we have in Australia today. On 7 November the Australian nation focuses on a horse track in Melbourne as it does on the first Tuesday in November every year. On this day Australians will bet around $200 million on a horse race that lasts just three minutes. In a year, Australians gamble at least $12 million chasing a winner, and the odds are always stacked against them. Australians gamble twice as much as we spend on research and development. We are a nation of gamblers, while research and development programs that can create real wealth for Australia are lost. It is a sad state of affairs. Until we as a nation increase our effort and spend more on research, we always stand the chance of losing the geese that lay the golden eggs and of losing the golden eggs.

We have lost so many good inventions and inventors to the rest of the world simply because we have failed to attract funding for research and development. This lack of investment has meant that many good ideas, such as Interscan, a multidirectional radar for aircraft landings, will now be developed in the United States. Gene shears, a new process for switching off undesirable genes, will go to the French and again to the US. The black box flight recorder was invented in 1954 by an Australian aeronautical engineer, yet it was overseas interests and money that developed this amazing technological aid to air safety. They have all gone overseas for want of the investment dollar.

Dr John Baxter, the inventor of a robot sheep shearing machine and the electronic line caller for tennis, among other things, who recently won South Australia's inaugural Unsung Hero of Science award, wrote to me on the subject. He said that performance based incentives such as five or 10 year tax holidays were successful in Singapore. He continued:

> There seems no alternative to increasing the financial incentive for risk investments in Australia.

Dr Baxter says that, provided the financial incentives were

based on performance, this could be achieved at no cost to taxpayers and only a possible reduction in future Government revenue. He continued:

> This, however, could be more than compensated for by increased employment and growth in wealth creation.

He suggested that even some sort of negative tax with a sunset clause, based on export income, could be a sensible option. Further to this is a radical new idea that was proposed recently at an ANZAAS meeting by Launceston College of Technical and Further Education social scientist, George Chandler. He said that Australians should be encouraged to finance research by laying bets on projects they think are most likely to lead on to successful products. Those who pick winners could have first refusal on taking shares in the new product. Mr Chandler says about Australians:

> They have no qualms about investing in real estate or retailing but they think research is too risky.

Mr Chandler proposes a weekly television show highlighting up to five new inventions or processes nearing the development stage. For $25 a viewer could place a $20 bet on one or more of the advanced projects. In other words, rather than bet on a horse race they can bet on a product. The other $5 would be ploughed into the pure research field of the viewer's choice. It sounds radical but, if it is a gamble, it may appeal to the Australian people. If it prevents something like the orbital engine from going overseas for further development it will be a winner for all of us.

Australian punters have always tried to back winners. Who knows: they may punt on research. I am reminded how successful the South Australian Museum was in raising funds to buy the opalised fossil of a type of plesiosaur, a marine reptile that it called 'Eric'. It advertised for donations on television and was over-subscribed. It is worth a try. Or perhaps it involves a donation with an option to purchase shares if the project reaches development stage, maybe even combined with tax or other incentives.

The Hon. M.D. RANN (Leader of the Opposition): Today, the Premier made, I thought, a scandalous attack over the HUS epidemic. Let me just point a few things out. Nikki Robinson's parents approached the Opposition, not the other way around, and came to Parliament yesterday and sat in the gallery. Anyone who wants to try in any way to disparage their contribution yesterday is quite shameful, and the Opposition will not apologise for asking questions. I remember, back in the very earliest days of the epidemic when I asked a question about the HUS epidemic and the way it had been dealt with in early February, that the Premier responded by calling me a squealing little rat and referred to the Opposition's attempts to destroy the smallgoods industry. Right from the start that has been the principal concern of this Government, and I believe that the Opposition has acted quite properly in representing the views of parents and today asking questions that we had been asked by legal counsel for the families to ask.

For instance, the question about whether the Premier would meet with the HUS victims and their families: it was quite clear that the Premier has no intention of doing so. The Premier was happy to meet with Garibaldi, but is not happy to meet with the parents and the people directly involved. Of course, there was a question, too, about whether the Government would give assistance in terms of mounting a case for a class action by the victims against QBE Insurance. The Premier tossed that question aside, as he did these claims—again given to us through representatives of the families—about a former director of Garibaldi repurchasing equipment at the liquidation sale. These are questions that are legitimate to ask in this Parliament. We certainly will not be intimidated by the Premier and I suspect neither would the legal representatives or the families involved be intimidated by that sort of outburst yesterday.

We remember that yesterday, when the issue was raised about the FOI request, the Minister prepared a fake FOI document in my name which he circulated as a joke, and members opposite, including the Premier, thought this issue, which involves a tragedy, was something to be laughed about. I think they stand condemned. It shows the callous, arrogant attitude which is running through a Government which is over-bloated in terms of numbers, for a while, because things will change.

Today we saw the Minister attacking the Ombudsman. Let us look at what happened. I put in an application on 9 February for HUS epidemic documents under FOI. On 13 February it was refused by the South Australian Health Commission, advising that the Coroner had issued warrants for papers. On 24 March there was a further letter from the South Australian Health Commission: a warrant was in place for six months. So, I was denied access to documents.

On 27 March, I appealed for the assistance of the Ombudsman in order to get those documents. On 5 April the Ombudsman advised the South Australian Health Commission that the FOI Act did not provide, for the reason given, for withholding the documents, which was of assistance to my case. On 18 May the Ombudsman requested all documents from the South Australian Health Commission. On 11 July the South Australian Health Commission released those documents tendered as evidence before the court. There were 29 documents: no advice that other documents were being withheld. On 28 September the South Australian Health Commission advised that documents previously withheld were now claimed as exempt. On 29 September and 5 October, there were further letters from the Ombudsman to the South Australian Health Commission telling it to release the documents. On 9 October, the South Australian Health Commission released another 39 documents, which proved my claim that there had been a cover-up of these documents.

It goes on. On 10 October, the Minister tells Parliament that he has been informed by his department that all relevant documents have been presented. That was untrue. On 11 October, the Minister avoids answering whether he had tended his ministerial files and documents to the Coroner. On 17 October, the Ombudsman directs the South Australian Health Commission to release all documents. Since then we have had more examples of documents not released, including an apology to me yesterday before Question Time. Today I received a copy of a letter from the Ombudsman of this State trenchantly criticising the Minister's conduct because there has been a cover-up on this HUS epidemic.

The ACTING SPEAKER (Mr Becker): Order! The honourable member's time has expired.

Mr LEWIS: I rise on a point of order, Mr Acting Speaker.

The ACTING SPEAKER: What is the point of order?

Mr LEWIS: I did not seek to interrupt the Leader during the course of his remarks because of the shortage of time there is in any grievance. I did not want that criticism levelled at me. My point of order is quite simply that in the course of those remarks the Leader said that the Minister deliberately released a fake document. Does the Leader imply that the

Minister misled the House by using the word 'fake' or does the Leader mean to imply that the Minister did not mislead the House but released that document publicly outside the Chamber?

The ACTING SPEAKER: There is no point of order. If you feel strongly, you should have taken the point of order at the time the statement was made.

Mr BROKENSHIRE (Mawson): A couple of weeks ago, as a member of the Minister for Tourism's backbench—

Members interjecting:

The ACTING SPEAKER: Order! The member for Mawson has the floor.

Mr BROKENSHIRE: Thank you for your protection from both sides, Sir. A couple of weeks ago, as a member of the Minister for Tourism's backbench committee, I represented the Minister at the Mid North Tourist Association Awards. The reason I attended was that the Minister had many engagements that evening and, being dedicated to tourism and knowing what a great job the Mid North Tourist Association is doing, he wanted to ensure one of his backbench committee members was present. Of course, also present that evening, as we would expect, was the member for Frome, Rob Kerin, who in this Chamber often talks about the great things that are happening in his electorate with respect to tourism. I was amazed to see how enthralled the people of the Mid North are about tourism and the opportunities they have to tie in this activity with their rural economic development and capitalise on the great heritage and character of the region.

Mr Bill O'Brien is the current President of the Mid North Tourist Association. My wife Mandy and I spent a most enjoyable evening and had great pleasure in sitting next to Bill during the meal. Bill, with many other people involved in this committee, spends much time working to develop the area and should be commended for the fantastic work and the initiatives they have produced for the Mid North Tourist Association. In fact, it would certainly pay members opposite who tend to think that many of these tourist associations are nothing more than a joke to have a look at what they are doing in the Mid North and to peruse some of the visitor news publications like the *Kapunda Visitor News* that Bill O'Brien and his organisation put out.

Visiting the area, one sees the magnificent buildings and architecture of the Mid North. It is less than a couple of hours from the heart of the city, and it really does have some icons that can only augur well for its tourist industry in the future. The people are getting on with the job: whether it involves a bed and breakfast operation, Martindale Hall, visiting Mintaro or tasting some of their wine, they are doing it very well, although I might add that they are not producing wine to the extent that we are producing it in the McLaren Vale wine region. I know that the member for Light, Mr Buckby, and the member for Custance, Mr Venning, are also strong supporters of that Mid North Tourist Association; indeed, many people to whom I spoke during the evening said how pleased they were for the support their local members give them with respect to tourism development.

Of course, that is further substantiated by the fact that at last in South Australia we have a Government that is serious about getting in there and supporting tourism development in this State. We have already seen the results of how well we are doing in that area. For example, if members look at our 'Shorts' holiday brochure they will realise the benefits it offers for both the Mid North and my electorate, as well as many others in this State, including the electorate of the member for Ridley. The bed and breakfast industry in South Australia—and there are many of these operators through the Mid North—is capitalising on those opportunities, and we have seen an enormous increase in patronage of these establishments.

In fact, we had a 21 per cent increase in international visitors to South Australia in just 12 months. Of course, we are coming from a fairly low benchmark because the previous Government failed miserably under its Minister for Tourism, who is now Leader of the Opposition, to capitalise on the magnificent icons of this State. Notwithstanding that, we now have a clear commitment from the Government and the Tourism Minister. We have a marketing strategy towards 2000 and we have very well established tourism associations, and the one that I have highlighted today, the Mid North Tourist Association, is certainly doing the job very well, together with its local members.

I congratulate Bill O'Brien and his committee and I encourage them to keep up the annual tourism awards that they have instituted. I know that my colleague the member for Frome (Mr Rob Kerin) will talk about that later. I thank the committee for inviting me up there for a most enjoyable evening. I look forward to seeing many more successful tourism awards being put forward in the Mid North and I trust that they will prosper, both from a rural sense and from a tourism point of view.

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

Mr De LAINE (Price): I refer to a booklet that I received yesterday from the Department of Premier and Cabinet called *Questions and Answers*.

Mr Brokenshire: It is excellent!

Mr De LAINE: Yes, it is an excellent booklet. The booklet takes questions from South Australian business and provides answers from the South Australian Government on how best to enable our State to become more world competitive and prosperous. I should like to refer to a section within that booklet entitled 'Transport Infrastructure'. It makes reference to the bridge over the Port River, which is in an area that is very close to my heart. It was in my electorate for many years, although it is now in the electorate of the member for Taylor and is bounded by the electorate of the member for Hart. The booklet states that the Government is investigating a new road and rail crossing of the Port River. This will provide direct access to the LeFevre Peninsula, to the Outer Harbor Container Terminal, and at the same time it will get heavy traffic out of the port centre.

Over the past 10 years that I have been the local member, the very heavy traffic going through the port centre has been a major problem, with the resultant noise and vibration making life very difficult for shopkeepers and shoppers alike in the central business area of Port Adelaide. Some years ago the problem was exacerbated by petrol tankers going through the port, and there was great concern if something went wrong and one of the tankers caught fire. It was brought to a head when five tankers were waiting in a row at the traffic lights in the centre of Port Adelaide. One can imagine the problems that would have occurred if even one of those caught fire—the whole lot would have gone up, taking the port with them.

At present, the only crossings of the Port River on to the LeFevre Peninsula are provided by the Grand Junction Road extension and the Causeway, which was designed to take

tankers and heavy traffic around the port centre. The tankers are forced to use it by legislation but other heavy traffic often chooses not to take that route but to go through the centre of Port Adelaide. The other way of crossing the river is the opening bridge (the Birkenhead Bridge) which was designed and opened in 1941 or 1942 or thereabouts. It was not designed for the heavy traffic that it needs to take these days. When one stands on the bridge, one can feel very unsafe because it vibrates enormously as heavy traffic goes across. Engineers have inspected it and said that it has another 20 years of life as an opening bridge and some more years after that as a fixed bridge without the opening spans in the middle operating.

These two crossings are not the answer and a major crossing is needed somewhere north of No. 2 dock. I should like to place on record my thoughts on this situation because the question and answer booklet states that crossing options include a low level bridge or a causeway. Both these options are very unsuitable because either one would isolate the inner harbor of Port Adelaide, and that would cause that environment to deteriorate, shrink and virtually disappear. The charm of the Port Adelaide area is the access to shipping and boats, and that must be maintained at all costs. A causeway would be no good because there would not be any shipping and boating access. A low level bridge would allow some inner harbor access, but there are problems with it, and most members would recall the Jervois Bridge, which was a low level bridge which took road and rail traffic. It was an opening bridge, but there were all sorts of problems, particularly in hot weather, getting the bridge to close.

Another option is a high span bridge. This is also no good because the railway needs to go over the bridge, so the approach to the bridge would have to be long enough to enable trains to go over it at a reasonable angle. The last option is a tunnel under the river. I know that this is a very costly option but, in my view, it is the only practical and sensible option. That is what is needed and I am sure that Federal Government money would be available to assist if this option were taken up.

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

Mr BRINDAL (Unley): After listening to the member for Price with interest I just wonder where the Opposition has been for the past four years. While I accept the points that he made, I wonder where the Opposition thinks the money will come from. The fact is that this State is in dire financial straits and money is needed in lots of areas of government, and it is for that reason that I wish to raise the subject of school services officers in our schools. The Government appreciates—

Mr Foley interjecting:

Mr BRINDAL: The member for Hart interjects about what one of our members thinks. I venture to suggest that, judging on the member for Hart's performance over the past week, he does not know where he stands on any issue, so I do not think that he should comment on where anyone else stands.

The ACTING SPEAKER: Order! I ask the member for Unley to ignore interjections.

Mr BRINDAL: I bow to your wisdom, Sir. The Government appreciates the importance of school services officers within schools and the role they play in helping to ensure the best possible education outcomes are achieved for our State's children. I recently had the opportunity to visit a number of schools at the invitation of schools services officers, not only in my electorate but in several other electorates, to look at first hand the work that SSOs do. I am sure that every member in this Chamber would acknowledge the important role that school services officers play within school communities and the valuable contribution that they make. However, as you know, Sir, because you have been around for a long time, the Government was elected to clean up a financial mess left by the previous Government and, as a State, we are still spending $300 million more than we earn every year.

Mr Clarke: That's becoming very tired rhetoric.

Mr BRINDAL: The member for Ross Smith says that it is a tired excuse. He can say that it is a tired excuse when he and the people who lost the money come up with it. As long as we are short of money, it might be a tired excuse but it continues to be a reason, not an excuse; and, until the books are balanced and until we have the money, I suggest that people of the ilk of the member for Ross Smith would be better to keep their mouth shut than to wave accusory fingers at this Government and bellow like he does across the Chamber on a daily basis.

The Hon. D.S. Baker: He's like a Brahman bull.

Mr BRINDAL: No, Brahman bulls are useful animals that are very productive, and I would not insult a Brahman bull by comparing it with the member for Ross Smith.

Mr Clarke interjecting:

Mr BRINDAL: If the member for Ross Smith is so easily consumed by dead cheese, I suggest that he see a doctor.

The ACTING SPEAKER: Order! The member for Unley does not need any assistance. He was going really well until he got sidetracked.

Mr BRINDAL: Even with these financial pressures, the Government continues to give priority to education spending. South Australian schools still enjoy the lowest student-teacher ratio of all States and we continue to spend more per student on education than other States. With this level of funding there is no reason why we still cannot have the best quality of education in Australia. However, the taxpayers and this Government are now confronted with a wage and conditions claim by the South Australian Institute of Teachers, which could cost the Government and the taxpayers $137 million. Even the union leadership has agreed with the Government regarding the approximate cost of this claim. For the benefit of the member for Ross Smith, I am not denying the teachers' right to an arbitrated decision and to then be paid what they justly deserve to be paid. I am not denying that but merely arguing that the Government must cut its educational cloth according to the money available to it and, if the teachers are awarded better pay and better conditions, the Government will have to pay for it. Of course, if the Government cannot afford to pay for the education system that we want, in the end the Government will have to go to the people and increase taxes and charges.

Mr Clarke interjecting:

Mr BRINDAL: The answer to that is that we have spent nothing on that, you fool.

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

STAMP DUTIES (VALUATIONS-OBJECTIONS AND APPEALS) AMENDMENT BILL

The Hon. S.J. BAKER (Treasurer) obtained leave and introduced a Bill for an Act to amend the Stamp Duties Act 1923. Read a first time.

The Hon. S.J. BAKER: 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.

This Bill seeks to amend the Objection and Appeals provision of the *Stamp Duties Act* to take into account the correctness of valuation in the conveyancing of any property.

The *Stamp Duties Act* currently does not provide the taxpayer with a means to object or appeal on the grounds of the correctness of a valuation undertaken by the Valuer-General on behalf of the Commissioner of Stamps.

The Crown Solicitor raised his concerns on this issue stipulating that the subject provisions do not offer the taxpayer any opportunity to dispute the correctness of the Valuer-General's valuation nor provide any remedy as there is no appeal under the *Valuation of Land Tax Act 1971*.

The Bill therefore seeks to amend the *Stamp Duties Act* to enable taxpayers to object or appeal against the correctness of a valuation sought by the Commissioner of Stamps. However, an objection or appeal will not be available if the consideration for sale has been used for the purposes of the assessment of duty (as this is the amount determined by the parties to be the value of the relevant property). The Court will also be able to dismiss or determine an appeal (with costs) if it appears that the proceedings are frivolous, or if there is no significant issue in dispute.

Consultation has taken place with a wide group of professional bodies with an interest in this area.

As a result of representations made, the draft Bill was amended to deal with a specific concern raised.

The Government is very appreciative of the input made into this Bill by these bodies.

I commend this Bill to Honourable Members.

Explanation of Clauses

Clause 1: Short title

This clause is formal

Clause 2: Amendment of s. 24—Objections and appeals

This amendment will provide for an objection or appeal on the ground that there has been an incorrect determination of market value of property for the purposes of the assessment of duty (other than where the consideration on a sale has been treated as the market value of the relevant property). If an objection is lodged, the Treasurer will be able to receive a report on the matter or request or consider a new valuation. The Treasurer or the Court will be able to alter an assessment if it is found that there has in fact been an incorrect determination of market value. However, an objection or appeal will not be available if the consideration for sale has been used for the purposes of the assessment of duty. The Court will also be able to dismiss or determine proceedings (with costs against the appellant) if it appears that the proceedings are frivolous, or that there is no significant issue on which to dispute the determination of market value. A finding that there has been an incorrect determination of value will not affect any valuation of the Valuer-General under another Act.

Mr QUIRKE secured the adjournment of the debate.

FRIENDLY SOCIETIES (MISCELLANEOUS) AMENDMENT BILL

The Hon. S.J. BAKER (Treasurer) obtained leave and introduced a Bill for an Act to amend the Friendly Societies Act 1919. Read a first time.

The Hon. S.J. BAKER: 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.

The purpose of this Bill is to amend the *Friendly Societies Act 1919* in order to provide Government with improved abilities to regulate and monitor the activities of friendly societies in this State.

There are 7 friendly societies registered in South Australia. The combined members' funds controlled by these societies is in excess of $800 million and the societies are a significant force in the non-bank financial institution sector.

Friendly societies are facing increasing competition from other types of financial organisations that offer similar products. Additionally, the Federal Government is reviewing the proposed introduction of extended deeming for social security means test purposes, which could remove a competitive advantage friendly society investment products have enjoyed over other forms of investment.

The *Friendly Societies Act* is dated and no longer provides a comprehensive and relevant framework for the industry to rely on.

In addition to these competitive issues, the Australian Financial Institutions Commission (AFIC), is currently working together with representatives of all States and the friendly societies to introduce a national uniform approach for the monitoring of friendly societies. Such work has already successfully occurred with credit unions and building societies.

The basis for AFIC's supervisory scheme for friendly societies is the *Financial Institutions Code* (FI Code) which currently applies to all building societies and credit unions and was made law in South Australia in 1992.

The Government had hoped the AFIC scheme would have been ready for implementation from 1 January 1996, but our latest advice is that implementation will now occur on 1 July 1996 at the earliest.

In view of this delay in the introduction of the national supervisory scheme and the increasing competitive pressures being experienced by friendly societies, the Government is not prepared to rely on the inadequate powers in the current Act to regulate and monitor the activities of friendly societies, or for friendly societies in this State to be disadvantaged by obsolete legislation compared to their interstate counterparts. Accordingly, the Amendment Bill has been prepared to incorporate relevant sections of the FI Code and the recently reviewed Friendly Societies Acts of Victoria and Queensland as an interim measure until the AFIC scheme takes effect.

Monitoring of these societies is important as it provides an information base to analyse their performance. In the unlikely event that difficulties come to light, an opportunity is provided for early remedial action. Unless such action is taken in a timely and responsible manner there is a risk not only to the friendly society concerned, but to the credibility of the industry as a whole.

The amendments before you provide considerable powers to the responsible Minister to intervene in the activities of friendly societies. While these powers are substantial, they will only be called on in exceptional circumstances. The industry is supportive of the need for intervention in such circumstances.

In addition, the Bill has brought the previously antiquated penalties that were applicable to various breaches of the *Friendly Societies Act* into line with the current penalties applying to similar financial institutions. Similarly, the duties applicable to the officers of a society have been updated to reflect the expectations required by the public of officers of financial organisations.

The industry has indicated to the Government that it has not been served well in the past with respect to timely processing of rule changes. The amendments seek to streamline some of the administrative and reporting processes, thereby providing the industry with a better service.

The introduction of these responsible and prudent changes to the Act should enable members of these societies to have additional confidence in the operations and actions of the societies.

The FI Code and the Acts of Queensland and Victoria, which have been recently brought up to date through amendments, have been drawn on extensively when preparing these amendments to the *Friendly Societies Act*. Much of what is contained in this Amendment Bill is already law with respect to other non-bank financial institutions in this State or in other parts of Australia.

The amendments contained in the Bill are of an interim nature. Further changes to the Act could have been proposed in this Bill, but, on balance, those other changes were not considered essential in view of the nationwide regulation and monitoring of friendly societies expected to commence on 1 July 1996. It is hoped to bring new legislation before the House next year to implement the AFIC co-ordinated monitoring of these societies.

I commend the Bill to Honourable Members.

Explanation of Clauses

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Amendment of s. 3—Interpretation

This clause inserts a modern definition of building society and refers the reader to new section 30 for the definition of a review of a society.

Clause 4: Amendment of s. 7—Objects for which funds may be maintained

These amendments update the references to Acts and other matters referred to in the list of objects for which funds may be maintained.

Clause 5: Amendment of s. 10—Societies may make general laws or rules

At present, the Crown Solicitor is required to certify that the general laws or rules of a society (or rescission of, or changes to, laws or rules) are valid. The Minister is then required to register the laws or rules. The changes proposed will enable a society to send laws or rules to a legal practitioner (who must not be an officer of the society) for certification of validity. The Minister will register the laws or rules after receiving—

- copies of the general laws or rules; and
- the certificate of validity (if any); and
- a statement in writing from the committee of management of the society (signed by the secretary of the society) that the laws or rules do not adversely affect the financial soundness of any fund of the society; and
- any other information that the Minister may require.

The Minister may, if a general law or rule made is of an insignificant nature, waive the requirement for a certificate of validity.

Clause 6: Substitution of s. 11

11. Funds to be deposited in bank until invested

New section 11 provides that funds of a society must, until invested, be deposited in a bank and funds may only be withdrawn from a bank by cheques signed by two persons authorised to do so by the committee of management of the society.

The requirement under the current section 11 is too cumbersome.

Clause 7: Amendment of s. 12—Mode of investment of funds

This amendment strikes out subsections (4), (5) and (6). Subsection (5) is no longer required due to the insertion of the definition of building society in section 3 (see clause 3 above). Subsections (4) and (6) cause some conflict with the role of the South Australian Office of Financial Supervision (the proper body to specify the terms and amounts of deposits made at building societies by others). Also, the Minister has a broad power under section 12(1)*(g)* to approve other forms of investment. Subsections (4) and (6) are no longer required.

Clause 8: Amendment of s. 14—Trustees not to accept certain securities

Clause 9: Amendment of s. 19—Trustees to be personally liable to see that security is given

These amendments are consequential on the passage of clause 36 which proposes to insert new section 52 (General offences and penalties).

Clause 10: Repeal of s. 20

It is proposed to repeal this section as it is considered preferable to leave offences dealing with fraud to the general criminal law.

Clause 11: Substitution of s. 22A

22A. Deferral of payments

New section 22A provides that the Minister may (on application by the society, or at the Minister's own initiative) if of the opinion that payments of benefits to members of a society would be prejudicial to the financial stability of the society or the interests of members, direct the society to defer the payment of benefits for such period and on such conditions as the Minister thinks fit. Such a direction continues in operation until it expires or is withdrawn by the Minister. By further written direction, the Minister may—

- extend the period for which such a direction is to operate; or
- amend the terms of the direction; or
- withdraw the direction.

If a society fails to comply with a direction under this proposed section, the society and any officer who is in default are each guilty of an offence and liable to a maximum penalty of $20 000.

New section 22A gives the Minister the power to direct a society to defer payments to members whereas the previous section 22A only gave the Minister the authority, on application by the society, to defer such payments.

Clause 12: Substitution of s. 27

27. Separation of funds and accounts

New section 27 provides that subject to this Act, a society must keep separate accounts in respect of each of the society's funds and that money belonging to one fund of a society must not be used in any manner for the advantage or otherwise of any other fund of the society.

However, the Minister may, on application by a society, authorise the transfer of money from one fund to another fund of the society or the making of a rule by the society in general meeting to provide for the amalgamation of two or more funds of the society. The Minister may only give such an authorisation if satisfied (on the written recommendation of an actuary) that such a transfer or amalgamation would not prejudice the interests of the members of the relevant funds. If a society contravenes this section, the society and any officer of the society who is in default are each guilty of an offence and liable to a maximum penalty of $20 000.

New section 27 makes it clear that the Minister may authorise the amalgamation of funds whereas it was not altogether clear prior to this amendment whether societies could amalgamate funds. The ability to amalgamate funds in certain circumstances is desirable.

Clause 13: Amendment of s. 27A—Appropriation and transfer of surplus funds

The proposed amendments to section 27A are consequential on the passage of clause 16 (which provides for new section 30) and clause 12 (which provides for new section 27).

Clause 14: Amendment of s. 28—Audit of accounts

This proposed amendment replaces the requirement for societies to conduct 6 monthly audits with the requirement for annual audits.

Clause 15: Amendment of s. 29—Annual returns

This proposed amendment provides that the annual returns for a society must be forwarded to the Minister on or before 31 October each year (or such later date as the Minister may allow) instead of 1 September as is the current position. The October date is in line with the *Corporations Law*. Paragraphs *(d)*, *(d1)* and *(d2)* of subsection (1) are to be struck out as the information contained in those paragraphs was only required by the Public Actuary when the actuarial work for societies was performed by the holder of that office (which no longer exists). This information is not required by the Minister.

Clause 16: Substitution of s. 30

30. Reviews

New section 30 provides that a society must, at least once every two years, appoint an actuary to carry out a review of the affairs of the society, including—

- an investigation of the financial position of the society; and
- a valuation of the assets and liabilities of the society.

However, a society must cause a review of its affairs to be carried out whenever required by the Minister to do so (whether or not a review is due).

Some of the matters that an actuary carrying out and reporting on the review of a society's affairs must have regard to are—

- the benefits offered by the society;
- the society's assets and investment policies;
- the ratio of the society's assets to its liabilities;
- the adequacy of the society's contribution rates;
- the current and likely future expenses of the society;
- the extent of the society's free reserves;
- the society's insurance arrangements;
- the adequacy and accuracy of data supplied by the society;
- whether any members have been exposed to risk and a full description of that risk;
- whether there has been a contravention of or failure to comply with this proposed Act or the society's laws or rules;
- any other matter prescribed by regulation.

The actuary must provide the society with the written report and the Minister with a copy of the report. The Minister may exempt (conditionally or unconditionally) a society from complying with this proposed section. If a society contravenes this section, the society and any officer of the society who is in default are each guilty of an offence and liable to a maximum penalty of $20 000.

The current section 30 only requires a review (currently termed a "valuation") every 5 years. New section 30 lists the matters to which an actuary carrying out a review must have regard and will enable the Minister to keep more up-to-date with the state of a society's affairs.

Clause 17: Amendment of s. 30A—Minister's power to require submission of proposals

These proposed amendments are consequential on the passage of clause 16 (insertion of new section 30) and clause 36 (insertion of new section 52).

Clause 18: Amendment of s. 33—Certain documents to be exhibited

This proposed amendment is consequential on the passage of clause 16 (insertion of new section 30).

Clause 19: Substitution of s. 34

34. Branches to be included in returns

Clause 20: Amendment of s. 35—Branches to supply information to principal secretary

These proposed amendments are consequential on the passage of clause 16 (insertion of new section 30).

Clause 21: Amendment of s. 35A—Minister may require withdrawal of certain advertisements

These proposed amendments are consequential on the passage of clause 36 (insertion of new section 52).

Clause 22: Amendment of s. 37-Application by society of certain surplus assets

Clause 23: Amendment of s. 38—Returns to be prepared and published

These proposed amendments are consequential on the passage of clause 16 (insertion of new section 30).

Clause 24: Substitution of ss. 39 and 40

39. Production and inspection of accounts, etc. of society

New section 39 provides that a society must, at the request of the Minister or of any person authorised by the Minister, produce all books in the society's possession or power. The maximum penalty for failure to comply with this proposed section is $20 000. The books may be inspected and extracts taken from or copies made of those books.

Concerns about the inadequacies of current section 39 had been expressed (particularly in relation to the apparent inability of the Minister to demand production of the books of a society so as to enable a proper inspection to take place) and new section 39 addresses these concerns.

Clause 25: Amendment of s. 44A—Amalgamation

The proposed amendments are consequential on the passage of clause 12 (insertion of new section 27) and clause 26 (in particular, the insertion of new section 44AC).

Clause 26: Insertion of ss. 44AB and 44AC

44AB. Minister may direct transfer of engagements

New section 44AB provides that the Minister may direct a society to transfer the whole of its engagements, or the engagements of a specified fund or funds of the society, to another society (which may be a foreign friendly society) if the committee of management of the other society has, by resolution, consented to the proposed transfer.

The Minister must not direct a society to transfer its undertakings under this proposed section unless the Minister is of the opinion that—

- the society has been notified by the Minister of a contravention by it of this Act or the society's laws or rules and has failed to remedy the contravention within the time allowed by the Minister; or
- the affairs of the society are being conducted in an improper or financially unsound way; or
- the transfer of engagements would be in the best interests of the members or creditors of the society.

A society may, within seven days after receiving a direction under this new section, make a submission to the Minister in relation to the direction and after giving consideration to the submission, the Minister must confirm the order for a transfer or revoke the order.

44AC. Consequences of amalgamations and transfers of engagements

New section 44AC provides that on an amalgamation under new section 44A or a transfer of the whole of the engagements of a society under new section 44AB—

- the members of the divesting society become members of the acquiring society; and
- the property of the divesting society becomes the property of the acquiring society; and
- the rights and liabilities of the divesting society become rights and liabilities of the acquiring society.

On a transfer of engagements of a specified fund under new section 44AB—

- the members of the divesting society's fund become members of the acquiring society; and
- the fund becomes the property of the acquiring society; and
- the rights and liabilities of the divesting society in relation to the fund become rights and liabilities of the acquiring society.

Acquiring society and divesting society are defined for the purposes of this proposed section.

These new sections are adapted from provisions of the *Financial Institutions Code* and are similar to those contained in the *Friendly Societies Act 1991* of Queensland—the most recently revised State Act dealing with friendly societies.

Clause 27: Insertion of s. 45AA

45AA. Application of Corporations Law in relation to dissolution of societies

New section 45AA provides for the application of Parts 5.4 to 5.8 of the *Corporations Law* (with such modifications, additions or exclusions as may be necessary for the purpose, or as may be prescribed) as if a society were a company and as if those Parts were incorporated into the principal Act.

Those particular Parts of the *Corporations Law* provide for the winding up of corporations.

Clause 28: Amendment of s. 45A—Dissolution of societies

These amendments are consequential on the passage of clause 32 (insertion of new section 45F) and clause 27 (insertion of new section 45AA). The reference to the *Corporations Law* in subsection (6) has been subsumed into new section 45AA.

Clause 29: Substitution of s. 45B

45B. Notice of dissolution

New section 45B provides that a society must cause a notice of dissolution to be published in the *Gazette* and in a daily newspaper circulating generally throughout the State within 21 days after the instrument of dissolution has been sent to the Minister. Unless a member (or other person interested in or having any claim on the funds of the society) commences proceedings to set aside the dissolution of the society within three months from the date of the publication of the notice and the dissolution is set aside, the society will be taken to have been dissolved from the date of the publication of the notice.

These amendments are linked with the passage of clause 32 (insertion of new section 45F).

Clause 30: Repeal of s. 45D

It is proposed to repeal this section as it is considered preferable to leave this matter to the general criminal law.

Clause 31: Amendment of s. 45E—Power to appeal to District Court

Obsolete references to local courts have been struck out and replaced by references to the District Court. Local courts no longer exist, and it is considered appropriate that such matters should be dealt with by the District Court.

Clause 32: Substitution of ss. 45F and 45G

45F. Dissolution by order of Minister

New section 45F provides that the Minister may order that a society be dissolved and its affairs wound up, and appoint a person to be liquidator of the society, if of the opinion that—

- the society has contravened the Act, its laws or rules and, after being given written notice of the contravention by the Minister, has failed to remedy the contravention within the time allowed by the Minister; or
- the affairs of the society are being conducted in an improper or financially unsound way; or
- the society has failed to comply with a direction to transfer its engagements that has taken effect under new section 44AB; or
- it would be in the best interests of the members of the society.

A dissolution by an order under this proposed section takes effect on publication of the order in the *Gazette*.

This new section is adapted from provisions of the *Financial Institutions Code*.

Clause 33: Amendment of s. 47—Jurisdiction of District Court in certain cases

These proposed amendments are similar to those proposed to section 45E (see clause 31) and are made for the same reasons. Obsolete references to local courts have been struck out and replaced by references to the District Court.

Clause 34: Repeal of ss. 48 and 49

These proposed amendments are consequential on the amendments proposed by clauses 31 (Amendment to s. 45E—Power to appeal to District Court) and 33(Amendment of s. 47—Jurisdiction of District Court in certain cases).

Clause 35: Amendment of s. 50—Expelled members may be reinstated or compensated

These proposed amendments are consequential on the amendments proposed by clause 31 (Amendment to s. 45E—Power to appeal to District Court).

Clause 36: Substitution of ss. 51 to 54

Sections 51 and 53 are no longer required because these matters are dealt with by new section 51 and the general criminal law. Section 52 has been replaced by new section 52. Section 54 is obsolete.

51. Duties of officers, etc.

New section 51 provides for the duties of officers of societies and for the penalties to be imposed in the event that an officer breaches such a duty. (This clause imposes substantially the same duties on officers of societies as those imposed on officers of incorporated associations.)

The maximum penalty for an officer of a society who, in the exercise of his or her powers or the discharge of the duties of his or her office, commits an act with intent to deceive or defraud the society, members or creditors of the society or creditors of any other person or for any fraudulent purpose is $20 000 or imprisonment for 4 years.

An officer or employee of a society (or former officer or employee of a society) who makes improper use of information acquired by virtue of his or her position in the society so as to gain a pecuniary benefit or material advantage for himself or herself or any other person, or so as to cause a detriment to the society is liable to a maximum penalty of $20 000 or imprisonment for 4 years.

An officer or employee of a society who makes improper use of his or her position so as to gain, directly or indirectly, any pecuniary benefit or material advantage for himself or herself or any other person, or so as to cause a detriment to the society is liable to a maximum penalty of $20 000 or imprisonment for 4 years.

An officer of a society must at all times act with reasonable care and diligence in the exercise of his or her powers and the discharge of the duties of his or her office or be liable to a maximum penalty of $20 000.

A person who contravenes a provision of this new section is liable to the society for any profit made by him or her and for any damage suffered by the society as a result of that contravention.

52. General offences and penalties

New section 52 provides that if a person contravenes or fails to comply with a provision of the Act—

- the person is guilty of an offence; and
- if the person is a society—any officer of the society who is in default is also guilty of an offence.

If a person is guilty of an offence for which no penalty is specifically provided, the person is liable to a fine not exceeding $5 000. The proposed section also provides for continuing offences and appropriate penalties.

53. Officers in default

New section 53 provides that if a provision of the Act provides that an officer of a society who is in default is guilty of an offence, the reference to the officer who is in default is, in relation to a contravention or failure to comply with the provision, a reference to an officer of the society who is in any way, by act or omission, directly or indirectly, knowingly concerned in the contravention or failure.

54. Delegation by Minister

New section 54 provides that the Minister may delegate any of the Minister's functions or powers under the Act and that such a delegation must be in writing, may be conditional or unconditional, is revocable at will and does not prevent the delegator from acting in any matter.

New section 54 replaces the current section 56A (Delegation by Minister). New section 54 is expressed in modern terms and in the usual form.

Clause 37: Substitution of ss. 56 to 59

56. Regulations

New section 56 provides for the Governor to make the necessary regulations for the purposes of the Act.

It is proposed to repeal sections 56 to 59. The current section 56 is obsolete, current section 56A has been substituted by new section 54, section 57 has been substituted by new section 56 and sections 58 and 59 are no longer necessary. The matters covered by the current sections 58 and 59 are covered by other legislation.

Clause 38: Substitution of sched. 2—Societies

The substituted schedule 2 accurately reflects the friendly societies incorporated in this State.

Clause 39: Insertion of sched. 7—Other Ministerial Powers Relating to Societies

This schedule contains other Ministerial powers to deal with societies. Clause 1 provides for Ministerial intervention in the affairs of a society if the Minister is of the opinion that—

- a society has contravened the Act, its laws or rules and has failed to remedy the contravention within the time allowed by the Minister; or
- the affairs of a society are being conducted in an improper or financially unsound way; or
- it would be in the best interests of the members of a society,

The Minister may—

- order an audit of the affairs of the society; or
- direct the society to change any practices that in the Minister's opinion are undesirable or unsound; or
- direct the society to cease or limit the borrowing, raising or lending of funds or the exercise of other powers; or
- remove a member, or all the members, of the committee of management of the society from office and appoint another member or members; or
- remove an auditor of the society from office and appoint another auditor; or
- give any other directions as to the way in which the affairs of the society are to be conducted or not conducted.

Clause 2 provides that the Minister may, if of the opinion that it would be in the best interests of the members (or potential members) of a society direct the society not to do any one or more of the following:

- borrow money;
- accept new members;
- without the consent of the Minister—accept a contribution, pay or surrender a benefit or otherwise dispose of or deal with the assets of the society.

Clause 3 provides that the Minister may, if of the opinion that—

- a society has contravened the Act or its laws or rules and has failed to remedy the contravention within the time allowed by the Minister; or
- the affairs of a society are being conducted in an improper or financially unsound way; or
- it is in the interest of members that a society's affairs be conducted by an administrator,

appoint an administrator to conduct the affairs of the society.

On the appointment of an administrator of a society, the members of the committee of management of the society cease to hold office and the administrator takes over the powers and functions of the committee of management of the society. An administrator holds office until the administrator's appointment is revoked by the Minister. Before revoking an administrator's appointment, the Minister must—

- appoint another administrator; or
- appoint a liquidator; or
- appoint a committee of management of the society.

Clause 4 provides that a person aggrieved by an act, omission or decision of an administrator or a liquidator or provisional liquidator of a society may appeal to the Supreme Court in respect of that act, omission or decision.

These clauses are adapted from the *Financial Institutions Code*.

Mr QUIRKE secured the adjournment of the debate.

LOCAL GOVERNMENT (BOUNDARY REFORM) AMENDMENT BILL

The Hon. J.K.G. OSWALD (Minister for Housing, Urban Development and Local Government Relations)

obtained leave and introduced a Bill for an Act to amend the Local Government Act 1934. Read a first time.

The Hon. J.K.G. OSWALD: 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.

This Bill is to facilitate the reform of local government, through amalgamations.

The Government has long supported local government reform, recognising the important and growing involvement role of our third sphere of government in a very wide range of services to the community.

We recognise also the strong desire within local government to improve its performance, whether that is measured against economic, social or environmental criteria.

It has long been recognised that a significant contribution to efficiency and effectiveness of local government service delivery would be achieved by reducing the number of councils.

Simply by reducing the number of administrative units and combining their functions, economies of scale would result to the benefit of all parties.

The structure of local government, established in the main 100 years ago, was developed around the social networks and transport conditions of those times.

It was the era of small organisations and cheap labour, of passenger rail and coastal ketches. Each town had its progress association and many of those grew into a local government.

The conditions that gave rise to those many small councils have long since gone. The great improvements in transport and communications, the rapid increase in complexity of our business and social networks and the globalisation of the economy have all contributed to our new attitudes and wider scope of interaction.

All organisations, private and public, have responded and adapted to these conditions, but the response of local government structures has been stultified by the legislation setting out the processes for change.

This Bill is intended to break the impasse that has developed in the reform of local government boundaries as a result of the current cumbersome panel method of dealing with amalgamation proposals.

It is based on the principle of voluntary amalgamations which has long been the policy of this Government. However, because there has been such a backlog in the natural evaluation of local authorities, the Bill introduces measures intended to hasten the pace of that voluntary reform.

A deliberate process towards an agreed goal needs someone with the responsibility to drive it. In this case, the Government proposes a Board, the Local Government Reform Board, to take that responsibility.

The Board's functions are to oversee the voluntary amalgamation process, to co-ordinate it so that viable local government units result, of a viable size, and with no awkward remnants left over, which might arise if there was no guiding hand.

The Government is also anxious that the amalgamation process, once started, can be quickly completed. Change is often disruptive and prolonged change can be unnecessarily disruptive and debilitating. It is not our intention for local government boundary reform to degenerate into a protracted bureaucratic exercise, so the Bill contains two provisions which are intended to expedite the work of the Board.

Firstly, the Board will have powers to initiate its own proposals for amalgamation. We would prefer that those powers are never used. However, we recognise the enormous scope for permutations in amalgamating 118 councils, and the diversity of opinion as to the desirability of competing schemes. Hence, the Government believes that the Board should be able to initiate proposals where no satisfactory council proposed schemes exist, or where the councils cannot agree on which one to pursue.

This power is not a slight on the councils of this State or an admission that we expect a poor result. It is a prudent power to patch up a mosaic of new Councils that we confidently expect will be quickly proposed under this Bill.

I will explain the way in which it works later, for I now turn to the second provision to expedite the work of the Board.

The Bill has a sunset clause. The Board will cease to exist on 1 September 1997.

The desirability of a sunset on the Board's operations was considered in our early thinking on the Bill. It was not included in the consultation draft because we intend that this Bill will be repealed by a forthcoming Local Government Bill to institute major wide-ranging reforms. In that scheme, the Board would be abolished when its work was done and the next phase of our reform agenda begun.

On consultation, the Local Government Association pressed on us the desirability of a sunset for the Board. They were not attracted by the possibility of the Board taking on a role outside amalgamations, or becoming a sort of ongoing watchdog on the efficiency of local government.

It is clearly not the Government's intention that such things should happen, but the LGA remained happier with a definite date, on which the Board would cease, than with our assurances on the point. We were reminded, correctly, that we cannot pre-empt the Parliament's decision on the intended new Bill.

Having given the Board both a carrot and a stick to accelerate its work, it was necessary to give it powers to make that work possible.

Hence, the Bill confers on the Board powers of investigation, of setting criteria for the assessments of possible improvements in council performance and of requiring the cooperation of those in a position to help.

Some people have viewed these powers with disquiet, but they are essential to its function. The disquiet was, we believe, misplaced because the powers are available only in relation to boundary reform and the Board, when all is said and done, can only make recommendations to the Government.

It can make no decision that is binding on any council amalgamation.

The Board can, as I have said, make its own proposals for boundary reform. It is repeated that the Government would be very happy if that is never necessary. Of course, it is expected in a pragmatic way that it will be necessary.

Having made such a proposal, the Board must then seek the agreement of the affected councils. Again, I would wish that that agreement will be forthcoming. I would wish that the Board would have conducted its investigations with such insight and negotiated its proposals with such wisdom, that they will be adopted by the councils as their own.

It will be seen that the first role of the Board is that of the catalyst, the honest broker and facilitator of boundary reform. To carry out that role it will have to carefully consider the wishes of the councils, not only in terms of their own settled views on boundary reform, but also the councils' joint and several objectives and aspirations.

In our very real world, it is unlikely that all of the Board's proposals will be accepted at once with enthusiasm. There is then the need for a judgement on the part of the Board, whether to persevere or to recast the proposal in a way that can attract acceptance.

If the Board wishes to proceed in the face of adversity, the Bill provides that it can. However, the matter will then be subject to a poll of council electors in the area of the proposed new council.

The poll must be carried out by a postal ballot and under conditions that are designed to ensure that the electors are provided with a balanced account of the advantages and pitfalls of the proposal.

If a significant proportion (50%) of the eligible electors respond to the poll and a majority of them vote against the proposal, that is the end of it.

The proposal is vetoed and cannot proceed.

If, however, a smaller proportion show their interest by voting or the poll is in favour, the Board will consider that expression of desire with the other factors it has had regard to, in making its recommendations to the Minister.

This brings me to the Minister's role in the amalgamation process. The Minister can accept a recommendation of the Board or refer it back to the Board with a request to consider certain matters and the reasons for that request.

This process is aimed at refining and accepting recommended amalgamations.

When satisfied with the Board's report the Minister may forward the recommended proposal to the Governor for the making of a proclamation to give it effect.

The principal objectives for the Board are a significant reduction in the number of councils in the State and a significant reduction in the costs of providing local government services.

The government has no fixed target for the number of councils resulting from this initiative but we expect that the number could be halved.

Similarly, we have no fixed agenda for council cost savings. Experience with council mergers here and in other States shows that substantial savings are achievable and we are determined that that will be the case.

It is just as important that the benefits of the amalgamations are shared by the councils with their electors.

The Bill will produce an immediate benefit in this regard by requiring three year financial plans of amalgamating councils. These plans will be vetted by the Board and they will be considered in its report to the Minister.

The plans will be considered in the light of the objects for local government and the principles for council amalgamation set out in the Bill. They will be an integral part of the amalgamation proposal.

To ensure that some portion of the savings resulting from the amalgamations are passed onto the electors, the Bill sets a condition that the revenues collected from rates set for the 1997/8 financial year are to be 10 per cent less than those set on the same land in 1995/6, indexed by the Adelaide Consumer Price Index to March 1997.

The Board can agree to a percentage less than 10 per cent in special circumstances, but the council will be required to comply with this requirement unless a poll of electors for the area is conducted and a majority of those voting are in favour of the proposition that a higher rate revenue is to be raised in that year.

The Board has until May 1997 to complete the bulk of the work, so that the new councils can be elected in that month.

As I have said, the Board will cease to exist, as will its powers and responsibilities, at the end of September 1997.

It is obvious that council boundary reform will be done at a rapid pace in South Australia. We have been very pleased by the positive response from councils and the timetable set for the Board's facilitation of boundary reform is deliberately tight.

To achieve that rapid rate of reform, it is essential that the procedures adopted by all parties are as flexible and cooperative as possible. This is not the arena for rigid, legalistic approaches to formulating plans, preparing data and making recommendations.

This dynamic approach to the task will depend on a cooperative attitude and a mutual desire to concentrate on the outcomes of the reforms.

Those qualities cannot exist in a litigious environment, with the threat or actuality of court supervision of processes. For that reason, the Bill protects the Minister, the Board and all other people from judicial review of their actions in connection with amalgamations.

It does not, however, protect them from action against an excess or want of jurisdiction, or on the ground that compliance with a requirement might incriminate the person or would result in the disclosure of information subject to legal professional privilege. In short, they are protected as long as they go about the job conscientiously but are liable to action if they go astray.

I turn now to the composition and workings of the Board.

The Bill provides that the Board will consist of seven members, six being appointed by the Governor. Of those:-

- two are to be nominated by the Local Government Association;
- at least two are to reside in metropolitan Adelaide;
- at least two are to reside outside metropolitan Adelaide;
- at least one is to be a woman; and
- at least one is to be a man.

Finally, the Executive Director, Local Government Reform, is to be a member of the Board.

There will be a chair appointed from the members.

Each member will have a deputy, who will be nominated by the same body and at the same time as the member.

The Executive Director will be the principal executive of the Board and will be responsible for managing the staff and resources of the Board. Mr Ian Dixon has been acting to set up the required establishment and will be appointed to the position on passage of this Bill.

The functions of the Board are set out clearly in the Bill. Briefly, the Board is to:-

- assist councils working towards amalgamation or a significant rationalisation of their services, such as the so-called ILAC model;
- facilitate financial incentives for amalgamation;
- establish criteria for local government authorities;
- measure performance of councils;
- consider both Council and Board initiated proposals for amalgamations;
- examine 3 year financial plans for amalgamating Councils; and
- recommend on proposals and other matters to the Minister.

In performing these functions the Board must have regard to the objects for local government under the Act, which are unchanged by this Bill, and to the principles for amalgamation set out in proposed Section 17B.

The Board may also have regard to the report of the Ministerial Advisory Group on Local Government Reform (MAG) insofar as it is relevant to the proposal.

The Government, while not accepting all of the MAG Report's recommendations on the number or size of new councils or method of council amalgamations, believes that there are important principles and valuable data established by that Report and wishes the Board to consider them.

I will touch on two important divergences in our approach to amalgamations from that in the MAG Report.

Firstly, as I have said, we propose that the amalgamations should be voluntary. This means that a neat map with even-sized local government areas is not a primary requisite. The amalgamations we propose are to be based on function, economy and effectiveness of local representation.

Secondly, we prefer amalgamations of whole council areas, to avoid the trauma of the division of existing community networks, although we recognise that there may be some cases where excision of a part of a council area may be sensible.

Where a council is split by a major reform proposal, only those electors of the area of the proposed new council will be included in the poll. It is expected that, in general, split councils will not have an independent residual part, but that each part will be involved in an amalgamation. In that case, all electors will be included in the relevant polls.

With respect to those matters, the Board will make its recommendations either on the initiative of the affected councils or after extensive study and consultation.

I have said that elector polls will be called and may decide the issue, where there is disagreement between councils or with the Board. The Bill specifically excludes the possibility of hostile takeovers, of one council by another, going through the route of simple acceptance that is provided for mutually agreed amalgamations.

This Bill does not envisage amalgamations for their own sake. It follows that the Board needs its powers of investigation to extend to the performance and efficiency of local government, so that it can satisfy itself that proposed amalgamations will improve that performance and efficiency.

That is the reason for the provisions relating to financial plans, as it is for the broader powers of the Board I have already explained.

Under the proposed Section 22A, every amalgamation proposed must include a three year financial plan to cover the financial years 1997/8, 1998/9 and 1999/2000, for the council that is to be formed.

The plan will have to indicate the expected savings from the constitution of the new council and, most importantly, the way in which those savings are to be used to benefit the community.

I have previously explained the yardstick built into this section. The plan must provide that the rate revenue collected by the council for 1997/8 will effectively not exceed 90 per cent of that collected for 1995/6 (adjusted to CPI).

This provision is intended to put some of the benefits of the amalgamation straight back into the pockets of the community at large. So as to encourage amalgamations, it will apply to all councils, whether they amalgamate or not.

While it applies only for one year, the intention is that the pattern of restraint will have been set and that the electors and the responsible new councils will have agreed to embark on a path of economy and efficiency of operation that will continue thereafter.

To ensure that this begins in a way acceptable to the Government, proposed Section 174A insists on the 10 per cent reduction of rate in financial year 1997/8. Only by the positive result of a special poll of electors or by the intervention of the Board can it be varied.

There are also provisions for differential rates to be set, to ease the transition for the electors of amalgamating councils which might have had quite different rate structures from each other in the past. Finally, there are additional transitional provisions that:—

- extend the life of existing local government by-laws by two years to the end of 1998;
- allow for current proposals for amalgamation or boundary alterations before the panel to continue in that process if the councils so desire; and

. remove the need for a review under Section 24 while such proposals are still under consideration.

This Bill is one which has excited a great deal of interest in the community. There is no doubt that the time for council amalgamations is upon us and that they have a great deal of support.

We have listened carefully to councils and the Local Government Association in the refinement of the Bill and acknowledge that it contains the fruits of much preparatory work on their behalf.

The Ministerial Advisory Group report has been carefully considered and the Government's own long-held policies on council boundary reform are fully embodied in the Bill.

I commend the Bill to the House.

Explanation of Clauses

Clause 1: Short title

This clause provides for the short title of the measure.

Clause 22: Commencement

The measure will come into operation on a day (or days) to be fixed by proclamation.

Clause 3: Amendment of s. 5—Interpretation

It is necessary to insert a definition of the Local Government Reform Board in section 5 of the Act.

Clause 4: Insertion of s. 5A

Later amendments provide for the substitution of sections 14 to 22 of the Act. Section 14(1) relates to the objects of local government for the purposes of the Act. It is now appropriate to provide for those objects under a provision in a general part of the Act.

Clause 5: Amendment of s. 6—Constitution of councils

This amendment relates to proposals for the constitution of a council under section 6 of the Act. It is appropriate to give the Governor power, by proclamation, to determine the method or methods of assessing rateable property within the relevant area to provide for the realignment of rating relativities if the area (or part of the area) has previously been within the area of a council, and to make provision with respect to by-laws. (These are matters that may need to be in place on the commencement of the relevant council.)

Clause 6: Amendment of s. 7—Amalgamation of councils

This amendment relates to proposals for the amalgamation of two or more councils. It is consistent with the amendment to section 6 of the Act. It is also more accurate to include references to "assets" under subsections (7) and (8).

Clause 7: Amendment of s. 8—Alteration of the boundaries of council areas

This amendment relates to proposals to alter the boundaries of the area of a council under section 8 of the Act. Such a proposal may effect a major change to an area or areas of a council or councils. It is therefore appropriate to make provision for the declaration of differential rates in order to gradually realign rating relativities.

Clause 8: Amendment of s. 9—Abolition of councils

This amendment relates to proposals to abolish a council under section 9 of the Act. The amendment will allow the Governor, by proclamation, to make provision to protect the rights and interests of officers and employees of the council.

Clause 9: Amendment of s. 11—Formation, alteration or abolition of wards

A subsequent amendment provides for the substitution of section 14(2), (3) and (4) of the Act with other material. It is appropriate to relocate the contents of those provisions in the general provision relating to formation, alteration or abolition of wards.

Clause 10: Substitution of ss. 14 to 22

It is intended to repeal sections 14 to 22 of the Act and include new provisions relating to reform proposals under Part II of the Act.

New section 14 allows the Governor to make proclamations under a relevant Division in pursuance of an address of both Houses of Parliament, or in pursuant of a proposal recommended by the new Local Government Reform Board under new Division X. Other operational provisions relating to proclamations under this scheme are also included.

Section 15 is an interpretative provision. A key definition relates to a "major structural reform proposal", which will be a proposal to constitute a council, amalgamate two or more councils, abolish a council and incorporate its area into the areas of two or more councils, or establish a co-operative scheme under a federation of councils. However, this concept will not include matters that may be the subject of a separate proclamation under this Part once an initial proclamation providing for the constitution, amalgamation or abolition of a council or councils has been made.

Section 16 establishes the new Board. Section 16A provides for the constitution of the Board. At least two members must reside in Metropolitan Adelaide and at least two members must reside outside Metropolitan Adelaide.

Section 16B relates to conditions of membership of the Board. Section 16C provides that a member of the Board will be entitled to remuneration, allowances and expenses determined by the Governor.

Section 16D provides for the protection of information, and places a duty on members of the Board not to make improper use of their official positions. There will also be an express duty to protect confidential information.

Section 16E provides for personal protection against actions. Civil liabilities will lie against the Crown.

Section 16F relates to the proceedings of the Board.

Section 16G provides that there will be an Executive Director of the Board. The Executive Director is a member of the Board under section 16A, and will also be the principal executive officer of the Board.

Section 16H provides for the staffing arrangements of the Board.

Section 17 sets out the proposed functions of the Board. The Board will have under section 17A the objective of seeking to achieve a significant reduction in the number of councils in the State, and a significant reduction in total costs of providing local government services.

Section 17B sets out various matters and principles that the Board should consider.

Section 18 sets out the procedures and related powers of the Board.

Section 19 will allow the Board to establish various committees. The Board will be required to establish a Metropolitan Councils Reform Committee and a Country Councils Reform Committee.

Section 19A provides that the Board may delegate a power or function.

Section 20 relates to the ability of councils to submit proposals to the Board. These will be "voluntary" proposals that must be submitted by all councils affected by the proposal (if the proposal relates to more than one council). The Board will be able to conduct an inquiry into a proposal submitted under this section but will not be able to amend it, or substitute an alternative proposal, without the consent of each affected council.

Section 21 will allow the Board itself to formulate proposals under this Part, subject to various requirements in relation to a major structural reform proposal. If, at the conclusion of its inquiries, a council affected by a major structural reform proposal rejects the terms of the proposal, the proposal will not be able to proceed unless or until a poll is conducted. The poll will be conducted by postal voting. The Board will facilitate the process. If 50 per cent or more of persons entitled to vote actually vote at the poll, and a majority of those voting vote against the proposal, the result will be binding. In any other event the Board will be required to reconsider its proposal in view of the outcome of the poll.

Section 22 provides for the consideration of reports from the Board. A recommendation by the Board may form the basis of a proclamation by the Governor.

Section 22A requires the preparation of three-year financial and management plans for councils that are constituted under these provisions.

Section 22B provides that proceedings, inquiries and other processes under these provisions will not be subject to proceedings based on prerogative writs or any other form of judicial review. However, the provision will not prevent proceedings to challenge a want or excess of jurisdiction, or certain Board requirements.

This Division will expire on 30 September 1997 under section 22C.

Clause 11: Substitution of heading

Clause 12: Amendment of s. 23—Application of subdivision

Clause 13: Amendment of s. 24—Initiation of proposal

Clause 14: Substitution of heading

Clause 15: Repeal of ss. 27 and 28

Clause 16: Amendment of s. 29—Error or deficiency in an address, recommendation, notice or proclamation

These are consequential amendments.

Clause 17: Amendment of s. 42a—Annual report

Newly constituted councils will be required to report on financial savings achieved over the three financial years commencing with 1997/1998.

Clause 18: Insertion of s. 174A

This clause provides for a new provision relating to the level of general rates charged on land within the area of a council for the 1997/1998 financial year. Councils will be required to ensure that revenue from these rates does not exceed the total revenue collected

in 1995/1996, adjusted according to CPI, less 10 per cent. However, a council will be able to exceed this level if it obtains the approval of its electors through a poll. The Board will also be able to authorise the use of a lower percentage in special cases.

Clause 19: Amendment of s. 176—Basis of differential rates

This amendment relates to the ability of a council to declare differential rates. The Act currently allows a council to declare differential rates on a basis determined by the council following an amalgamation. However, it is appropriate to apply that same principle to cases where a new council is formed (the area of the council including land previously within the area of another council), or where the boundaries of an area have been altered. Any declaration will need to be consistent with a proclamation under Part II.

Clause 20: Amendment of s. 673—Expiry of by-laws

Section 672 of the Act provides that a by-law made before the commencement of the section will expire on 1 January 1996 (and that subsequent by-laws expire on their seventh anniversaries). Given the potential for major boundary reforms under this measure it is intended to extend that date to 1 January 1998.

Clause 21: Transitional provisions

This clause sets out the transitional provisions associated with the enactment of this measure.

Ms HURLEY secured the adjournment of the debate.

STATUTES AMENDMENT (COURTS) BILL

Second reading.

The Hon. S.J. BAKER (Deputy Premier): 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.

This Bill makes miscellaneous amendments to the courts legislation. In the main the amendments are minor, but will improve the operation of the courts.

First the *District Court Act, 1991* is amended. A new section 18(3) is inserted. This provision is similar to section 15(4) of the *Magistrates Court Act, 1991*. It provides that the Registrar may exercise any procedural or non-judicial powers of the Court assigned by the Chief Justice or the rules. The new subsection is included so that there can be no questions about whether the omission of the provision in the *District Court Act* has any significance. A similar provision is also inserted in the *Supreme Court Act, 1935* by clause 20. That amendment also provides that the registrar is the court's principal administrative officer. This is similar to the provisions in the *District Court Act* and the *Magistrates Court Act.*

The second amendment to the *District Court Act* is to section 50. Section 50 provides that process can be issued or executed on a Sunday. It does not provide, as does section 48 of the *Magistrates Court Act*, that any process of the Court may be served on a Sunday as well as any other day. A new section is also inserted in the *Supreme Court Act*, by clause 21, to provide for the issue, service and execution of court processes on Sundays. There are no provisions in the *Supreme Court Act* providing for this. The *Supreme Court Act* amendment also provides, as do the *Magistrates Court Act* and the *District Court Act* provisions, that the validity of process is not affected by the fact that the person who issued it dies or ceases to hold office.

Section 50A of the *District Court Act* and section 48A of the *Magistrates Court Act* provide that if it is not practicable to serve any process, notice or other document in the manner prescribed the Court may make an order providing for service in some other way. These provisions were intended to apply to both civil and criminal processes. However, they are being interpreted to apply to civil processes only. The sections are amended to make it clear that they apply to both civil and criminal processes. Provision for alternative forms of service is inserted in the *Supreme Court Act*—the *Supreme Court Rules* provide for alternative forms of service but those Rules only apply to civil processes.

Section 54 of the *District Court Act* provides for public access to material on court files. The section, and the corresponding provisions in the *Magistrates Court Act*, the *Supreme Court Act* and the *Environment, Resources and Development Court Act* were intended to allow public access to Court files so that a person who did not sit through Court proceedings would have access to the same information as a person who had sat in the Court.

The sections are however, cast too widely. Photographs of victims of crime taken for evidentiary purposes have been obtained under the section and published in the media. Classes of documents produced to the Court, which should not be available for public consideration, such as victim impact statements, pre-sentence reports and bail assessment reports are available for inspecting and copying under the section. Evidence which is produced for the purpose of enabling the Court to determine whether or not it has evidentiary value is available for public inspection and copying as is material admitted for the purpose of a preliminary hearing, even though its admissibility has not been finally determined.

In the District Court the Judges have had to make available for public inspection and copying the transcript of evidence, submissions of counsel, transcript of the Judge's summing up, transcript of sentencing remarks and the formal order of the Court even though suppression orders have been made and the Court closed.

The sections are amended to provide that some material will only be available for inspection and copying by leave of the Court. This material is material that was not taken or received in open court, material suppressed from publication, material placed before the Court during the sentencing process, material admitted at a committal hearing pursuant to section 107(1)(b) of the *Summary Procedure Act*, a transcript of any oral evidence taken at a preliminary examination, photographs and films and video and audio tapes. Out of an abundance of caution provision is also made for material prescribed by regulation only to be available for inspection and copying with the leave of the court.

A further category of material has been included in the material that the court must make available for inspection or copying—processes relating to proceedings. This includes the information and complaint in criminal proceedings. These were available for inspection under section 72 of the *Summary Procedure Act* which has been repealed.

Amendments are made to the *Magistrates Court Act* provision which is not made to those of the other courts. Section 51(1) subsection (c) and (d) are deleted. They refer to transcripts of submission by counsel and transcripts of the judge's summing up or directions to the jury in a jury trial. Neither of these are applicable in trials in the Magistrates Court.

The question of whether there is an appeal from a decision of a court to refuse access to material is clarified by making it clear that there is no review of the decision. This question was considered, but not decided, by the Supreme Court in *South Australian Telecasters Limited v Director of Public Prosecutions and Alavija* (Judgement No. S5004). Unless the matter is put to rest in the legislation there will no doubt be further litigation on the matter. Generally administrative decisions are not appealable and the better view is that decisions made on the access to court material are administrative decisions. If something in the nature of an appeal was allowed it would have to be on the basis that those who might be affected by the decision should be joined as parties. This might include witnesses or other persons referred to in the material to which access was refused. The interest of such people could not adequately be represented by joining the Director of Public Prosecutions or a defendant as respondents to an appeal either by a journalist or other member of the public. A witness may be placed in the position of having to find the resources to oppose the media having access to material. This would not be fair.

Two amendments are made to the *Industrial and Employee Relations Act 1994.*

The provisions for the appointment of Industrial Magistrates to the *Industrial Relations Court* are deficient. There are no provisions for the appointment of Industrial Magistrates in the future and the issue of the principal and ancillary judiciary of the Court is unclear. There is no provision, similar to section 9(7) of the *Youth Court Act*, which provides that a proclamation designating a person as a member of the Court's judiciary must classify the person either as a member of the Court's principal judiciary or ancillary judiciary. These matters are addressed in new section 19A and new section 20(1a).

Section 17(2) of the *Industrial and Employees Relations Act* provides that the Senior Judge is responsible for the administration of the Court. This leaves the effect of certain provisions in the *Magistrates Act* unclear. Part 5 of the *Magistrates Act* provides for leave for Magistrates and for the Chief Magistrate to approve leave and direct Magistrates to take leave. Section 8 of the Act provides that a Magistrate is subject to direction by the Chief Magistrate as to the duties to be performed and the times and places at which those duties are to be performed. When a Magistrate has been assigned as

a member of the principal judiciary of the *Industrial Relations Court* it is not appropriate for the Chief Magistrate to be responsible for deciding when the Magistrate should take leave or to be giving other directions to the Magistrate. New section 20(2a) makes it clear that the Senior Judge has these responsibilities.

One amendment is made to the *Magistrates Act, 1983*. A new section, section 18A, will enable the remuneration, duties and other conditions applying to a Stipendiary Magistrate to be suspended while the Magistrate holds a concurrent fixed appointment. This will be of assistance where a term appointment is considered desirable but there is concern that such an appointment would have implications for the independence of the judiciary. The amendment will mean that a person appointed as, for example, Coroner, for a term can also hold office as a Stipendiary Magistrate. Once the term appointment has expired, the person would revert to being a Stipendiary Magistrate.

Some of the amendments made to the *Magistrates Court Act* have already been mentioned. The only remaining amendment to that Act of substance is to Section 19. Section 19 makes provision for the transfer of civil actions between the District Court and the Magistrates Court and vice versa. In general terms, the provisions work effectively and actions can be transferred at minimal cost to the parties. There is one aspect of the provisions which can be improved. The section requires a Judge of the District Court to make the order of transfer. In many instances the need to transfer is not in dispute and the question arises in association with an interlocutory application or a pre-trial conference conducted by a Master. At present a Judge has to be sought to make the order. Time and expense to litigants can be saved if a Master could make the order.

A minor amendment is made to Section 38 of the *Magistrates Court Act*. Section 38 deals with minor civil actions. Section 38(3)(a) requires the Court to advise judgment debtors of their right to apply for a review of the proceedings by the District Court and section 38(3)(b) requires the Court to give the judgment creditor any advice or assistance as to the enforcement of the judgment that the Court considers appropriate in the circumstances.

Minor civil actions encompass not only monetary claims but also claims for relief in relation to a neighbourhood dispute and applications under the *Fences Act 1975*. Section 38(3)(a) and (b) are amended to require the Court to advise and assist litigants in these matters in the same way as it is required to advise and assist judgment debtors and creditors.

The amendments to the *Supreme Court Act* which have not already been referred to are amendments to sections 5 and 39 of the Act.

Section 35 of the *Supreme Court Act* provides that the Court can issue a subpoena requiring a person to appear before the Court to produce 'evidentiary material'. 'Evidentiary material' is not defined in the Act. The amendment to section 5 inserts a definition of 'evidentiary material' which is the same as the definitions in the *Magistrates Court Act* and the *District Court Act*.

Section 39 of the *Supreme Court Act* allows the Court to prohibit persons who persistently instituted vexatious proceedings from instituting further proceedings without leave of the court and to stay proceedings that have already been instituted. An application under the section can only be made by the Attorney-General. The section is amended to allow any interested party to made an application. The State obviously has an interest in ensuring that the courts' time is not taken up with vexatious proceedings but equally persons who are subject to vexatious proceedings have an interest in bringing the proceedings to an end and ensuring that further proceedings are not instituted. This amendment will allow persons who are subject to vexatious proceedings to apply to the Supreme Court for protection from vexatious litigants.

Explanation of Clauses

PART 1

PRELIMINARY

Clause 1: Short title

Clause 2: Commencement

Clause 3: Interpretation

These clauses are formal.

PART 2

AMENDMENT OF DISTRICT COURT ACT 1991

Clause 4: Amendment of s. 18—The Registrar

This clause amends section 18 of the principal Act by inserting a new subsection making it clear that the Registrar may exercise procedural or non-judicial powers of the Court assigned by the Chief Judge or the rules. This is equivalent to provisions currently in the *Magistrates Court Act 1991*.

Clause 5: Amendment of s. 50—Miscellaneous provisions relating to legal process

This clause amends section 50 of the principal Act to match the provisions relating to legal process contained in the *Magistrates Court Act 1991*.

Clause 6: Amendment of s. 50A—Service

This clause amends section 50A of the principal Act to make it clear that the section refers to documents whether in civil or criminal proceedings.

Clause 7: Amendment of s. 54—Accessibility of evidence, etc.

This clause amends section 54 of the principal Act in the following respects:

- Currently, if the Court is required to allow a person to inspect evidence it must also allow copying of the evidence. Thus, if it is inappropriate to allow copying the court must determine that the evidence is not to be available under the section even thought mere inspection of the evidence would not cause a problem. Under the proposed amendment the Court would be able to grant an applicant the right to inspect or obtain a copy of evidence (or both).
- It is proposed that subsections (2), (3), (4) and (5) be replaced. Proposed new subsection (2) provides that certain specified classes of material will only be available for inspection or copying with the permission of the Court. The specified classes essentially cover materials that are potentially prejudicial or may be sensitive in some other respect. The regulations can also identify further kinds of material that should require permission. The Court may allow inspection or copying of material referred to in new subsection (2) subject to any condition it considers appropriate, including a condition limiting the publication or use of the material. Proposed subsection (4) makes it clear that a decision by the Court under the section is administrative and is not subject to review. Proposed subsection (5) provides for the payment of fees for access to material under the section.

PART 3

AMENDMENT OF ENVIRONMENT, RESOURCES AND DEVELOPMENT COURT ACT 1993

Clause 8: Amendment of s. 41—Miscellaneous provisions relating to legal process

This clause amends section 41 of the principal Act to match the provisions relating to legal process contained in the *Magistrates Court Act 1991*.

Clause 9: Amendment of s. 47—Accessibility of evidence

This clause amends section 47 of the principal Act in the same way that clause 7 amends the corresponding provision of the *District Court Act 1991* (but leaving out those paragraphs of subsection (2) that relate to preliminary examinations, which are not relevant in the Environment, Resources and Development Court).

PART 4

AMENDMENT OF INDUSTRIAL AND EMPLOYEE RELATIONS ACT 1994

Clause 10: Insertion of s. 19A

This clause inserts a new section 19A in the principal Act, providing for the assignment of magistrates to act as industrial magistrates. The proposed section parallels the provision currently in the Act relating to the assignment of judges to the Industrial Relations Court (section 19).

Clause 11: Amendment of s. 20—General provisions about assignment to the Court's judiciary

This clause amends section 20 of the principal Act to correct a drafting error and clarify its operation and also to make it clear that magistrates assigned to the Court's principal judiciary are subject to the direction of the Senior Judge of the Court and not the Chief Magistrate.

PART 5

AMENDMENT OF MAGISTRATES ACT 1983

Clause 12: Insertion of s. 18A

This clause inserts a new section 18A in the principal Act to provide for suspension of a stipendiary magistrate's remuneration, duties and other conditions of employment where the stipendiary magistrate holds a concurrent appointment for a fixed term. The section also makes it clear that the Chief Magistrate's power to give directions is suspended in such a case.

PART 6

AMENDMENT OF MAGISTRATES COURT ACT 1991

Clause 13: Amendment of s. 3—Interpretation

This clause removes an obsolete reference in the definition of 'Magistrate'.

Clause 14: Amendment of s. 15—Exercise of procedural and administrative powers of Court
This clause makes a minor amendment to section 15 of the principal Act to clarify the intent of the section.

Clause 15: Amendment of s. 19—Transfer of proceedings between courts
This clause amends section 19 of the principal Act to allow a Master to make an order for transfer of civil proceedings.

Clause 16: Amendment of s. 38—Minor civil actions
Section 38(3) of the principal Act currently requires the Magistrates Court, after giving judgement in a matter, to advise the judgement debtor and judgement creditor of certain rights. The subsection is amended to apply to any litigant in a minor civil action, whether or not the action involved a monetary claim.

Clause 17: Amendment of s. 48A—Service
This clause amends section 48A of the principal Act (which corresponds to section 50A of the *District Court Act 1991*, referred to above) to make it clear that the section refers to documents whether in civil or criminal proceedings.

Clause 18: Amendment of s. 51—Accessibility of evidence, etc.
This clause amends section 51 of the principal Act in the same way that clause 7 amends the corresponding provision of the *District Court Act 1991*.

PART 7
AMENDMENT OF SUPREME COURT ACT 1935

Clause 19: Amendment of s. 5—Interpretation
This clause inserts a definition of 'evidentiary material' in the principal Act, corresponding to the definition of that term contained in the *Magistrates Court Act 1991* and *District Court Act 1991*.

Clause 20: Amendment of s. 39—Vexatious proceedings
This clause amends section 39 of the principal Act to allow any person to apply to the Court for an order relating to a vexatious litigant. Currently only the Attorney-General has the power to apply for orders under this section.

Clause 21: Amendment of s. 82—The registrar
This clause amends section 82 of the principal Act to more closely resemble the provisions relating to the Registrar contained in the *Magistrates Court Act 1991* and in the *District Court Act 1991* as amended by clause 4 of this Bill.

Clause 22: Insertion of ss. 118 and 118A
This clause inserts provisions on legal process and service equivalent to the provisions contained in the *Magistrates Court Act 1991* and *District Court Act 1991*.

Clause 23: Amendment of s. 131—Accessibility of evidence, etc.
This clause amends section 51 of the principal Act in the same way that clause 7 amends the corresponding provision of the *District Court Act 1991* and clause 18 amends the corresponding provision of the *Magistrates Court Act 1991*.

Mr ATKINSON secured the adjournment of the debate.

MOTOR VEHICLES (HEAVY VEHICLES REGISTRATION CHARGES) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 19 October. Page 341.)

Mr ATKINSON (Spence): The Opposition has studied the Bill most carefully. It understands that it is part of a national scheme for registration of heavy vehicles, uniform road charges and uniform operating regulations. The States may allow concessions on registration, but if a State does so it must fund the concession from its own revenue. The Bill also allows quarterly registration, which will help farmers who might use a heavy vehicle on public roads only at harvest time. In so far as the Bill links registration fees to the on-road weight of vehicles—the greater the weight the more the registration charge—the Opposition supports it. There may, of course, be what seem to be anomalies in the scale.

A rigid truck of six to seven tonnes will cost $500, but at 7.1 tonnes this rises to $800 and remains at $800 until 11 tonnes. The Liberal Government argues that these categories are unavoidable and, if there are anomalies, they must remain. Indeed, the Minister says that anomalies under the old schedule of fees are overcome under the national scheme. The Minister gives an example about a three-axle truck and a two-axle trailer combination, compared with a prime mover and semitrailer of the same on-road weight. There is an advantage of more than $1 000 in registration for the former now, but after the passage of this Bill they will be charged the same.

The Government argues that the changes are revenue neutral so far as non-metropolitan South Australia is concerned. That is to say, the Government will not collect any more money from farmers or people living in remote areas. The Opposition supports the Bill's conditional registration of heavy vehicles that do not require much access to public roads.

One loser under the Bill is local government, which is no longer exempt from registration fees for heavy vehicles. The Minister justifies the removal of the exemption on the ground that local government competes with private contractors for many types of work and fair competition requires that local government heavy vehicles attract the same registration fees as do private contractor heavy vehicles. The Labor Party has appealed to the Minister to phase in these charges on local government, especially for the benefit of smaller rural councils, but the Liberal Government has refused our plea. With that reservation, the Opposition will vote for the second reading.

Mr VENNING (Custance): I rise to support this Bill but do so with some qualification. I support the Government's Bill because we have no choice. Although the State Government has submitted this legislation, it is hung on the framework formulated by the national industry body which decided back in 1992 what the various formulas would be in relation to adopting a national heavy vehicle registration scheme. The National Road Transport Commission (NRTC), an independent statutory commission, was set up in July 1991 and came up with this criteria that every State now has to use.

I support the principle behind having a national heavy vehicle registration scheme across Australia. First, the registration charges should be the same across Australia, otherwise what could and did happen is that trucking companies and individual owners register their trucks in the State where the charge was the cheapest. It was also done to save in administration costs and red tape; I also agree that this would be the case. When the national transport industry indicates that it implemented this scheme to achieve user equality based on the principle that those who cause the greatest damage incur the highest charge, I do not believe it has it right. That is my main criticism regarding this Bill: it is not the State Government's problem but that of the NRTC. I feel it is founded on an incorrect base formula, or at best it could be said to be only half correct. It does not reflect the frequency of use; it is a scheme that levies charges to the individual road users relative to the amount of damage they apparently cause. Surely, the frequency of use should be the main criterion. This formula certainly does not take account of that.

The formula reflects only the weights and types of vehicles and directly assumes that the various configurations and weights can be fairly correctly calculated as to the damage caused. It does not reflect the number of times these vehicles are on the road. This is where we have an inequitable situation. A truck can be owned by an interstate transport company which operates that truck 24 hours a day, seven days a week, 52 weeks a year: on the other hand a farmer, small business person or local carrier in one of our country towns might have the same type of truck and operate it on a

seasonal basis or once or twice weekly or, as with farmers, for only periodical use. The range can be from 5 000 or 6 000 kilometres per year up to 500 000 kilometres per year for the same type of truck, the same registration fee applying. I hope that I have highlighted that anomaly clearly.

Under these rules, the truck owners will be paying the same registration fee. It could be argued that there are already excise taxes on fuel which balance this anomaly to some extent, but I do not believe that those taxes were designed to do that. When this Bill is passed and implemented, I would urge the national body to review this formula accurately to reflect the frequency of road use. I have discussed this matter with the State Minister, who put this point of view at the last joint Ministers' conference, but the other States did not agree. I will support her continued campaign to change the system.

The new formula in relation to heavy trucks uses only four categories. The old scheme used in South Australia was based on a sliding scale, as the member for Spence said. Truck owners whose trucks just happen to weigh a few kilos into the next category will see pretty savage increases in their registration fees in some cases. If their vehicle is a few kilograms lighter, they will certainly be making big savings. I do not see any reason why the sliding scale which we used to use here cannot be retained. Under that system, no vehicle owners were caught just above or below the critical steps, which this scheme has now implemented. In my opinion, this is not a true user pays system and the only way we can do it is to impose a tax according to every litre of fuel used by vehicles on the roads. In other words, the more kilometres travelled and more power equates to more fuel being used and therefore more tax. Under this system we will see winners and losers; some will be paying more and some will pay less.

I very much appreciate the Government's willingness, especially that of the Minister and the Treasurer, to re-implement a concessions program for primary producers in most of these categories to soften the blow, particularly where these blows will strike pretty hard—and they certainly will. I also appreciate the work done by the departmental people, particularly one gentleman in this Chamber at the moment who put a lot of work into trying to placate the farmer members. I certainly appreciate the work Mr Rod Frisby has put in. When we levy these concessions at the level of 40 per cent on almost all the categories—but not all, because there will be one or two categories in which farmers will be better off without the concession, although in others this concession will soften the blow—across the board the *status quo* for the average farmer should remain. There will be winners and losers, but generally it will be revenue neutral.

I also understand that the total scheme will be revenue negative and that at this stage the Treasurer has agreed to cover a small shortfall in the scheme. I applaud him for that. I also welcome the Government's intention to introduce a quarterly and half yearly registration period. This will enable farmers and small businesses to seasonally register their vehicles. Those who will be paying more will be able to cut this impost a little by registering seasonally a trailer that they might use only at a certain time of the year. I have certainly appreciated that aspect and I am amazed that it was not implemented before. These concessions are very much appreciated by primary industry—by farmers and the rural community.

We have had many debates in this place, and the member for Giles could certainly remember that, when he was Minister, we fought in this place long and hard, went to conference and stalemated on that issue. I am very thankful that that has remained to this day, because it has certainly brought some equity to the situation where farmers own vehicles and want to use them legally on the roads but where those vehicles spend most of their life either in a shed or running around farm roads. I appreciate this aspect. I would urge all farmers not to abuse this situation; I know it has been abused. I would also urge the reintroduction of stripes on the registration discs, as applied many years ago, so that we can see at a glance those vehicles that are concessionally registered. Anybody who abuses the system needs to be highlighted. I stress again that the farming community appreciates this concession and is very grateful to the Government for continuing it.

The proposed date for the implementation of this measure is 1 January next year. No doubt there could be some problems. I also appreciate the support for this Bill from the Opposition in this and the other place. I can assure members that the Minister has said that, if there are problems, the implementation date could very easily become 30 June, because at this stage only two territories have implemented this measure and I would doubt whether all the other States would come on stream by 1 January. If they do, no doubt we will be there, but if they do not I am sure that, if we were to hang back a little, it would be of great advantage to South Australians.

I also refer to the registration of special purpose vehicles or farm vehicles. This has been an issue for me for four years, since I first mentioned it in the House: the previous Speaker supported my second reading speech against the then Government and told me to go out and discuss the issue with the industry, get it right and bring it back. It has been very difficult to cover this issue, but this Bill does encompass some aspects. Any farm vehicle over the weight of 4.5 tonnes is covered by this measure. I am concerned—

Mr Atkinson: It's in the Bill.

Mr VENNING: It's in the Bill, and I hope that the member for Spence has read it, because it would be one of the very few he has read. He must be the Opposition spokesperson on primary industries.

Mr Atkinson: No.

Mr VENNING: If he is not, I wonder who is. It is the man in the other place, but we do not see him anywhere. I certainly appreciate that the honourable member might have read the Bill. I have concerns about this matter, because this 4.5 tonnes per axle limit means that a tractor weighing 9 tonnes falls outside the Act. I might be wrong and if I am I am sure to be told, but many four wheel drive tractors weigh over 9 tonnes dry. When you fill up the tyres with water, these tractors could be up around 15 or 16 tonnes. I do not want to see weights and measures putting a farm tractor over the scales and coming in with a figure such as this, because there will be a hullabaloo. I will get it in the neck within hours, and I will be at the Minister's doorstep trying to resolve the problem. This 4.5 tonne axle limit concerns me a little. Many tractors would weigh more than 9 tonnes, particularly when you add water.

I am also concerned about the cost regarding farm vehicles. Over the years I have said that farmers have legally been allowed to be on the roads without registration but they have not had liability cover—in other words, any indemnity against legal action should there be an accident. Every other driver on the road—except for the member for Spence on his bike, because he is not registered—is covered by the compulsory third party scheme.

Mr Atkinson interjecting:

Mr VENNING: The member for Spence says he is a registered owner. If you are a registered owner, you would be paying compulsory third party insurance against bodily injury caused by you, whether that person be inside or outside your vehicle. Many farmers do not realise that they have been running the gauntlet. If it could be proved that they were the cause of an accident, they have been responsible. Several cases have shown that farmers have been liable and, given a serious accident, farmers could even lose their farm because of their legal liability. The precedents are there. I have been trying to get compulsory third party insurance for farmers in place at a reasonable figure.

I had a discussion with the Minister just five minutes ago, and I am concerned about the figure of $43 that SGIC has put on this insurance. The figure cited in the Bill is a $20 administration fee, which includes the price of plates. I further recognise the Minister's compassion in reducing that figure to $5 initially, for five months, to get this scheme under way and to encourage farmers to get onto the scheme. Whilst the Government's original figure was only $5, the insurance company has set it at $43. When it reverts to the full rate, it becomes $43 plus $20, which is $63 per year. We are also encouraging it to be done over a three year period, so that becomes $189. That will meet with resistance, because farmers will be encouraged to do it over three years to cut the paperwork and the administration costs. That does worry me. We certainly want to encourage farmers to go onto the three year scheme so that the administration fee is as low as possible.

I question SGIC's $43 figure. I know that SGIC, for a public risk policy, charges only an extra $14, as long as the farm vehicles are listed on the schedule. So why the difference between $14 and $43? The Insurance Council says there is a difference, but I am not convinced about that. I can see some resistance to this extra high figure, but we are getting close to the mark where we can institute a scheme for farmers that will provide them with a safeguard against liability in the case of an accident.

I am assured by the Minister that that $43 figure is still to be finally negotiated, because it is not subject to any Act of this Parliament: it is subject only to the compulsory third party insurer, SGIC. I hope it can be reviewed. I do not want to impose a cost like that on any farmer, particularly at this time because, first, I will wear it personally and, secondly, because farmers across this State have been waiting for this sort of protection. They have some expectation that the cost will be approximately $35 a year, but it is to be almost double.

I have very much appreciated the ear of the Minister: she has been very understanding and has given us every opportunity to talk about this situation. I have been battling this issue for four years now, and this is the first part of my submission that is part of a Bill. I hope that this scheme will encourage farmers to want to pay for CTP cover, being completely indemnified in case of any accident they might have caused by their being on the road going from farm to farm. This issue has been very difficult. In fact, 30 years ago a Bill was passed in this place, but it was never implemented because it was too messy and too hard. Sure, farmers have been able to be on the roads without registration, but they have not been completely safe from legal liability.

Finally, I congratulate the Minister for bringing in this Bill and I thank the Opposition for its support. It is a difficult area, but the main aspect of this Bill is the national heavy vehicle scheme. We really have no choice but to do that. If we do not do it by 1 January, certain things will happen to harm the Government. Hopefully these areas of concern, which are of a minor nature to the main thrust of this Bill, can be addressed later. I support the Bill.

Mr KERIN (Frome): I also support the Bill but I do so with less than total conviction that the national proposals are entirely sound. As would the member for Custance, I would like to quarantine the State authorities from criticism, as my concerns are not of their creation. I certainly agree with the basic premise on which standardised national charges are supported. Because of the mobility of the heavy vehicle fleet, it is only fair and equitable that charges between States be standardised to ensure that operators do not chase cheaper registrations over the borders. However, I wonder how this is consistent with the much publicised competition policies of the Federal Government. Notwithstanding that, I support the principle.

Further, I support the aim of the national heavy vehicle registration scheme to achieve efficiencies in national transport by arriving at nationally agreed rules as well as charges. The National Road Transport Commission is funded jointly by Federal and State Governments. The commission and the States work together to develop microeconomic reforms in the road transport industry. The heavy vehicle charges that we are required to introduce as a State were actually adopted by a majority vote at Ministerial Council in August 1992.

My first disagreement is a philosophical one. I have a basic problem with the way in which vehicle owners are charged other than on a totally user-pays basis. Whilst I acknowledge that there is already a significant element of user-pays because of the Federal Government's greedy grab for fuel tax, I point out that the inequalities of using vehicle charges which are not related to road usage are unfair. Further to its being unfair, this policy of a registration charge works against what I feel should be a major national objective of all Australian Governments. There is a strong belief, and it is strengthening, that long haulage should be by rail. Nowadays, a few workers and one train can move the same bulk of freight across Australia as many trucks can move. This clearly is in the country's economic interests. Certainly this is the case when road construction and maintenance costs are included. Furthermore, there is the enormous issue of road user safety: the number of heavy vehicles on the road is very important in terms of road safety.

The national policy on heavy vehicle registration implicitly leads to short haulage vehicle owners supplying a subsidy to long distance hauliers. This in turn makes it more difficult for rail to compete, and that, to my way of thinking, is against the national interests. It is a reality that a local carrier who does 5 000 kilometres per annum pays the same registration fee as the 200 000km long distance haulier. Indeed, only yesterday I received a letter from a constituent whose son is paying in excess of $3 000 in registration. She told me that the five vehicles in the past year have in total done less than 10 000 kilometres. However, they are necessary for his business. Whilst these proposed changes offer minor relief, it still seems very unfair that this small businessman is subsidising our long distance hauliers.

Whilst fully realising that this is a lost argument, I regret that nationally we choose to adopt a system that makes much of the talk of the Alice Springs to Darwin railway nothing more than rhetoric. This system reinforces the cynical view

that there is little national commitment to this project, and I feel that that is very unfortunate.

My second criticism of the national registration charges is that an initial principle has been virtually destroyed by a blind push for administrative simplicity. I hasten to say that this is no fault of our own departmental people. It has made their job extremely difficult as they have been asked to create some fairness from a very unfair scale of fees. Previously, the fees were progressive as the vehicle tare weights increased. We had a system of charges whereby a gradually increasing scale reflected the weight. This new scale is ridiculously simplistic, and this has been brought about by a situation in which there are many winners and many losers. Quite frankly, it is pot luck which decides whether you are a winner or a loser.

I quote a couple of examples to demonstrate how ludicrous the situation is. In the case of a rigid truck and trailer combination, the registration on a truck with a two to three tonne tare range is the same as that for a six to seven tonne tare range vehicle; a 2.1 tonne tare and 6.9 tonne tare are both $600. However, once a truck has a tare of 7.1 tonnes the fee rises from $600 to $2 100.

Mr Atkinson interjecting:

Mr KERIN: Your mob voted for it. Furthermore, 7.1 tonne tare is the same as 9.9 tonne tare, namely, $2 100. However, 10.1 tare attracts a $4 000 fee. These fees do not meet any test of fairness and as truck owners already have their vehicles they have not been able to consider these fees before purchasing their trucks. Due to the fees as designated by the national road transport charges and their lack of flexibility, we will have something akin to a lottery as to who will pay higher and who will pay lower fees. In this day of intelligent technology I cannot see that such simplistic and, hence, unfair scales of fees had to be adopted.

I would like to touch on one of the other nationally agreed charges which is a major departure from past practice in South Australia. This involves the manner in which we are required to collect registration on truck and trailer combinations. When registering a truck you are required to designate whether or not you will be towing a trailer. If you designate that you will be, you will pay a much higher charge for the truck registration, as well as the registration fee for the trailer. In the case of a truck with a tare range between seven and 10 tonnes, a person who designates he will tow a trailer will pay a fee increase from $800 to $2 100, plus a fee of $500 if it is a two-axle trailer. Therefore, what would have been an $800 fee for his truck becomes a $2 600 fee to be able to pull a trailer. In cases where the operator may pull the trailer only 10 to 20 per cent of the time this is clearly ludicrous and grossly unfair. Once again, this is not the handiwork of our Department of Transport but the inflexibility of the national road transport charges as set.

I would like to compliment the Minister on the willingness she has shown in remedying this matter. Even with this inflexible system, she and her officers have worked tirelessly over past months to ensure that primary producers receive every consideration as to the impact of these charges. Because of the fundamental principles and oversimplistic application of these fees, it is not possible to avoid a situation whereby there will be winners and losers among primary producers. The department's assurance that, as a total group, primary producers will pay no more in registration fees than under the previous system is a welcome concession, and I appreciate the efforts by Rod Frisby and departmental staff in trying to find a way in which concessions can be most fairly applied. Certainly, the logic of having primary producer concessions remains very sound. Most of these vehicles spend very little time on the road as against most others and, hence, cause a lot less damage.

The removal of concessions to local government is a regrettable but long expected measure. As all levels of government and private enterprise are more and more competitive for tenders in the market, it becomes more important that we have a level playing field. However, my sympathies are with some of the smaller councils that will experience some difficulty in meeting these additional costs. It does, however, continually amaze me that, as we all have to fall in line with the competitive approach to improved transport efficiency, the Federal Government fails to practise what it preaches.

The reluctance of the Federal Government to take its own medicine is a real hurdle to major transport reform in Australia. The Leigh Creek-Port Augusta line and ETSA's inability to be allowed to negotiate a competitive rate with AN for coal on this line is a perfect example of the Federal Government's arrogant approach to these reforms. Whilst supporting the Bill, I regret that the national road transport charges have failed to meet fair and just criteria with administrative simplicity being the winner. Once again, I thank the Minister and her staff for their efforts in working towards a most acceptable solution, given the guidelines that must be met.

Mr LEWIS (Ridley): The purpose of making remarks on this measure this afternoon is not in any way to contradict the very clearly enunciated anomalies that exist in the legislation—as illustrated by the members for Custance and Frome who have spoken ahead of me—but to draw attention to the stupid practice that has afflicted us in Australia in recent times of opting for total uniformity for what is considered to be some greater benefit in the common weal of the way we do things in this nation of ours.

These registration fees not only fail to pass any test of fairness in analysis in the way in which the member for Frome has stated but also run completely contrary to the direction which we as a State Government were compelled to follow in consequence of the recommendations of the Hilmer report. There is not any competitive federalism, so-called, in adopting uniform standards of this kind. Whilst this example may not be the best example of that stupidity, it is nonetheless still an example.

By adopting this national code, against what we consider to be the best interests of South Australians, and against what we consider to be fairness overall, we therefore fail to observe the requirements of competitive federalism as advanced in the recommendations of the Hilmer report. It is for that reason that I rise to draw the attention of the House—and indeed the wider public—to the stupidity of doing things that suit the Federal Government and the domination of its agenda by the Eastern States when, nonetheless, better interests would be served by tackling it in another way.

Mr Atkinson interjecting:

Mr LEWIS: I do not seek to indulge in self-flagellation, and that is what the honourable member invites me to do. It is a matter of judgment now as to what course of action will be least damaging in the longer term. The course of action to be followed, after having lost the argument in the Federal Council of Transport Ministers (or whatever it is they call that bunch of people), is that we might as well now accept and adopt the inevitability but express our concern in a

rational and reasonable way about the ensuing consequences of doing so, and point out in the process, as I have, that it is anomalous; it is contradictory, and it does not comply with the directives agreed to in the Hilmer report and what we sought to achieve through it. For those reasons I say, 'Ditto' in detail to those matters particularly referred to in the remarks of the member for Frome and otherwise wish the measure swift passage. It gives me no pleasure in the process.

Mr ANDREW (Chaffey): I rise this afternoon to make some brief comments on this Bill. The provision and maintenance of transport facilities in this State continue to be of great interest to this Government. Some major initiatives that have been undertaken or are in the planning stages will improve transport infrastructure in South Australia. My electorate of Chaffey, particularly, is in the process of benefiting from projects that will improve road routes in the region, particularly the Berri bridge and the Morgan to Burra road. The Bill before the House addresses some of the issues related to road maintenance. I believe that there is broad support in the community for the concept of those who cause the greatest damage to the roads paying the highest price for access to and operation on the road network.

Therefore, I believe that this Bill quite properly establishes some basis for future charging that is in line with nationally consistent operating regulations for all vehicles, as determined by the National Road Transport Commission. I acknowledge that this Bill has come about only because of the agreement by our predecessors and by all State Governments around 1990 to establish this national heavy duty registration scheme, together with uniform national transport regulations and charges. However, I have some concern that there is still a very significant way to go to achieve a much fairer user-pays system, as I gather has been indicated by some of my colleagues here this afternoon. While the registration charges proposed in the Bill reflect to some extent the wear and tear on roads, because the charges vary now on the basis of the criteria with respect to the vehicle's gross combination mass I believe that they do not fully reflect the amount of road usage and damage caused by these vehicles.

Nevertheless, the fact that some owners will pay more and some will pay less, particularly in the case of primary producers, is an indication that the previous registration charges in South Australia were not recovering road charges efficiently in relation to the amount of road damage caused, and the impending introduction of the national heavy vehicle charges is essentially a reapportioning of the current fees with the net effect being that the charges payable by primary producers as a group will remain overall at the present level. With respect particularly to primary producer usage, I want to make a couple of specific comments.

In relation to rigid trucks that are currently in the category of the two-tonne tare range, something of the order of 1 000 of these types of vehicles registered by primary producers are registered in that group, and it is estimated that about 50 per cent will fall into that category of having a gross combination mass capacity greater than 4.5 tonnes. Therefore, for vehicles in that category people will be paying some increase in the registration charge. This figure of 50 per cent is only an estimate, as I have tried to ascertain from the Registrar of Motor Vehicles. He does not hold more detail on specific regional or geographic categorisation in that area. This concerns me, of course, but overall if we look at the total makeup of the reduction for primary producers, most of those people whose operations involve heavy trucks and those in this case with a greater than three-tonne tare—the vast majority of primary producers and those in my electorate carrying fruit to depots, local markets or packing plants, or carrying wine grapes to the wineries for crushing—in fact will be paying a reduced charge.

While the majority of primary producers in my electorate in the Riverland who own rigid trucks will now forgo a primary producer concession, I place on record that those in this two to three-tonne tare category are smaller in number than those in the greater than three-tonne tare capacity, and that the vast majority will in fact be paying less. With this new schedule of stepped charges, those people with vehicles greater than that three-tonne tare capacity in the tare range right up to 10 and 11 tonnes will overall be paying less.

With respect to clause 6, providing registration periods for three, six or 12 months, I am pleased that that will go some way, particularly for primary producers, to alleviating the discrepancy that has arisen with respect to potentially higher charges, where gross combination masses involve the coupling of a large trailer. This facility of allowing seasonal or shorter-term registration is a useful concession, and I believe it will be applicable to primary producers, particularly those whose work is often of a seasonal nature. It will be available to take advantage of a range of options in planning and managing vehicle usage, thereby affecting the cost borne by farm managers or property owners. Quite clearly, some vehicles on properties are on the road frequently over only a very short period of the year and they may lie idle for months with respect to harvest or seasonal requirements. Therefore, I am pleased that this legislation gives some flexibility to allow the registration of such vehicles and will provide appropriate reduction in registrations overall for farmers using those combinations of vehicles.

I also note that concessional registration as set out in clause 7 covers the situation applicable in some cases to my electorate, where heavy vehicles do need to cross a road, particularly in farming areas, where they need to move from one property to another but spend very little time on the actual road and cause minimal wear and tear to the road. I believe that this means that registrations now, without incurring onerous and unjustified charges, with the planned administration fee of $20 for three years, will be well received throughout my electorate and in country areas of South Australia. This conditional registration also means that these vehicles will now be able to be covered by compulsory third party insurance, something that is, I gather, not necessarily readily used at the moment.

So, even though this will require a fee, it will provide the appropriate insurance from a third party point of view. Similarly, I recognise the category that has been created for special purpose vehicle registration, which will be available to emergency vehicles and self-propelled agricultural and earthmoving equipment, to provide for third party insurance cover. I imagine that this will be particularly useful in my electorate with respect to some of the larger pieces of machinery, not only farm machinery but also special category machinery that may include grape harvesters in this case or, if not, as covered under clause 7 as I noted earlier.

I also note the non-primary producer or commercial trucks of the type that we understand as the triaxial semi-trailer, which in my electorate transport a significant volume of fresh fruit and wine grapes, whether to interstate markets or to wine crushing facilities throughout the State or interstate, and I cite the example of the eight to nine tonne prime mover with a

three axle trailer. Under these changes I note that there is a decrease in total registration from $4 180 (which includes $3 750 for the truck and $430 for the trailer) to around $4 000, which is made up of $3 250 for the prime mover plus $250 per axle on each trailer. This will be of significant advantage to the fruit industry and the primary producing industry in my electorate because it will also assist to maintain a reduction in costs.

Transport costs are a significant factor in the ultimate cost structure of horticultural produce and conveying it to interstate and export markets. I also note that primary producing concessions of 40 per cent for this type of vehicle are being provided by the Government in recognising the need to continue to provide at that upper end of the scale, where the fees are significant, some concessions to primary producers. This will assist as a positive incentive for the export income that that industry earns for this State.

The heavy vehicle registration charges being considered under this Bill do preserve the revenue that this Government receives from registration. It does, to some extent, better reflect the damage caused to the roads by moving to a system determined by the gross combination mass of a vehicle but, as I indicated earlier and as my colleagues who spoke on this Bill strongly indicated, it certainly does not go far enough towards having total and fair justification so that those vast transport users do provide an adequate share of the contribution to road maintenance in future. In acknowledging that the Bill does not go that far, I place on the record that, hopefully, it will provide a framework to work from in the future where a fair establishment and proportion of this maintenance contribution can be made, notwithstanding the need to obtain the national cooperation that has been agreed to thus far.

The Bill establishes at least this base framework for a review for change for heavy vehicle registration charges, and it provides a framework for what inevitably will be a reassessment of charges for other vehicles on a national basis. It also provides some relativity in respect of national charges, in terms of maintaining that relativity and, importantly, it keeps some concessions. Overall, it provides that primary producers in this State are not significantly disadvantaged but, on the whole, do receive cost reductions and other important facilities for third party and special registrations, and therefore I am pleased to support the second reading of the Bill.

Mr MEIER (Goyder): Certainly, members who have already spoken have highlighted many of the matters that I want to highlight, so I will not repeat them in the main. Members will be aware that the Bill seeks to introduce certain heavy vehicle reforms which aim to achieve efficiencies in national transport by establishing a nationally agreed set of business rules and charging regime. Taking that directly from the second reading explanation, that sounds fine. However, I must admit I had very real concerns, particularly in the early 1990s when this was first proposed under the previous Government. I know that some of the registration fees envisaged at that time would have done enormous harm to the primary producers of this State. My views were expressed at that stage, and certainly many of my colleagues have expressed those views since.

It is heartening that the legislation before us has sought to address many of the incongruous charges that may have been made. While the Bill before us is certainly not perfect, it goes a long way towards addressing many of those earlier problems. As members have already pointed out, the effect of the national heavy vehicle registration charges on owners of heavy vehicles will be such that some will pay more, some about the same and some less. That will apply to primary producer vehicles as well. I have done some further work into this on behalf of some of my constituents who have been very concerned about the sort of charges they will be up for.

I know other members have highlighted specific examples, but I highlight the case in respect of a nine to 10 tonne three axle truck which presently costs $1 007 per year to register. The registration for the trailer with that truck is another $215, making a total of $1 222. Under the new scheme the registration for the truck will be $1 260, and the trailer will be $300—a total of $1 560. Certainly, it is in excess of $300 per year more. One of the good things about this legislation is that it now introduces the option for quarterly registration periods. Therefore, if, as many farmers have said, they need their truck and trailer combination for only a short period during the year, they can register the truck for the whole of the year and register the trailer for only three months. The total charge in that case would be $995, which is much cheaper than $1 560.

However, if a farmer thought that three months was insufficient for the trailer, he could register the truck for the whole of the year and the trailer for six months. The total charge in that case would be $1 190. Again, that is less than the $1260 he pays at the moment. If he registers the total combination of truck and trailer for greater than six months, it would be more expensive, as has been pointed out. But, as highlighted in the second reading explanation, there are many categories of heavy vehicles where the registration charge will be considerably less—some of them hundreds of dollars less than at present—and that is welcomed. Also, I am very pleased to note that the 40 per cent reduction for primary producers will still apply where relevant. Again, in simple terms, that is where the price is higher than currently is the situation. It would not apply where the farmer finds that it is less than he paid previously.

I am one who has considerable problems with having a national heavy vehicle registration scheme, because I believe one of the big pluses for the States is that we can determine the way we govern ourselves. I have fears of being taken over by the Federal sphere, as such, and this is one area where we have certainly gone down that track. Therefore, I was heartened a few weeks ago when I heard that probably New South Wales will pull out. Initially, New South Wales was one of the instigators of the scheme. I thought, 'Right, South Australia can pull out as well.' The reason New South Wales wants to pull out is that, by joining the scheme, it will lose some $60 million per year, whereas South Australia will be approximately revenue neutral.

Whilst it is not dealt with in this Bill, advanced notice has been given that we will also deal with the issue of other special vehicles such as quadrunners. I have quite a few constituents who have quadrunners or agricultural motor bikes that they cannot register in the normal way at present. Once this legislation comes in from 1 July next year, a significant step forward is that people with quadrunners will have significantly less work to do than at present. At present, if they want to register a quadrunner for limited use, they must obtain permission from Regency Park and also pay an insurance charge. No renewal is sent out to them: it is up to them to renew at the end of each year, or at the end of the identified period for which they want the registration. Under the proposed legislation, registration will be available with similar conditions to the current permit system, but it will be

much more convenient for people. For example, such things as renewal notices will be sent out, and I believe it is proposed that there be a three year registration period as well.

What will the effect be on transport companies, because we in the country pay enough for our goods as it is? On average, we pay more than people in the city do, and the reason for that is the transport cost. I compliment all retailers who manage to meet city prices and sometimes better them. I thank them very much because I know that they have to pay transport charges that city retailers do not have to pay. I was given figures for a transport company that had five prime movers and two trailers. Under the new national heavy vehicle registration scheme, they will pay $2 000 a year less than they currently pay. It will not be a disadvantage to people in the country, as I first suspected, but I have not taken into account the interstate hauliers, and in some cases they will pay more and those figures might flow through. For our regional carters, it should remain very much as it is.

While I have some problems with the concept of the Bill, I realise that the State does not have a lot of power to do anything else. The Federal Government controls the purse strings and, if we say 'No', it will simply not play ball with us down the track. Despite that, I give this Bill my support.

The Hon. J.W. OLSEN (Minister for Industry, Manufacturing, Small Business and Regional Development): I thank members for their support of the measure before the House. I note that the Opposition has endorsed the legislation, and I thank members of the Liberal Party who have also endorsed the thrust of the Bill. I will respond to a couple of points that were made during the course of the debate. First, let me comment on the remarks of the member for Custance. The distance travelled and mass were considered by the NRTC. The new system achieves the objectives set out, apportioning road damage against owners who cause most damage more so than the current South Australian system. The advice I have is that the NRTC will review the fee structure in light of experience.

In response to a further point raised by the member for Custance, I advise that the department proposes to show concessions on labels after 1 July 1996, the words being 'Primary Producer Concessions'. In addition, I point out that the level of compulsory third party insurance premiums is ultimately determined by the level of claims. However, discussions with SGIC regarding the $14 premium that applies to vehicles used between farm blocks will continue.

The member for Ridley made some remarks in relation to South Australia versus the Eastern States. I understand that adopting the NRTC charging will result in a loss of revenue in New South Wales of as much as $75 million, so there are negatives for the Eastern States. The member for Custance raised points about the use of tractors. I understand that industry advice indicates that the largest tractor likely to be used in South Australia is a 370hp John Deere. This tractor has an operating mass of 14 tonnes and is equipped with 775 wide tyres. It is usually configured with dual rear tyres and single steer front tyres. Reference to the regulations indicates that the maximum axle loads for registration of a special purpose vehicle type 1, that is, no charge, are nine tonnes and seven tonnes respectively.

The advice received indicates that the 14 tonne operating mass of this vehicle includes ballast water and is evenly distributed over front and rear axles. This vehicle would qualify for registration at no charge. I am not sure whether some of the equipment that the member for Custance has on his property would qualify, or how he might have modified that in the course of his endeavours but, with respect to standard equipment purchased from agricultural machinery dealers in Australia, I hope that clarifies the position.

Some conclusions could be drawn from that, namely, that the occurrence of farm tractors and self-propelled farm machinery that are required to be registered as special purpose vehicles type 2 is likely to be extremely rare. Clause 7 of the Bill allows for the registration of vehicles of a prescribed class without fee. Primary producers' farm tractors and self-propelled farm machinery, which are defined as special purpose vehicles type 2, would be registered without fee providing road use is limited. Only when extensive road use is required, which is more likely the case with vehicles such as mobile cranes and with agricultural contractors, would a registration fee be required. I thank members for their contribution to the debate. I note the remarks of a number of members about the cooperative nature of the Minister for Transport in discussing this legislation with them, and I will pass on to her the comments made by respective members commending her for the way in which she has handled the legislation on behalf of the Government.

Bill read a second time.

In Committee.

Clauses 1 to 7 passed.

Clause 8—'Registration without fee.'

Mr ATKINSON: It is my reading of this clause, but I could be mistaken, that it will remove a complete exemption for voluntary firefighting vehicles that are more than 4½ tonnes. How will these voluntary firefighting vehicles be treated under the Bill?

The Hon. J.W. OLSEN: All emergency vehicles will have a special category of registration that will require no fee.

Clause passed.

Clauses 9 to 12 passed.

Clause 13—'Temporary configuration certificate for heavy vehicle.'

The Hon. J.W. OLSEN: I move:

Page 6, line 30—Leave out 'permit' and substitute 'certificate'.

Mr ATKINSON: Why has this amendment been moved?

The Hon. J.W. OLSEN: The word 'permit' appeared in a former Act in a different context and with a different meaning. The honourable member will note that the title of this new section refers to the word 'certificate'. This is to ensure consistency and to remove doubt.

Amendment carried; clause as amended passed.

Clauses 14 to 16 passed.

Clause 17—'Amendment of Stamp Duties Act 1923.'

The Hon. J.W. OLSEN: I move:

To insert clause 17.

This is a money clause and therefore I seek its insertion.

Clause inserted.

Title passed.

Bill read a third time and passed.

ADJOURNMENT DEBATE

The Hon. J.W. OLSEN (Minister for Industry, Manufacturing, Small Business and Regional Development): I move:

That the House do now adjourn.

Mrs GERAGHTY (Torrens): I wish to bring a couple of issues to the attention of members, particularly after

yesterday when I listened to the diatribe of members opposite regarding the Liberal Government's industrial relations policies. There will be a Federal election in the near future and it occurs to me that some particularly nasty industrial relations policies may be on the horizon, depending on the results of that election. The trouble is that the Federal Liberal Party will not tell the workers in this country what it intends to do in terms of industrial relations.

Mr Lewis: That's not true.

Mrs GERAGHTY: Yes, it is. We see Howard's hidden agenda and what he intends for workers. Having read some of the comments from this magazine, I believe that this Government is in cohorts with him. Some of the—

Mr Lewis interjecting:

Mrs GERAGHTY: Cahoots-thank you. Everybody has a different way of pronouncing words: if you want to be pedantic and petty, that is fine.

Mr Lewis interjecting:

The SPEAKER: I ask the member for Ridley to allow the member for Torrens to proceed.

Mrs GERAGHTY: I would like this Government to come clean on what it will do if the nation, sadly, is to have Howard in The Lodge. We should remember that it was only a couple of years ago that the Federal Coalition put to the people of Australia one of the most draconian industrial relations policies we have seen for years. Howard will not release his policies and that proves the point.

I will look a little closer. I am afraid to use the term 'freedom of choice' because it means much more than Howard would have us believe. We need look no further than the State Governments in Victoria, in the west and in this State. The blatant attack on workers' rights in these States has been nothing but disgraceful. In an era of our history when both employees and employers have co-existed in relative harmony, what is in progress now must be condemned. It is a blatant attack on workers to reduce their ability to bargain and to give more power to the bosses. Sadly, I ask where the equity is in that. I will read a comment from a question and answer article put out by this Government in relation to the role of unions. It states:

> The Government's State industrial relations legislation has done all it can to limit the role of unions to representative associations, enshrining in legislation the principle of voluntary unionism and, in its own capacity as an employer, ceased the automatic collection of union fees. . .

It is another method to weaken union representation of workers. Coalition policy is directed to favour the employers at the expense of workers' rights. To have policies that permit workers to be stood over and forced into trading off their basic working conditions is a direct attack on their standard of living. Howard's way involves increased hours, a reduction in pay, a reduction in sick leave and an attack on annual leave loading.

I bring to the attention of the House the Tweed Valley non-union agreement. If workers become ill for several weeks, there is no pay under that agreement because they gave up their sick pay. They will have no money to pay their mortgages and, if they are crook, they cannot even buy their medicines. Under Howard this sort of outrage will become compulsory.

Does Mr Howard want the whole of Australia to be the same as Western Australia? What is the position of this State Government on that issue? At present the Federal Labor Government is protecting the rights of workers from the Liberal State Governments and there is no doubt that under a Federal Liberal Government the Brown Government sadly would fall into line with its big brother in Canberra. Last week and more so yesterday we listened to the moaning of some members opposite regarding unions seeking justice under Federal awards. The number of agreements for workers in South Australia under State awards and the number under the Federal Industrial Commission is something that we need to look at. Perhaps this Government needs to look at why there are Federal agreements. I suspect it is because there is an equal footing between employers and employees under the Federal award, whereas in this State the employer lays down the ground rules and the employees are expected to capitulate: they are forced to cop it.

Sadly, the Sercos of this world will get away with their very un-Australian industrial relations policies. Serco was chastised by the Full Bench of the Australian Industrial Relations Commission about some of the unscrupulous policies that would become the norm under a Liberal Howard Government. Howard has already stated that he supports the Western Australian legislation: we have certainly seen the chaos that has resulted from that and it is still going on. It is time that the Federal Coalition came clean on its industrial relations policies.

Mr Lewis: We are.

Mrs GERAGHTY: You certainly have not come clean at all.

Mr Lewis interjecting:

Mrs GERAGHTY: You might think so, if keeping things secret—

Mr Kerin interjecting:

Mrs GERAGHTY: If you came clean, you would at least give workers the opportunity to make a decision about whether they want a Government that will come in and reduce their working conditions. We are not hearing everything. You are asking them to trust you, to trust a Federal Liberal Government and, if something untoward happens—

Members interjecting:

Mrs GERAGHTY: While I was reading the questions and answers in this magazine, I came across the slogan, 'South Australia: Going all the way'. I think we should change that straightaway and call it 'South Australia: Giving it all away', because that is what is happening with water—

Members interjecting:

Mrs GERAGHTY: That is right. We are very generous with our State assets. We are just giving them away and, when the Labor Party gets back into power at the next State election, there will be nothing to manage because you will have given it all away. I would like to ask Premier Brown—

Members interjecting:

Mrs GERAGHTY: You just never know, do you? Wait until we start looking at some of these policies that are in place at the moment; wait until we start feeling the impact of the water bills that will come in. It will be a worry: they will be queuing at your doors. If the Government is not too concerned about all this, why will Dean Brown not come clean on what he will do if there is a change of Government in Canberra? How will he moot up his industrial relations policies? It is about time Mr Howard came clean so that people could make an informed judgment. I advise everyone to read this question and answer book, because under 'WorkCover' and 'the role of unions' there are some very interesting comments. I am sure that members on this side would be delighted to circulate them to people in our electorates, because in part this goes some way to spelling it out.

Mr KERIN (Frome): That was all very interesting. If John Howard were to make his announcements now, I am sure that the Federal Government would not try to misrepresent him or try to scare people. What the honourable member had to say would be true if we were allowed to put our policies down and have them seen on merit, but that would not happen, as the honourable member would know from her former employment.

As the member for Mawson said today, he was able to join me on 13 October at Laura for the Mid North Regional Tourism Awards, where he represented Minister Ingerson. It was a terrific evening and certainly well compered by our local ABC announcer, Zoe Wilson. The Laura Folk Fair Committee, which is a hard working, rather small band, turned on a terrific four course meal, which was greatly appreciated by the 100 or more people who attended. We were well entertained on the night by the Andrews Sisters, a very famous band—not that it is always exactly the same Andrews Sisters but a local band of very long standing.

I was particularly pleased that the Perpetual Overall Tourism Excellence Award was awarded to the District Council of Burra Burra Jubilee 150 Committee. That committee took charge of the 150 birthday celebrations at Burra and decided that, rather than have one big weekend of celebrations, there would be a full program of weekends mainly from March until November. They certainly took on a very daunting task. There has been an enormous commitment not only by the committee members but also by the community. I have had the honour of joining them for many of those events and a couple of Ministers have attended different functions at Burra during the year, and they really have made an enormous celebration of it.

Today I would particularly like to congratulate the Chairperson of that committee, Robin Page, a local school teacher who has given an enormous amount of time. She has put in an enormous effort. She has fantastic communication skills and works with people very well. Robin has really pulled all this together very well. She is the sort of person who can garner much local support and she has had a lot to do with the success of the 150 Jubilee celebrations. The Executive Officer, Leonie Fretwell, has been absolutely tireless. She has contacted my office many times during the year, working continually and very hard to make it a success. These two ladies have made an enormous contribution and I have found them to be totally unselfish in their giving to the community to ensure the success of the celebrations. As I said, I have visited Burra often during the year and have always received terrific hospitality and friendship.

The award was particularly deserved and is significant recognition of the work of the committee. Many thousands of people have visited Burra during the year for the 150 Jubilee celebrations, which have certainly been a major contributor to tourism throughout the region. Indeed, last weekend there was a back-to-school at Burra with over 1 000 former pupils coming back for the weekend. That was a major weekend and no doubt there are some very tired people around Burra this week.

Awards were presented in quite a few other categories. The Mid North Tourism Association covers an area covering Kapunda in the south up through to the Clare Valley and the Burra area to Laura, some members being in Port Pirie and that general area. The winner of the Tourist Attraction section was Geralka Rural Farm at Spalding. Don Wilson, who is the principal at Geralka, is a past President and life member of the Mid North Tourism Association. Geralka rural farm, which many children and tourists visit and where there is a caravan park where people can stay, was opened in 1972, and since that time it has certainly become a premier tourist attraction in the Mid North. It is still a working family property and Don Wilsdon and his staff offer guests and visitors an opportunity to experience life on a farm of today with many attractions from yesteryear. It has gained quite a reputation over the years for work with Clydesdales, and Don puts them to work on the farm for the tourists who visit or stay there.

The Festivals and Special Events section was won by the Laura Folk Fair, which has been going for some years and certainly has been a boost for Laura. It involves a very hard working group of people who put on a folk fair for one weekend of the year, bringing many people, mainly day trippers, from the whole region and from Adelaide to Laura. They turn on a very full weekend of activities and attractions, and it certainly is a boost not only for Laura but also for the surrounding towns. A high commendation in that section went to the Port Pirie Festival of Country Music, which has become bigger and bigger and which now goes for a full week. Once again, it comes back to a terrific group of volunteers who run it.

Kapunda 150 Jubilee celebrations were given a high commendation. The Museums and Heritage section award was picked up by the Kapunda Historical Society. The Small Business Award and also the Restaurant award went to Skillogalee Winery and Restaurant at Sevenhill, which is gaining a terrific reputation. Sevenhill is just south of Clare, Skillogalee being situated in a historic 140 year old stone settlers cottage where visitors can taste premium, trophy winning wines and terrific food. They have gone for the alfresco under the garden verandah there and they are building up a terrific reputation. The two awards they picked up were extremely well deserved.

The Budget Accommodation section went to the Christison Park Caravan Park at Clare, which over many years has been picking up tourism awards and continues the good work. The Hotel Motel Accommodation award went to Bentleys Hotel Motel in Clare and an encouragement award went to Burra Trail Rides.

Burra Trail Rides has been set up only in the past 12 to 18 months by Graham Radford, whose property is just out on the Burra to Morgan road. In fact, the new road will go straight past his ramp. He was a bit worried for a while that it would go through his front paddock, but that matter has been sorted out. Graham followed very closely on the heels of his wife Elspeth, who is the principal of the Saltbush Clothing Company, which picked up the State's small business award for fewer than six employees. That was a terrific achievement by Elspeth. She set up that business only a couple of years ago working out of the back room of her place, and she now has franchises throughout the State. Her receiving that award, with Graham following quickly with his award, shows that they certainly are a couple who are very innovative, doing their bit for the State and particularly the Burra area.

Quite a few individual awards were handed out. Dick Biles, a personality at Laura who organised the dinner, was one of the winners of a major individual award, which was very deserving for his work on tourism, being on many committees involved in tourism throughout the north. Other courtesy awards went to Glenvile Sawyer from Kapunda, Clarrie Schiller from Eudunda, Peter Walsh from Hallett, Stephen Collins from Saddleworth, Val Tilbrook from Clare, Ronda Eyers from Spalding and Sam Smith, the Postmaster

at Gladstone. Overall, it was a terrific night. The Mid North Tourism Association consists of a group of people working very hard not only to ensure their own livelihood but also to look after the interests of the entire Mid North and the economic well-being of the region.

Motion carried.

At 5.27 p.m. the House adjourned until Thursday 26 October at 10.30 a.m.