HOUSE OF ASSEMBLY

Thursday 10 December 1998

The SPEAKER (Hon. J.K.G. Oswald) took the Chair at 10.30 a.m. and read prayers.

TECHNICAL AND FURTHER EDUCATION ACT REGULATIONS

Mr CONDOUS (Colton): I move:

That the principal regulations under the Technical and Further Education Act 1975 made on 10 September 1998 and laid on the table of this House on 27 October 1998 be disallowed.

Ms WHITE secured the adjournment of the debate.

SUMMARY OFFENCES (CHILD BOXING CONTESTS) AMENDMENT BILL

Mr WRIGHT (Lee) obtained leave and introduced a Bill for an Act to amend the Summary Offences Act 1953. Read a first time.

Mr WRIGHT: I move:

That this Bill be now read a second time.

This is not about banning boxing. This is not about banning an Olympic sport or stopping adults from boxing. I do not bring this Bill here today as a first attempt to ban boxing. This Bill is all about stopping children, both boys and girls, from participating in a boxing contest if they are under 14 years of age. My primary concern and the primary concern of the Opposition is in regard to the health and safety of our children.

One must appreciate that boxing is a combative sport and that one of the primary aims of boxing is to target the head area. Massive medical advice highlights that the implications are far greater for children when they are involved in this sport, especially when the body is still forming. We were all appalled by the recent situation brought to our attention in Queensland. This was an example of young children, in some cases boys as young as 10 years and girls as young as 12 years, taking part in a combative sport in the ring and being promoted. At that age children are simply too young to be involved in boxing. It is an important Bill that I bring to the House.

The Bill is very straight forward and simple, but it has strong practical implications which send a loud and clear message to the broader community about the expectations that we have here in South Australia with respect to children under 14 years of age being involved in competitive boxing. In recent times the various sporting Ministers around the country met and were unable to come to any agreement on this issue. We are the sadder for that. Surely in a situation as stark as this there should have been agreement around the States as to the most appropriate way of handling such a situation.

The New South Wales Government, through its Sports Minister, Gabrielle Harrison, has stipulated that permits will not be granted by her department for boxing contests between children under 14 years of age. To the best of my knowledge it is only in New South Wales so far that this has occurred although, in time, it will be picked up by other States around Australia. I would like to see South Australia take a leading and positive role, and we may be the first State in the new year that is able to pass legislation in respect of this area. The Bill is simple and straight forward. I refer members to the heart of the Bill, namely, clause three.

The SPEAKER: Order! I direct the camera operator in the gallery to remember the rules.

Mr WRIGHT: I refer to clause 3 of the Bill where I define boxing as meaning 'fist fighting (with or without gloves), or sparring'. This specifically targets boxing and does not target other forms of martial arts. Quite deliberately it targets boxing, and very specifically it also targets both boys and girls under 14 years of age involved in a boxing contest, which means a contest, display or exhibition of boxing. The heart of this really is in clause 3(2) which provides that a person must not hold or promote a boxing contest in which a child under the age of 14 years is a participant. The maximum penalty will be $2 500.

We do not want to see a situation in South Australia similar to that which occurred recently in Queensland, and this will send a positive message to the community. I will be consulting with the broader community during the recess. I have already consulted broadly, and I will go into that in detail in a moment, but I will be consulting further, including with the two boxing associations in South Australia with respect to their comments with respect to the Bill I bring before the Parliament.

Since the episode in Queensland, I have discussed the matter with many people in the sporting world in particular as well as across the broader community, and I have spoken to a range of parents to gain their views and attitudes about this. People abhor the concept of children being involved in the ring in a competitive nature in a boxing contest. I am heartened by the comments of Joe Bugner. He is a former British and Australian heavy weight boxing champion—Aussie Joe Bugner—and he came out strongly against the situation that occurred in Queensland and, in so doing, referred to those things we already stop children under 14 years of age being involved in. He said that we stop them from drinking alcohol, driving and smoking, but we allow them to go into the ring and target each other competitively in a combative sport.

I also note the comments of a former Olympic boxing coach at the Atlanta Olympic Games, Dennis Wellbeloved, who made strong comments about the negative aspects of young children being involved in boxing in the ring. In fact, he went further than I have provided for and said that boxing should not be permitted under 18 years of age. He might have intimated that different ages should apply to boys and girls, but I do not see it that way. There should be some consistency in the minimum age for both boys and girls. Arthur Tunstall, who is quite infamous for some of the very negative racial comments he has made over the years, has also come out in opposition to children being involved in boxing in the ring. I also draw the House's attention to the Federal Minister for Health, Michael Wooldridge, who was very damning. I will quote what he said, as follows:

> But as a doctor and as a doctor that actually knows something about the brain I can't understand why boxing is allowed.

I have also sought a range of medical opinion with respect to this matter, and I draw the House's attention to a few comments that I picked up from an article written by a paediatrician in Queensland. He said, amongst other things:

> The big health issue for children in boxing is the effect of repeated minor blows which cause cumulative neurological damage.

He also goes on to say that the damage is progressive. He says:

The pathology is due to repeated microvascular and contusional injury.

He goes on talk about the injuries that occur to the head and other areas and the greater implications that are involved for children. There is a weight of medical opinion with regard to the dangers that are involved for children.

I also draw the attention of the House to the national junior sports policy, which talks about the appropriateness of forms of competition for juniors and the rationale concerning the appropriate behaviour of juniors. I have also consulted with Sports SA, which takes the view that it would prefer sport bodies to administer their own sports. Generally speaking, I would be of the same view. However, this is too serious an issue for our children to let it go by. The board of Sports SA has looked at the health and safety issue for children boxing under 14 years of age and supports a ban on children being involved under 14 years of age.

Some people may ask, 'What about other sports? What about Australian Rules Football, rugby or cricket, or hockey where a hard ball is used?' I can strongly mount a case that other sports are completely different, so that is not a good analogy. Certainly, there is no doubt that in other sports injuries also occur. However, to draw an analogy between other sports and boxing is not appropriate. They are directly different, and one should not hide from the fact that boxing is a combative sport and is different by nature to these other sports that are given as examples. For that reason, we should take a strong stand with respect to boxing.

I have highlighted what is in the Bill. However, this Bill does not stop young children from being involved in training that is traditionally used for boxing. This Bill does not stop children being involved in speed ball work and punching bag work. I also draw the House's attention to the fact that other sports use that type of training as cross training. I can see the benefits and commonsense in that. This Bill stops the promotion of a boxing event in the ring between children under the age of 14 years. That is what we really need to draw attention to. That is the specific nature of the Bill.

The other point I would like to raise today is why the age of 14 years has been chosen. I admit that it is somewhat arbitrary. I do not have any medical advice to say precisely that the age should be 14 years. This is something that can be the subject of consultation during the recess, and I will be interested to hear the views of other members of the community about what they think is a realistic age. I would not expect it to be lower. I would not expect people to come to me and say that it should be lower, but I am prepared to listen to those people. At present this is what the debate has been about over the past few weeks.

If we pass this Bill, we would be bringing ourselves in line with what New South Wales has already done, and I understand that Queensland may be moving down a similar path, so there would be some consistency. Let us have a debate about it. If people have different views about what the age limit should be, we will consult in that debate and find out what the views are, and that certainly can be brought back to the House in future.

I would like to conclude my remarks by saying that I have consulted with a range of people, but I will broaden that consultation during the recess. I look forward to holding discussions with the South Australian Amateur Boxing Association and the South Australian Amateur Boxing League in order to hear their views. I also look forward to meeting with some of the clubs and gymnasiums. I understand that a number of members have boxing clubs in their electorate, and I look forward to discussing this issue with them.

This is a serious Bill. This is a Bill where we can give a lead to the community and also to the nation as a whole. It has a lot of merit, and we should look at it very seriously, with a view to sending a loud and clear message to the community that we do not believe it is acceptable that children under 14 years of age, both boys and girls, should be involved in the ring in a combative sport of a competitive nature. It does not say that they cannot be involved in training and it does not send a message that we are looking to extend it beyond that with regard to this being the first stage towards banning boxing. It is quite the opposite. This legislation specifically targets children under 14 years of age. We simply say that we believe that children at that age are too young to be involved in boxing in the ring. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

The measure will come into operation two months after assent.

Clause 3: Insertion of s. 9

It will be an offence to hold or promote a boxing contest in which a child under the age of 14 years is a participant. A boxing contest is defined as a contest, display or exhibition of boxing. Boxing is defined as fist fighting (with or without gloves), or sparring, or an activity (if any) prescribed by the regulations.

Mr MEIER secured the adjournment of the debate.

COLLECTIONS FOR CHARITABLE PURPOSES (DEFINITION OF CHARITABLE PURPOSE) AMENDMENT BILL

Mrs GERAGHTY (Torrens) obtained leave and introduced a Bill for an Act to amend the Collections for Charitable Purposes Act 1939. Read a first time.

Mrs GERAGHTY: I move:

That this Bill be now read a second time.

This is a very simple and minor amendment to the Collections for Charitable Purposes Act. It seeks to amend section 4, the Interpretation of the Act, to include the words 'the provision of welfare services for animals'. The Act requires that any person or charity collecting for the benefit of people in our society be licensed and subject to the regulations of the Act. It also requires that they comply with the code of practice of the Act. I understand that the Act and the code of practice are currently under examination, but of concern to me is that the Act relates only to collections for the benefit of people and does not include animals.

Collecting for charities is a growing business within our communities, due in great part to the fact that many organisations within our communities are now forced to seek a greater level of funding from the kindness of our community as the Government dollar continues to be withdrawn from them. This applies not only to charities that so ably support persons in need but also to organisations that support the welfare of animals. Most of these organisations have relied solely upon the support of the public to raise funds to continue their good work. It is commendable that the public, who are often struggling themselves, will give donations, often from meagre incomes, because they care about the welfare of not only people but also animals. It seems to me—and I might say to

many people in our community—that we should give the same status to moneys collected for animals as to moneys collected on behalf of people. It is important that the public can be confident that the donations they give end up where they were intended to and that there is accountability in the whole system, whether the money is collected for people or for animals. Currently, because animals are not mentioned in the Act, there is a lack of accountability in that area.

As I said, it is just a simple amendment but it is an area that has needed attention for quite some time, and this is an ideal opportunity to rectify the anomaly or oversight that occurred in the past. I think in 1991, New South Wales amended its Act to incorporate animals as well. I hope that members of this Chamber will support this simple amendment and that it is dealt with far more quickly than was my previous Bill.

Mr MEIER secured the adjournment of the debate.

CONSTITUTION (CITIZENSHIP) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 26 November. Page 442.)

Mr ATKINSON (Spence): I declare an interest in this Bill. I was born in Blackwood, South Australia, in 1958 to parents who were British subjects and permanent residents of Australia and am therefore an Australian citizen. But owing to my father's being born in Dalkey, a village in south Dublin, during the period of the Irish Free State, I am, under the Irish Republic's citizenship law, an Irish citizen. Ireland is a small country with a small population and a high rate of immigration over the past 150 years. To embrace the Irish Diaspora, and to feel bigger and more important as a nation, the Irish Parliament, the Dail, passed a generous and all-embracing citizenship law. The Bill would disqualify me from standing for Parliament 14 days after the next general election is called.

I congratulate the member for Hartley on this his first Bill. It is moved with the best of intentions. The member for Hartley migrated to Australia from Italy with his parents; he loves Australia; and he became an Australian citizen at the age of 21. He would be prepared to renounce any citizenship rights he may have under the laws of the Republic of Italy and regards this renunciation as the least he can do in the service of his new country. He expects those of us who have citizenship or subject status of another country to do as he would do if we wish to remain or become members of State Parliament. I shall be voting against this Bill because I do not think all members of Parliament and prospective members of Parliament should be required to do as the member for Hartley would do.

The Bill defines the grounds on which members of Parliament may be disqualified from membership of Parliament. Section 31 of the State Constitution provides that a seat in the House of Assembly is vacated if the member is absent from the House for 12 days without leave; or ceases to be an Australian citizen; or makes an acknowledgment of allegiance or obedience to any foreign prince or power; or does something to become a subject or citizen of a foreign state; or becomes a bankrupt; or is attainted of treason; or is convicted of an indictable offence; or becomes of unsound mind. The member for Hartley's Bill proposes to add another two grounds for a seat's being vacated and they are:

> (a) the member or prospective member is the subject or citizen of a foreign state or power; or
>
> (b) is under an acknowledgment of allegiance to a foreign state or power.

It seems to me that paragraph (b) of the Bill duplicates paragraph (b) of section 31(1) of the State Constitution. That paragraph and its duplicate in the Bill are not as objectionable as is paragraph (a) of the member for Hartley's Bill, because at least the affected member has done something by declaring or acknowledging allegiance or obedience to a foreign State.

By contrast, under the member for Hartley's paragraph (a), one could be disqualified from Parliament for a citizen or subject status of which one was unaware. The Bill punishes a member for being born to a particular class or status rather than for anything the member has done. For instance, under the citizenship law of the Irish Republic, I am a citizen of that country—and so is the member for Elder: he because he was born in a part of the United Kingdom claimed by the Irish Republic to be *de jure* part of its territory and me because my father was born in the *de facto* territory of the Irish Republic.

I was unaware of my citizenship of the Irish Republic until I was in my 20s but, under the member for Hartley's Bill, I would be disqualified from Parliament even though I was unaware and had no cause to be aware of the provisions of the Irish Republic citizenship law. In the member for Elder's case, the Bill would require of him that he write to the Government of a country in which he had never lived to renounce rights to citizenship it gave him without his asking.

The House deliberated on this matter as recently as 5 May 1994, when a Government Bill sought to delete one disqualification from the State Constitution. That disqualification was expressed in paragraph (d) of section 31(1) of the State Constitution:

> . . . becomes entitled to the rights, privileges or immunities of a subject or citizen of any foreign state or power.

That decision, only four years ago, was supported unanimously by this Parliament. The member for Hartley spoke on the Bill and said that, although he 'fully supported' the legal aspect of the Bill, he queried the moral aspect. Now he wants to put that provision back into the law. The Government Bill was prompted by the High Court decision in the Cleary case, whereby the three principal candidates were all declared ineligible after the event to stand for a by-election for the seat of Wills. The High Court was divided on the question. The majority applied section 44 of the Commonwealth Constitution, which is similar in its terms to former paragraph (d) of section 31(1) of our State Constitution.

Mr Kardamitsis, the Labor candidate, was disqualified because he had been born in Greece and was notionally a Greek citizen even though he had migrated to Australia, he had taken Australian citizenship, and he had taken the oath of allegiance any number of times to become a JP and to become a local councillor in Victoria. Mr Delacretaz, the Liberal candidate, was disqualified because he was born in Switzerland and was notionally a Swiss citizen even though he had migrated to Australia in the early 1950s and had taken Australian citizenship.

The majority of the High Court held that, as the laws of Greece and Switzerland did not allow native-born people to renounce their citizenship except by a special procedure, which neither Mr Kardamitsis nor Mr Delacretaz had followed, both were entitled to the privileges and immunities of a foreign power and were therefore disqualified for standing for Parliament. The member for Hartley approves this outcome and seeks to apply it to South Australia. Mr

Cleary, who won the by-election, was disqualified on the grounds that at the time of nomination he was a Victorian State schoolteacher and therefore held an office of profit under the Crown.

Whereas this provision in the Commonwealth Constitution can be removed only by a majority of Australians in a majority of States voting for deletion of the provision in a nationwide referendum, a similar provision in the State Constitution can be removed by a simple Act of Parliament—and it was in 1994 by the Statutes Amendment (Constitution and Members Register of Interests) Bill 1994.

It is this provision of the Commonwealth Constitution that threatens to disqualify One Nation Senator-elect from Queensland, Mrs Heather Hill, from the Commonwealth Parliament. Mrs Hill became an Australian citizen earlier this year but is alleged to have omitted to write to Her Majesty, Queen Elizabeth II of Great Britain, renouncing her status as a subject of the Queen in her capacity as the Queen of Great Britain as opposed to the Queen of Australia. Disqualification of Mrs Hill for failing to do this is an absurd result for reasons I shall explain, but it is a result that the member for Hartley seeks.

People born in Australia or permanent residents of Australia were not Australian citizens until the Commonwealth's Nationality and Citizenship Act 1948 was proclaimed on Australia Day 1949. No Prime Minister of Australia has been born an Australian citizen. Hitherto, Australians had been British subjects, that is, subjects of the British King or Queen. Whether Australian citizenship should have been defined in the Commonwealth Constitution was debated at the great Federation conventions of the 1890s. The story is recounted in Brian Galligan's article 'Reconstructing Australian Citizenship' in the most recent edition of *Quadrant*. He writes:

> Finally, it was Barton who pulled the rug out from any mention of citizenship in the Constitution. Despite using the terms 'subject' and 'citizen' interchangeably himself, Barton pointed out that there was in fact no such term as 'citizen' in the British and colonial lexicons. 'Subject' was 'the ordinary term to express a citizen of the empire'.

Galligan continues:

> The options were spelling out citizenship in the Constitution or leaving its definition and development mainly to continuing State and future Commonwealth Parliaments and Governments to determine.

The Federation convention chose the latter course. The member for Hartley, in his second reading speech, said:

> We cannot have two laws—one for Canberra and one in South Australia—for members of parliament. It is inconsistent and incongruent and it must be dealt with.

Well, he is wrong. By having different disqualification provisions from the Commonwealth, the State of South Australia is doing what the founding fathers contemplated. Indeed, a founding father, Sir Josiah Symon, told the 1898 Melbourne convention:

> The whole purpose of this Constitution is to secure a dual citizenship. That is the very essence of the federal system. . . dual citizenship must be recognised as lying at the very basis of this Constitution.

By 'dual citizenship', Sir Josiah meant citizenship of the Commonwealth and citizenship of the State. When the disqualification provisions were drafted for the Commonwealth and State Constitutions, there was no doubt among the parliamentarians, draftsmen and the public that 'subject' meant subject of His Majesty the King of Great Britain and the Dominions. People living in Australia as permanent residents who had come from Britain, the Irish Free State, Canada, India, South Africa and Singapore were entitled to stand for Parliament here. The idea propounded by the member for Hartley would have the absurd result that the Welshman Billy Hughes, the Scotsman Andrew Fisher and the Canadian King O'Malley would have been ineligible to stand for Parliament because, although they owed allegiance to the same King as did Australians, the King in right of Wales, Scotland and Canada was a foreign prince or power. By foreign power, the founding fathers meant subjects or citizens of France, Russia, China or those revolted colonies the United States of America: the founding fathers did not mean to disqualify people from the home counties. For the member for Hartley or anyone to read our disqualification provisions as he does is revisionism of a much too clever kind.

The minority of the High Court in the Cleary case took what I think was a more sensible view of the problem. They said that the entitlement of Australians to run for Parliament should not be decided by the law of a foreign power. The minority said that under international law the tests, when there were competing citizenships, were: where does the person habitually reside; where are his family ties; where does he participate in public life; and what nationality are his children? The answer to every one of these questions, applied to Kardamitsis, Delacretaz and every member of this House, is that they are Australians. Yet, the member for Hartley's Bill makes the Leader of the Opposition a United Kingdom citizen, the member for Elder and I Irish citizens, the member for Peake a Greek citizen and the member for Norwood an Italian citizen, and it may have unintended effects on other members of our Parliament who are not aware of the citizenships they may acquire through their parents or their grandparents.

Indeed, one former member of the House was joking about my imminent departure from the House in 1992 owing to the Cleary case when I asked him where his parents were born. It was only when he answered that they were born in Newcastle-upon-Tyne that he realised he, too, might be caught by those provisions of the State Constitution of the kind that the member for Hartley wishes to replace in the Constitution. Should the Bill become law, it would put at risk of disqualification members of the House without their doing anything incompatible with Australian citizenship. We do not choose our parents or grandparents. We should not be expected to know, or be held responsible for, the laws of foreign states.

In conclusion, I would like to say that, although the member for Hartley is innocent of any discreditable motives in introducing the Bill, his reasoning that some Australian citizens are more equal than others has an unpleasant history. Galligan's article recalls how Australian born subjects of the King were interned in Australia during the First and Second World Wars on account of their parents being born in Germany or Austria. The President of the Association of Australian Born Subjects wrote during the First World War on behalf of internees to the Minister of Home and Territories. He wrote that those of his members who had been interned for the past 12 to 20 months had 'grave doubts as to whether their citizenship remains an actuality'. The Minister replied:

> No doubt arises concerning your citizenship. You are still citizens of Australia, who are confined according to the laws of Australia.

The member for Hartley proposes that the Electoral Commissioner for South Australia write similar letters to Australian citizens who nominate for the South Australian Parliament at the next election. 'No doubt arises concerning your citizenship,' the Electoral Commissioner will say. 'You are still a citizen of Australia who is disqualified from standing for Parliament according to the law of South Australia.' I appeal to members not to follow the member for Hartley down his path of good intentions.

The Hon. M.D. RANN (Leader of the Opposition): I was particularly concerned, given the honourable member's record and his constant bleatings over the years that he really is a bipartisan fellow, to see that he chose to personalise what he claims to be a Bill of genuine intent. He chose to personalise it by referring to my citizenships. That is fine: I have been around for a long time. However, this Bill—and obviously this Bill has personal intent—if applied across the State and Territory Parliaments of Australia, could disenfranchise from eligibility to State Parliaments up to 5 million Australians, that is, those who are migrants, the children of migrants or the descendants of migrants.

I was certainly bitterly disappointed to see that it was the member for Hartley who introduced this Bill designed to prevent people with dual citizenship from being eligible to be elected to this House. I certainly believe that this legislation, if passed, would be a serious blow to multiculturalism in this State. Members opposite laugh, but I remember the advice given to me by the member for Hartley last year and the year before when the threat of One Nation catching fire around the country was quite a problem in Queensland and other places. I remember him saying to me at multicultural functions, 'We must be bipartisan, Mike, on multicultural and ethnic affairs.' He has said that to me on countless occasions—and I have agreed with him. In fact, on a whole range of issues to do with multiculturalism and ethnic affairs there has been total bipartisanship: there has been bipartisanship and commitment against racism and against Pauline Hanson's One Nation Party, which, in its tragic appeal for votes, tries to exploit the vulnerable by making other people who are vulnerable insecure.

This measure was introduced without any consultation in a bipartisan way. The member for Hartley was desperate for bipartisanship before the last election, telling everyone he was really a bipartisan fellow and he was really not Labor or Liberal—all this fandango. However, on a fundamental issue, while the threat of One Nation is still apparent around Australia in trying to disparage and diminish the role of migrants to this country, what do we see the member for Hartley do? He introduces into this Parliament without any consultation a Bill that eventually, if passed, will affect millions of Australians if applied in other States. It is interesting that, in referring to me personally, he said that I had a problem because—

Mr Scalzi interjecting:

The Hon. M.D. RANN: He says 'No.' You read your own text; you stick to a script. You wanted to play dirty politics. You wanted to appeal to One Nation voters. You wanted to try to get some support from the people who might be attracted to Pauline Hanson for your own shabby—

The SPEAKER: Order! The Leader will direct his remarks through the Chair.

The Hon. M.D. RANN: —political ends in desperately trying to hang onto the seat of Hartley. Well, I am not as generous as is my learned colleague the shadow Minister, because I know what the intent is—the honourable member knows what the intent is. This is about a personal based shabby attack.

I am not a dual citizen: I am a triple citizen. I was born in South London. I was raised in New Zealand. I came to Australia and within the minimum period became an Australian citizen. I travel only on an Australian passport, because this is the country of my loyalty. If this Bill is passed, I will not have any problems in abiding by the law, because I always have, but this means basically that you are saying to people who are migrants or the children of migrants that being an Australian citizen is not enough.

Our view is that the only test of loyalty is whether you are prepared to swear an oath to Australia, to be an Australian citizen. It might be that the member for Hartley is happy to renounce his birthright. That is his choice if he is happy to renounce his heritage, happy to renounce those things that he and his family have brought to this country. In wanting to personalise this attack in this Bill, dealing with people that this might affect and trying to affect their eligibility, the honourable member may be interested to know that there have been a number of people who have led this Parliament as leaders and who have dual citizenships, including the former Liberal Leader Dale Baker, Harold Allison, Lynn Arnold and Don Dunstan (who was born overseas and had a British passport).

But, no, the member for Hartley wants to discourage migrants from participating in the Australian political process. I am proud to be an Australian but I am also proud to be a migrant, and I will keep fighting for bipartisanship on this issue, because the success of multiculturalism in this country has been underpinned by bipartisanship. We saw an attempt in 1997 by the Prime Minister, Mr Howard, to try to appeal to the racist vote, play the racist card, by attacking Asian migrants. We know what that was about: he was desperate before an election. He played the racist card and lost. We saw another attempt to let the racist genie out of the bottle when the Prime Minister of this country would not take on Pauline Hanson head on. Here we go again today.

I appeal to all members of this Parliament to reject the measure. Let us remember that it was in 1994 in this Parliament that the Attorney-General (Hon. Trevor Griffin) introduced legislation supported by the Labor Party—indeed it built on plans by the Hon. Chris Sumner, so essentially it was a Griffin-Sumner Bill—that cleaned up our Constitution Act to say that it did not matter if we were dual citizens. What we are seeing today with this legislation is an attempt to wind back the clock.

Because of the precedents established elsewhere, it was felt that there might be a need to make amendments to the Constitution Act in 1994 so that it did not affect Dale Baker or other members of this House, including the member for Spence, and so that there would be no problem with dual citizenship. Only the member for Hartley believes that there is a problem with dual citizenship. Let us remember that the member for Peake was born in Australia and is a proud Australian of Greek parentage. The Greek Government recognises generational citizenship, so the member for Hartley is saying that somehow there will be problems in terms of Greek law. Why are we bothering to create more problems for ourselves when the only test should be whether we are proud and loyal Australians who are Australian citizens and therefore eligible for this Parliament?

Mr CONDOUS (Colton): I support the—

Mr Koutsantonis interjecting:

Mr CONDOUS: Don't you talk. I will give you a pair and you can go back to Greece and do your 'nasho'! I support the Bill. I am saddened to see that members opposite have not been allowed to have a conscience vote on this issue but have been directed by Caucus—

Members interjecting:

Mr CONDOUS: I am not going to drop it, because I have been told by your own members—

Members interjecting:

The SPEAKER: Order! I suggest that the member for Colton come back to the Bill.

Mr CONDOUS: —that you have been directed by Caucus on this issue to protect members of your Party. I find it absolutely unbelievable that members of the Labor Party are not being given the right to express their personal opinion. That is hypocritical because it is a Party whose Federal Leader (Kim Beazley) on 25 November made a clear statement that it would be a tragedy to go into the new millennium unless we did so as a Republic. That is policy of the Labor Party which I support, because I want the Head of State of Australia also to be a fair dinkum Australian. However, members opposite are being caucused, because they want to hang on to whatever citizenship they want, and those who hold English citizenship want to keep hold of the strings of dear old Mother England.

Two very good friends of mine, Nick Gianopoulos and George Kapinyaris, made a name for themselves as two of Australia's most brilliant comedians with their first play *Wogs out of Work*. Thousands of Greeks and Italians throughout Australia went along to see the play and were able to laugh at themselves because both Nick and George portrayed life as it actually happened in a Greek or Italian home. Using one of Nick's words, I am sad to say today that the push to amend this Bill has been led mainly by two 'wogs'—the member for Hartley, who was born in Italy and carries his Australian citizenship only because he is proud to be Australian, and myself, having Greek parentage, having been born in Australia and being a lover of Aussie Rules football and cricket. I stand proud to say that being Australian is the only way I want to be.

The member for Hartley speaks and reads Italian. I also speak, read and write Greek. I am proud of my parents' heritage but, foremost, I am proud to be an Australian. The Leader of the Opposition, on 27 November at the Fogolar Furlan Club, said that the private member's Bill, if passed, would disqualify 5 million Australians from being members of Parliament. At the Dimitria Festival on 29 November, he again mentioned the private member's Bill and said that the Government would disqualify people from being members of Parliament. He did not have the decency or honesty to mention that the law already applies in the Federal political sphere, nor was he honest enough to tell them that what the member for Hartley was trying to achieve in this Bill was to make it compulsory for 69 members of Parliament to hold onto one citizenship—Australian. I believe that most people out there in the electorate think that every member of Parliament is an Australian only.

The Leader also said that there is a disincentive for people of foreign background to participate. Let me just remind members that it did not take John Quirke and Martyn Evans long to drop their British citizenship when they were offered a position in the Federal Parliament in Canberra. If the Opposition believes that you can show just as much loyalty to two or more different countries, let me use a sporting analogy. The member for Hart might be interested in this, because he represents 99.9 per cent of the sporting public in South Australia.

We are either avid Crows supporters or avid Port Power supporters. I would not think that there were would be five people in this State who could say that they go along to a Crows versus Port Power match and do not care who really wins. In fact, I would suggest that all Port Power supporters hope that the Crows get beaten every Saturday, and all the Crows supporters hope that the Power gets beaten every Saturday.

From all the debate, let us hope that all of us will support including in our statutory declaration of ownership of assets an additional clause on what citizenships we carry and that our register shows our citizenships at 26 November 1998 for public knowledge. The tragedy of the Labor Party and its members is that they cannot exercise their conscience vote because their allegiance and loyalty to their Party is greater than their allegiance to their country. I recently attended a multicultural youth forum—

Mr ATKINSON: On a point of order, Mr Speaker, the member for Colton has said that the loyalty of Opposition members is not to their country but to their Party. I ask him to withdraw.

The SPEAKER: I am not sure under which Standing Order the honourable member is asking that remark to be withdrawn. If the honourable member has taken offence and is asking the member for Colton to withdraw on that ground, the member for Colton should do that. But I do not think that, under Standing Orders, the member for Colton said anything that I can direct him to withdraw. The member for Colton.

Mr CONDOUS: I refuse to withdraw, Sir.

Mr CONLON: I rise on a point of order. To suggest that the members of the Opposition are more loyal to their Party than to their country is to suggest that we are guilty of treasonous behaviour. I would ask the honourable member to withdraw, because I am personally more offended by this comment than by anything that has been said to me in this House in the past.

The SPEAKER: Order! The remark was directed to the Opposition as a whole. I believe that it is a matter that individual members of the Opposition have a right to take up and probably will take up and refute in debate. That is the time for them to do it.

Members interjecting:

The SPEAKER: Order! I have indicated to the member for Colton that it may or may not have been the most appropriate remark, but there is nothing in the Standing Orders under which I can direct the honourable member to withdraw. I suggest that members take it up in debate and refute it as strongly as they wish to then. The member for Colton.

Mr CONDOUS: Recently I attended a multicultural youth forum in which one of the speakers was Miss Tan Lee, the 1998 Young Australian of the Year, a Vietnamese refugee who talked about her country, Australia, stating the following:

> We arrived with different hopes, with different thoughts, with different feelings and with different needs. We arrived with a hope that there would be a place for us and that we would be welcomed and accepted. We arrived to put down roots, to make friends, to find work and to belong to our new country. The decision to begin a new life in another country was an enormous decision. The difference in culture, traditions, customs, language, left you feeling completely isolated and alone. The contrast between what we have come from and what we had come to could not have been greater.

If I say that we had come from death to life you may think that I am being dramatic. I can assure you that I am not. In the refugee hostel we were safe, we were respected, we had food and we had clothing. . . I am really happy and honoured as Young Australian of the Year to represent something that is possible only in Australia and maybe only one of the few countries that it can happen anywhere in the world, and I echo the voice of thousands of families who have chosen to make Australia their home.

What I am trying to say is that if 69 people in this State have been given the privilege to serve the people of South Australia, surely those 69 people can be loyal to one great country, Australia. We cannot serve more than one master and be loyal to him. Every politician under this roof, even the 'oncers', will at some stage put their hand out to receive a Government paid superannuation pension paid for by the taxpayers of South Australia, who would have the expectation that our commitment and loyalty to country would make us gladly relinquish all other citizenships and show our commitment to country. This is not anti-multiculturalism: we are talking about only 69 people. As I have been cut down on time, I will continue this speech in grievances today.

Members interjecting:

The SPEAKER: Order! Before we get to any points of order, the honourable member will not be able to do that in the grievance debate because the matter will probably still be on the Notice Paper by that time. Has the honourable member finished his remarks?

Mr Condous: Yes, I have.

Ms HURLEY secured the adjournment of the debate.

WATER CATCHMENTS

Adjourned debate on motion of Mr Hill:

That this House establish a select committee to inquire into and report on the following matters in relation to South Australia's water catchments—

(a) the roles, operations and revenue and expenditure of South Australia's water catchment boards;
(b) the role and responsibilities of the Minister for the Environment in relation to the water catchment boards;
(c) issues relating to the availability and allocation of water resources in the South-East, the Willunga Basin, the Northern Adelaide Plains and other areas; and
(d) other relevant matters,

which Mr McEwen had moved to amend by leaving out all words after the words 'select committee' and inserting the following:

(a) discover all water allocations granted within the South-East and the reasons why they were granted;
(b) determine if there were any applications for water allocation made between the time when the Lacepede Kongorong proclaimed wells area was de-proclaimed and the re-proclamation;
(c) investigate the process used to establish and modify the water allocation plans as part of the interim policy adopted on 1 July 1997;
(d) develop a clear set of guidelines consistent with COAG water policy as it applies to limited unconfined groundwater aquifers; and
(e) support the South-East Catchment Water Management Board to develop as a matter of urgency and consistent with the Water Resources Act a water management plan and water allocation plans;

and that this Committee consist of two members of the Government, two members of the Opposition and the member for McKillop; and that this Committee report to the House by 4 March 1999.

(Continued from 19 November. Page 317.)

An honourable member: The accused!

The Hon. D.C. WOTTON (Heysen): Don't get too carried away. I want to participate in this debate because I have been implicated and it is important that I take this opportunity to clear up some issues. At the outset let me say that I believe that the motion moved by the member for Kaurna and the amendment placed on the Notice Paper by the member for Gordon have both a general and a Party political nature. Most of what the member for Gordon is advocating in his amendment can, I believe, be achieved and should be achieved whether or not a select committee is set up. A number of issues need to be considered.

I believe that those issues could be well considered outside of a select committee, but it will be up to the House to determine whether or not that should be the case. Much has been said about meetings that have taken place in the preparation of the policy referred to in both the motion and the amendment. Much has been said about the meetings that occurred both in and outside of Cabinet, because there were many meetings, which is understandable as it was an important and very complicated policy to put together. There were a number of public meetings, the most significant of which was held in Mount Gambier, and it is rather ironic that the present member for Gordon chaired that meeting. He was seen as an appropriate person, who was independent at the time, to chair that meeting. It is interesting that the present member for MacKillop was also in attendance. Both members would agree that it was a very good meeting.

There was wide representation from a number of organisations interested in the matter of water in the South-East. There was some concern about the way in which the South Australian Farmers Federation made its representation. It was felt that the representation was not wide enough and did not adequately bring forward a number of the issues that concerned landowners in the region. Other than that, at the end of the meeting it was generally recognised that it was a good meeting, it was very well attended and very well represented by a number of organisations; probably the more important organisations as far as the future of a water policy in the South-East was concerned.

After that meeting in Mount Gambier I met with the advisory committee that had been set up under the previous (Labor) Government. I felt that it was a very good committee. I was quite happy for the people who were on that committee to continue in an advisory capacity and I found their advice very helpful. In fact, it was on the same night as the meeting in Mount Gambier when I met with the advisory committee and we discussed a number of the issues that were raised at the meeting. I suppose that is when we decided that we should proceed with the original policy which some people referred to as 'Mark I'. Hindsight is a marvellous thing, but I must say that, after looking back over all of the issues, I still believe that the first policy I brought down was probably the best policy, or closest to achieving the real needs of the issues relating to the supply of water in the South-East.

In respect of the meetings that occurred, of course other meetings were held. Meetings were held with community representatives. Meetings were also held with the local MPs, and I say 'MPs' because I received representations from the previous member for MacKillop; I received representations from the previous member for Gordon; and I received representations from the Labor spokesperson at the time. Other people made representations, including the Hon. Mr Angus Redford in another place. All representations were totally appropriate. It was totally appropriate that the members representing the district should make representa-

tions on behalf of their constituents, and a number of meetings were held.

Representations were also made both for and against that initial policy. It is probably fair to say that the representations I received from the local members related to their concern for those people, organisations and investors who wanted to make significant investments in areas within the South-East of the State and within the area about which we are talking, as far as this resolution is concerned. It was felt by a number of those people who made representations to me that large investors would be disadvantaged as a result of that particular policy. There is nothing surprising about that, either, and that has been recognised since.

As I said earlier, I believe that both the original motion of the member for Kaurna and the amendments contain elements of a political agenda. Again, I do not see anything particularly wrong with that.

Mr Hill interjecting:

The Hon. D.C. WOTTON: I agree with the member for Kaurna: I am making the point that I do not see anything wrong with the political elements that are contained within the motion and the amendments. It is more important, I believe, to concentrate on current issues. It is vitally important that we obtain a policy which provides a fair water allocation for the South-East of the State and which recognises the significant issue that water itself is a vital resource. Nowhere is that more significant than in the South-East of South Australia. We realise that because it is fair to say that both the Independent members in this Chamber are here, to a large extent, because of this very issue, and that explains how significant the issue is, particularly in the South-East of the State.

The allocation of water and the general subject of water availability as a resource is probably one of the most significant issues in South Australia and, of course, throughout Australia. I have said on a number of occasions that, in the future should there ever be a civil war in Australia or in this State (and I sincerely hope that that is never the case), it is more likely to be fought over water and the allocation of water than anything else because the issue is of such significance.

I have had no involvement in providing a policy since I left the portfolio. I am disappointed that that is the case because of the significant information I have gained, but there is nothing more ex than an ex-Minister, and that opportunity has not been provided. As I said earlier, I believe the amendments contain many things that could be implemented without the establishment of a select committee. It is vitally important that those matters are dealt with as a matter of urgency.

Ms WHITE (Taylor): I support the motion moved by the member for Kaurna. I will speak only briefly, because I did raise all the issues about which I want to remind members when the House debated two of the water catchment management plans and the debacle the Minister for Environment and Heritage caused with respect to those plans. However, I believe it is very important, as we vote on the motion and the amendment moved by the member for MacKillop, that members be aware of the disadvantage being experienced by—

Mr McEwen: It was my amendment.

Ms WHITE: I apologise: the member for Gordon's amendment. The people of the Northern Adelaide Plains are disadvantaged far more significantly than the people who are the subject of this amendment. I understand the politics of this place. While it is our preferred position that the original motion—which sought much broader terms of reference that would encapsulate the Northern Adelaide Plains and other areas apart from the South-East—may not, for political reasons, be passed, from my point of view the amendment is the second best option.

At least the issue will be discussed and, hopefully, any benefit that is derived from that inquiry will translate into benefit for my constituents. My constituents in the Northern Adelaide Plains are paying three times the water levy paid by South-East water users. In effect, people living in the Northern Adelaide Plains are to pay a 1¢ per kilolitre water levy, not .3¢ per kilolitre. There is quite a discrepancy across the State in terms of what people are being charged. The reason put forward as to why my constituents will pay three times as much as many other members' constituents is that there are fewer people in that area for the water levy to be shared around.

This Government is taxing my constituents at three times the rate because it wants to collect this arbitrary figure. The Government does not have the projects in the Northern Adelaide Plains worked out. An absolutely disgraceful plan for both the Northern Adelaide Plains and the Barossa regions was brought before the House; it had a nebulous budget and contained no details or any indication of how the money would be spent. The Government simply knew that it had to raise the money; it had to raise an amount of money equivalent to some other board in the State rather than determining what water it would use this year and what money needed to be raised. The Government wanted to make sure that my constituents did not get used to paying the same level of tax as other constituents because, straight up front, in this first year, it wanted them to get used to paying three times the tax that other residents around the State are paying. It is outrageous.

I would have liked the original motion to pass unamended so that this issue and my constituents' situation could be included in this investigation. However, I understand that the best that the Opposition can achieve today is to have the amendment passed. So, if this inquiry is to proceed, I ask members to spare a thought for the people of Virginia and the Northern Adelaide Plains, who have been absolutely trounced by this Government and who have received a very shoddy deal. What access did they get to the Minister, and what response did they receive from the Minister? There was a six weeks consultation process, during which time none of them was consulted.

Mr WILLIAMS (MacKillop): It is with some reticence that I support the principle of setting up this select committee, and in a few minutes I will move a further amendment to that already moved by the member for Gordon. I believe that the House is already well aware of my thoughts on this issue, but I would like to address some of the comments just made by the member for Taylor about the treatment of some of her constituents. I do not know whether the House is aware of this, but some of my constituents are not only paying a water levy for the privilege of using underground water but they are also paying a drainage levy, because the Government has decreed that there is too much water in their area and it has to be drained away. The northern part of my electorate is currently host to a $24 million drainage scheme to drain ground water to the sea but, at the same time, those people are

charged a levy if they happen to use some of that same ground water to irrigate.

That highlights some of the policy problems that I have been trying to address over the past 18 months, and it is one of the stark inconsistencies that occurs in my electorate. It is one that is slightly more stark than some of the others, but it does point out that there are many problems in this policy area. I agree with the member for Heysen, who spoke a little earlier on this and said that he still believes that the original policy that he brought out in May 1997 was much closer to a fair and equitable policy than what we have now. I have consistently supported the original policy that the honourable member (the then Minister) brought out—although I have acknowledged many times in public that that policy did mitigate against—

Mr Atkinson: Militate against.

Mr WILLIAMS: —thank you—militate against those developers who wished to establish large irrigation-based enterprises in the South-East. I still believe that, with some slight modifications to that original policy, all irrigators, potential irrigators and landowners in the South-East could be accommodated.

Since this motion was first moved in the House, I have been negotiating with various members of the Government—principally, the Deputy Premier—and I would like to place on record my thanks to the Deputy Premier for the way in which he approached those negotiations. I believe that he approached those negotiations in good faith and that we have come a long way. My opening comments about my reticence in supporting the motion reflect the fact that I believe that the negotiations I had with the Deputy Premier came very close to bearing substantial fruit. However, my constituents do expect some action.

I have been working on this policy area for some 18 months: some six months before coming in here as the member for MacKillop, and certainly in the past 12 or 13 months as the member for MacKillop, I have devoted a lot of my time to this issue. Today, I suppose, is D-day: it is D-day for both the Government and me over this issue and I find that, at this stage, to keep good faith with my own conscience and with my electors, I have to support the principle of this motion, and I say 'the principle of this motion' because I believe that it will be amended.

I will reiterate what I see as the main problem in the South-East. I have been misquoted in the South-East in various media and by various people with respect to what I am trying to establish. For the record, I will once again reiterate what I believe should be happening in the South-East as far as water allocations and water management policies are concerned. I have never suggested that we should do anything that is not consistent with long-term sustainability. Many people in the South-East talk about sustainability thinking 10 years hence. I talk about sustainability thinking hundreds of years hence, in full knowledge that worldwide experience shows us that very few irrigation systems have survived more than 100 years. In fact, the average life span of irrigation systems tends to be in the order of 25 to 50 years. That is the first principle.

The second principle, which I accept and would like to see adopted in the South-East, is that all existing water use be protected. Even though I believe that some of those licences were gained to the detriment of the neighbouring land-holders of some of the existing irrigators, I do accept their position and the fact that they have gained licences to use water legally and have, indeed, spent considerable sums of money in setting up infrastructure and developing businesses around that water use. I have no desire to upset that.

What I do have a desire to upset is the speculation that has occurred in the South-East with respect to water licences. That speculation has occurred because water licences have been seen as a property right separate from the land. There are many questions to be answered with respect to this issue, and I do not believe that the people driving this policy—and, indeed, earlier policies—have grasped the concept of land values and land valuation. Today, valuations on farm land in the South-East are increased if a land-holder has a water licence. We have not yet seen the Valuer-General decrease the value of land where a land-holder does not have a water licence.

Mr Lewis: He should.

Mr WILLIAMS: He certainly should, as the member for Hammond points out, because we have not created a new set of wealth: we have just transferred it. That is the nub of the problem; we have transferred this wealth. So, I would like to see us get away from this mind-set that the water has an intrinsic value separate from the value that can be gained from productive use of that water. That is the basic principle behind what I am trying to establish. I wish to amend the member for Gordon's amendment. I move:

Leave out paragraphs (d) and (e) of the member for Gordon's amendment and insert:

(d) develop a clear set of guidelines for the management and allocation of ground water in the South-East;

and leave out '4 March' and insert '25 March'.

The Hon. G.M. GUNN (Stuart): This is a very important issue, because the future well being of the citizens of this State is tied up in South Australia properly managing its water resources. As someone who represents the driest part of South Australia and who has lived in a locality where people have had to supply their own water, I clearly understand the importance of Parliament being involved in the most constructive consideration of these issues.

Having sat through the hearings of the Economic and Finance Committee when the water catchment boards were under discussion, I have to say that I was appalled at some of the information and at the failure of the people who came before the Economic and Finance Committee to have any understanding of accountability or to have their feet on the ground. What appalled me more was that they thought that an appearance before the Economic and Finance Committee was a formality, that the committee's role was to rubber-stamp their proposals. I am pleased to say that—

Mr Lewis: You sorted them out, did you?

The Hon. G.M. GUNN: Some of them had a rude awakening and they did not take kindly to it. The matters were then quite properly put before this House, and that is what this House is elected to do. The Economic and Finance Committee already has responsibility for some of the matters referred to in the motion moved by the member for Kaurna. Each time these people come back before the Economic and Finance Committee, I intend to give the matter the closest scrutiny possible. It is appalling to me that an executive officer of a water catchment board is to be paid in excess of $90 000, yet these people did not have a proper plan or know what they were going to do with the resources at their disposal. They are legally collecting money from the taxpayers of South Australia yet they had no proper focus. The executive officer certainly had a focus, and he was paid

more than ordinary members of this House in an unelected position.

If nothing else happens, the very process of this select committee being debated in this Chamber will focus the attention of the people who need to know. We all know what has taken place in the South-East and clearly something is amiss. Everyone should be treated fairly and, just because someone happens to be in the right position or has the right information, they should not get an advantage over other people who have been going about their business and have not had the same opportunity or ability to be brought up to the mark and therefore miss out. I do not agree with that philosophy.

As a farmer who draws water from an underground aquifer, the quality of which has deteriorated rapidly, I understand that these resources have to be carefully, sensibly and practically managed. I hope that the process which we are going through this morning will do a great deal of good for people in the South-East, because we all know that there is great potential for irrigation in that district. We all know that it is a productive part of the State and we want to see that productivity continue into the future and ensure that all people have equal access to those resources.

I do not have a great problem in supporting the amendment and the further amendments moved by the member for MacKillop, but I am concerned that this matter has been around for 12 months and is still not resolved. I am concerned that it be resolved as quickly as possible so that it can be put behind us and the people can focus on the real issues in the South-East. It is most unfortunate that it has had to come to this. I do not know where the intransigence is but, when the legislation that brought about this situation was before the Government back-bench committee, I decided to go along to one or two of the meetings, although I did not participate. Some members of the bureaucracy were less than prudent. I locked horns with a few of them and it was an interesting exercise.

When these water catchment boards start extending their tentacles into my constituency, I look forward to some challenges. My constituents will not tolerate having executive officers paid in excess of $90 000, being set up in flash offices with hot and cold running secretaries and motor cars. They will not tolerate that, because most of them are battling to make any sort of a living, and they are having the greatest difficulty providing a decent education for their children. I am not in the business of letting fat cats get set up. Even worse is the fact that the people who are on the boards are unelected. I am a firm believer that, if people have to pay a charge or a levy, there has to be an absolutely open, free and transparent process in the boards. When outsiders have the power to raise a tax or a charge, those who pay it have a right to some say.

The only protection is the Economic and Finance Committee, and some of the people involved tried to treat the committee with disdain, and they got the result they deserved. If the same process recurs, they will get the same result again. The committee takes umbrage when the information given to it in the two hours available is contradictory, yet they wonder why. The allocation of water resources in the South-East has to be completely open, it has to be transparent and the people involved have to feel free to participate. They must have some say as to who goes onto the catchment board and they have to be confident that everything is free and aboveboard.

I believe that the previous Minister for Water Resources gave his best endeavours to this matter and was very close to achieving a reasonable result. We all know that new legislation always needs some finetuning. I believe that he would have achieved those objectives. The question now is whether the House will support the select committee. I am inclined to support the amendment and the further amendments because I believe that the process in the South-East has gone too far, and it needs to be cleared up in an open, frank and free fashion so that everyone can feel happy with the result.

The Hon. R.G. KERIN (Deputy Premier): One thing that people need to keep in mind in this debate is the absolute importance of water and the way that it is creating terrific development within the State. There has been a lot of speculation in the South-East over the last couple of weeks about the discussions that have been occurring, and quite a lot of that speculation has been incorrect. There have been many hours of discussion with the members for Mackillop and Gordon and a lot of that has been constructive. The negotiations were not as often speculated. The members were not trying to close down any of the existing operations, so some of the fears were unwarranted. Basically, the discussions were about equity and a range of other issues concerning constituents in the South-East.

Although a certain amount of agreement was reached, because of the legislation and the powers that lie with the board, not the Government, some of the requests are the responsibility of the board, not the Minister, so an agreement has not been possible. I regret that a select committee will be established but, while that operates, I encourage the members for Mackillop and Gordon to continue to talk to the catchment board so that local interests continue to be addressed and so that progress in the South-East continues. We do not want to get into a state of paralysis, which can come about if the select committee process becomes a political exercise. I would urge the committee to concentrate on water and how this valuable resource can bring prosperity to the South-East and the rest of the State.

Mr De LAINE: Mr Speaker, I draw your attention to the State of the House.

A quorum having been formed:

Mr VENNING (Schubert): I support the motion and the member for MacKillop's amendment. I have a lot of sympathy for the member for MacKillop's position, being a farmer and having a reasonable knowledge of the South-East. Since the honourable member was elected to this House as an Independent, it has been difficult for him. The issue of water was one of the main reasons he was successful in being elected. As members would know, I represent the Barossa region. Water—or the lack of it—is the only impediment in the way of the future of the Barossa, and it is an important issue for not only the Barossa but the whole of South Australia. As time goes by, we realise how important it is. The people of Adelaide should realise how important it is, because we rely completely and totally on the Murray. I cannot bear to think about what would happen if we had an outbreak of amoeba in the Murray River. What would Adelaide do for its water—and I am talking not about water for our gardens but about water for drinking and domestic uses? Water is an important issue, indeed. I can understand why it is a difficult area in which to legislate, and we are finding just that with this matter.

The Barossa is one of the world's greatest wine regions, and it can go from strength to strength. Water is the only limiting factor. I agree with the member for Stuart and I share

his concerns about our creating several new bureaucracies all over the State, but where are the checks and balances, particularly given that they can turn around and pay themselves these large amounts of money. We are criticised for the level of our salaries, but some of them are being paid more than we are, and we certainly are accountable to the people. I wonder whether these people are. Many of the people who pay levies to these boards are battlers; they are blockers who really have great difficulty in raising the levies. When you see money spent in this way, it does raise a question. Who applies the check and the balance?

Water licences are regrettable. I would prefer not to license water, because people have the mentality, 'It's my bore. The water comes out of the ground, and it is my entitlement.' We all know that we have no choice but to license the use of water because we are depleting the resource—whether it be water from rivers, underground water or new dams. I say 'new dams' because I believe existing dams should remain. We have no choice but to regulate the use of water in South Australia, because it is—and we have heard it before—our most valuable resource. Water resources—particularly underground water—belong to the land above. When allocating a water licence, that has to be one of the chief criteria—and the member for MacKillop and I have spoken for hours on this issue. When an allocation is made, the owner of the land should have the right to assess whether he wants the allocated water. If not, it is taken up by a current user of water. The water goes with the land in the first instance.

We have had many discussions about land values; in fact, we had one just the other day. I get upset when people whose properties abut vineyards have their land valued as a vineyard, then have to pay rates on the new value but do not have a water licence because they do not have a vineyard. I do not see how the value can relate to potential use as a vineyard when there is no water allocation.

An honourable member interjecting:

Mr VENNING: That does not affect me personally, but it affects some of my constituents in the Valley. I do not have either a vineyard or a water allocation.

Ms White interjecting:

Mr VENNING: No, I don't: I would declare it if I did. Certain dairymen and graziers with sheep and cattle in my electorate whose land abuts a vineyard are having that land revalued as a potential vineyard. One can understand how upset they get when their rates go up by three and they do not have a licence or a water allocation. One can understand that that is why they get upset and why the local member gets a phone call, particularly when some of these levies are high. All they are doing is supporting a bureaucracy.

I have a lot of sympathy for what the member for MacKillop said. He and I have spent many a late evening—because he is one of those members who stay late at night, as do I—talking about these issues. I regret the necessity for a select committee but in this instance it is probably the only way we can lay out and reassess the matter. Water has a value, and we all know that. It is a tradeable commodity. That is what makes it so difficult. The question is, when we made initial allocations, how did we hand them out. People have said, 'I want an allocation because I use so much water', and they have been given it. I had some difficulty with that. As most members would realise, I was part of the team that worked on the original water Bill, under previous Minister David Wotton. Four or five of us put in hours of work. This problem came out mainly through regulation. The water Bill was a difficult and important Bill, and it was supported generally by both sides of the House as being inevitable.

In Bills such as this there are always anomalies and people get caught. By way of example, in my electorate a person had a farm with two dams on it. It turned out he was not able to pump water out of his own dams, which had been there for 40 years.

Mr Hill: Damn shame.

Mr VENNING: Dead right. The honourable member has done his homework. I congratulate the Minister. We did a lot of work on that. Eventually not only has my constituent been allowed to pump water out of his dams but also he has been allowed to desilt them. I have not had any recent correspondence with that constituent, although I saw him three weeks ago and he was quite happy. There are a lot of problems in this matter. As I said, I was part of that original committee, and I appreciate the work done by the Hon. David Wotton, the committee and the several members who were on it. I can understand the problems involved. I did not want to see us form another select committee, but in this instance we have no choice, because we need to set it all out and go through it all again, particularly when we are arguing about the regulations.

It is a very difficult issue. Some people have the mentality that they have always had to water: that is, it is their bore; they paid to put the bore down; and they cannot understand why we should put a meter on their windmill. However, we have no choice because, as we said, the resource is depleting and it is a very serious issue. I support the motion and amendments by the member for MacKillop and let us hope that, at the end of all this, we come up with a fair and equitable system.

Ms RANKINE (Wright): I support the motion moved by my colleague the member for Kaurna. Quite clearly, this is a very significant issue and one affecting every South Australian. Governments, no matter what their political persuasion, must take a lead in a range of environmental issues. This never was and never will be an easy task. There will always be competing and conflicting views. There will be competing and conflicting issues and demands, but they can and must be balanced. To not do this will ensure, ultimately, the demise of our industries, our primary production, our jobs, our environment and our health. There can be no argument that one of our most precious resources is water. I believe that the establishment of water catchment boards was a responsible step by the Government to ensure proper management.

The responsibility of these water catchment boards is to develop the best practices. We need to ensure that water availability and quality are monitored; that more appropriate and cost-effective management is put in place; that policies for water use are developed; that our catchment areas are protected and flood minimisation projects developed; and that educational projects are developed in order to educate water users, industry and the community generally. There is no doubt that this State is heavily dependent on our wine industry, for example. The wines produced in the Barossa, the Riverland and the Coorong continue to gain national and international acclaim, bringing valuable income as well as recognition to our State.

Every South Australian benefits from the quality fruit and vegetables produced in the Riverland and Virginia. How lucky are we to have our major vegetable growing area located within an hour's travelling time of the city centre. Every South Australian benefits. We have a clear responsi-

bility in this House to ensure that the vital and precious resources on which these enterprises are so dependent are managed efficiently, that the supply is sustainable and that it is distributed fairly. I will return to that point in a moment. First, however, I will take a moment to raise a particular concern I have about the current funding of water catchment boards.

The establishment of the Barossa Water Catchment Board, which includes my two local councils of Tea Tree Gully and Salisbury, was a matter of some real concern to these councils. Both councils have initiated a number of innovative projects over a period in relation to our waterways, storm-water management and pollution controls. The enormous area covered by the Barossa Water Catchment Board means not only that the people of Tea Tree Gully and Salisbury have paid for the initiatives of their councils but that they will now pay a levy to fund projects in the Barossa, Playford and Light council districts. However, as I have said, it is to the benefit of every South Australian that the water resources used by the grape growers in the Barossa are managed properly and it is to the benefit of every South Australian that the use of the underground water supply accessed by market gardeners in Virginia is sustainable.

However, it is not just the responsibility of those people living in the area, yet they are the ones who are funding the management. This is not fair, it is not reasonable and it simply does not make sense. The same issues apply to the South-East, and the former Minister for Environment and Natural Resources (Hon. David Wotton) in a ministerial statement made to this House on 5 February last year made exactly this point, as follows:

> The management of the South-East's water resources is extremely important, not only for the people of the South-East but also for the State.

He also made the point that it was vital that this precious resource be fairly distributed and the rights of legitimate users protected—and that is where the crunch is coming in the South-East.

What we have seen happen is that the interests of those with the dollars have taken priority over those who have worked in this area for generations. And from where did the Minister get his advice on this? In a speech to this House again on 5 February he lists the Hon. Angus Redford, MLC, the Hon. Jamie Irwin, MLC, the then member for Gordon (Hon. Harold Allison) and the former member for MacKillop (Hon. Dale Baker). This is a matter which the member for MacKillop has raised on a number of occasions and which is a very valid one indeed. With the history of this Government, we need to look very carefully at what is going on.

The member for Heysen today spoke about a range of meetings that have taken place—and no-one disputes that these issues should be discussed and discussed in depth. Indeed, in his speech the then Minister also went on to make a number of important statements. He said, for example:

> . . . the use of the different allocation and management policies will be fully discussed within the South-East during preparation of the water allocation plans under this new Bill.

He also said:

> Any new policy would receive wide consultation before being adopted. . .

It would seem that this Government does not really know the meaning of consultation, and we have seen that in a number of areas that have come before this House in recent times.

We have had the Farmers Federation recently saying it wants less political interference in the South-East. Well, this is an issue that has become very political and will remain so until such time as it is settled. The federation believes that the local catchment boards should be charged with the task and be allowed to get on with it—well, that is not the view of a lot of members of Farmers Federation, I would venture to say—and the political storm about the water allocation must be frustrating for the local board. It is not nearly as frustrating as it is for those farmers who are being denied access and getting a raw deal in this particular issue.

I have to say that I am extremely disappointed and concur with the comments of the member for Taylor that the amendment moved to this motion is clearly second best. Once again, we have members from the South-East referring everything to that particular area. They need to learn that the State does not start and end in the South-East; that this is an issue affecting all South Australians quite considerably and it needs to be a wide-ranging select committee.

Mr LEWIS (Hammond): Mr Speaker, on a point of order, may I ask for your guidance? Is it possible for me to speak narrowly in the first instance about the proposed amendment to the amendment, or do I need to address the entire matter?

The SPEAKER: The honourable member can canvass either the original motion or any of the amendments.

Mr LEWIS: Thank you, Mr Speaker. Then I will do so on all fronts in sequence. The amendment to the amendment I have no difficulty with except that it is ambiguous. The 'South-East' is a generic term which is a bit like a movable feast, you never know quite where the boundaries are—and that is my problem. I do not know whether my willingness to support the amendment to the amendment will result in the inclusion of the area presently serviced by the water which up-wells in the Murray Basin in the Mallee and which is available in what is called the Upper South-East (east of Coonalpyn and Tintinara); and, whilst a nod or a wink from the member for MacKillop might indicate to me and the rest of the House at this moment what he had in mind, the words he has used are not very explicit in that respect.

So, I support that proposition in principle. If it involves water coming from the Murray Basin in that way, then it will complicate the decisions being made by a catchment board yet to be formed in the Mallee dealing with the Murray Basin and that water resource. It arises as a consequence of the discontinuity of the Hindmarsh clays. The water comes from the Grampians moving north-westwards and rises through that discontinuity, and in that up-welling comes close to the surface, indeed, breaks the surface in some places such as Butchers Soak and so on.

Consequently, whatever is recommended under the terms of the select committee for the area around Coonalpyn and Tintinara (which is presently not proclaimed but should be) will have an effect upon the future allocations made in the Murray, where 'Murray' is used to describe the basin. It is a bit of a misnomer, because it has nothing to do with the River Murray. It does not get its recharge from any of the tributaries or the Murray itself: it gets its recharge from the precipitation in the Grampians. Having said that, unless I hear someone say so to the contrary, I trust that the committee will restrict its consideration of the matter to the area defined as the responsibility of the South-East Water Catchment Management Board. I thank the member for MacKillop for that memo during the course of my remarks.

Let me now talk about the matter in general. I agree with the proposition that water and land should be separated. There is value to land in consequence of the fact that water is available but not necessarily attached to the land. That land has more value than land which has no underground water, even though it may not have access to the water. In a good policy framework, however, the owner of the land or someone who leases the land from either the Government or a private person should be able to buy the water and, indeed, in most places can buy access to the water, either for an extended period of several years or for one season, and use the water on that land.

That will enhance the value which is obtained by the way in which the water is used. The value I am talking about is the value which comes to the community by the expansion of the gross domestic product. That is what we want to do when we use this water: expand the amount of dollars which we earn from it as a State and increase the number of jobs. If we pursue policies that do anything other than that, then we are mad: we are going back to the problem which legislators in this place 100 years ago set out to solve when they introduced land settlement legislation which made it lawful to simply compulsorily acquire large tracts of land out in the Mallee and elsewhere in the now settled areas of the State and subdivide them according to the best information available of the day into units for families to farm.

That became very important in the context of settling into a stable lifestyle the soldiers returning from the Great War, the First World War of 1914-18. Those land settlement provisions in law for compulsory acquisition were used again to get more efficient use of that resource, the land. We should treat the water in the same way by ensuring that it is used in response to market forces in the most efficient way it can be used for the production of anything, whether it is olives, vines, pasture or whatever. The business types which can make best use of that water and which are prepared to pay most for it ought to be able to bid in competition with each other and other types of producers or users in order to obtain it, including in that people who want to be fish farmers.

Having made that point, I want now to be as brief as possible in my subjective appraisal in very immodest fashion. I have been in this place now for over 19 years. Before I came in here, I had clients on four continents to which or to whom (whether corporate or individual) I gave advice about the development of water resources available to them for irrigation purposes. I refer to water resources in many instances that were not in any way being exploited up to that point in time. In other instances it was underground water in Upton, California, near Pomona, where the basin was collapsing.

Those four continents have a variety of different climatic circumstances in which the water occurred and which therefore dictated the kinds of crops or other enterprises to which the water could be applied. In this country I had clients not only in Tasmania but also in every State and Territory on the 'north island', with due respect to the Tasmanians, otherwise called the mainland. Those clients were for a variety of crop types.

I am making these remarks in a way which is other than self-deprecating because I have never been appointed as a member of a select committee in those 19 years that I have been here—and I believe it is unlikely that I will be in this instance—but I make the point that, if we as members of Parliament were less modest and more willing to share information about ourselves, we might find ourselves able to contribute to the outcomes we seek as a House of the Parliament in the inquiries we make by ensuring that we put those best qualified, rather than those with whom we wish to curry favour, into those jobs.

I do not think I have time or need to further elaborate on that point, but 19 years in waiting is a fair while. Just because I am willing to tell people what I think they need to know rather than what they might necessarily like to hear is no reason at all to ignore a contribution I could otherwise make to a more satisfactory outcome. I make that point not only in this context but in the general context as an observation.

Finally, I wish the committee well. I will be supporting the proposition to amend it. I commend the member for Kaurna for having brought the matter before the House. I commend also the contribution made and the amendments proposed by the member for Gordon and the further refining of that by the member for MacKillop. I hope that the committee takes appropriate expert advice on those matters and can unravel the problems there, and that it brings back some recommendations of the kind which will address the ideas I have put down in the course of the remarks I have made this morning.

Mr HILL (Kaurna): I will not take much more of the time of the House to conclude my remarks today. I thank all contributors to the debate. Many of those now supporting it would not have made the decision to support the select committee if the member for MacKillop had not moved his amendment and indicated his support for the select committee. I particularly thank the former Minister (the member for Heysen) for his contribution. I think his references to civil war are particularly apt. This issue in the South-East has very much represented civil war, particularly in the Liberal Party.

It was interesting in that context to note the presence here today in the gallery of the Hon. Angus Redford, a member of the other place, who is the duty member for the seat of Gordon and who is shadowing every step of the way the member for Gordon. If he is a brave man, the Hon. Angus Redford will be the Liberal candidate in the seat of Gordon at the next election and, with a little bit of help from his friends, I can assure the member for Gordon that we will ensure that he is re-elected to this Chamber.

Also I thank the Independent members for their contributions to this debate, particularly the member for MacKillop, who has done something he did not want to do. It is a brave act for him but, when it boiled down to it, he had to make a decision between his own electors and the Liberal Party. You cannot serve two masters, and I think he has made the right decision to serve his own electors.

In the few weeks since moving this motion, I know that the member for MacKillop and others have tried to broker a deal to settle the issue in the South-East. I know that the Deputy Premier has tried very hard to get a deal arranged. Unfortunately for both him and the member for MacKillop—and the Liberal Party generally—the Minister for the Environment and Natural Resources has been unable or unwilling to engage in such a deal. She has been inflexible on this. She has not been prepared to back the Deputy Premier. That says something equally interesting about the Liberal Party, but it is not an issue I will address today.

This whole sorry saga over the last 18 months has resembled one of the best kinds of soap operas. The only thing missing from it has been sex! It has had power, money, politics, allegations of corruption, secret meetings and secret deals behind closed doors.

I have been criticised in the media in the South-East for raising this, because it has been said that I have been trying to introduce politics to this debate. I would say to all those in the South-East that politics have been absolutely involved in this issue from the very beginning. Eighteen months ago the then Minister (Hon. David Wotton) brought before the people of the South-East a way of handling the South-East water issue—and he was nobbled. He was done in. At that very point politics came into this, and they have not left to this very day. I would like briefly to go through what I believe are the key issues the select committee will have to investigate, as follows:

1. What made the former Minister (Hon. David Wotton) change his mind in the middle of last year?

2. What role, if any, did the former member for MacKillop (Hon. Dale Baker) have in the decision?

3. Was there a meeting involving Baker, the Premier and then Minister Wotton which overturned the policy, as has been alleged by the current member for MacKillop?

4. What rights and liabilities have been established by the various policy positions put by the current Minister over the past year?

5. What should a fair, equitable, sustainable (both environmentally and economically) water policy look like in the South-East?

I am disappointed by the amendments, because they narrow the terms of reference somewhat. I wanted a select committee that could look at the allocation of water across the whole State, because the issues that are written large in the South-East are written in smaller detail all across this State. There are issues in the Barossa area, as has been suggested earlier today by the member for Schubert; there are issues in the northern plains, as the member for Taylor has indicated; there are issues in the McLaren Vale area; and there are issues all over the State about the allocation of water. These issues will not go away.

A select committee could have investigated these issues as well as issues in the South-East. However, I accept the reality that the South-East will be the focus of this committee's report. The committee has until the end of March to do its work. If there are serious concerns, I hope that the House will agree to setting up a further committee to look at the issues in other parts of the State. I commend the motion to members and indicate that I will accept the amendments.

Amendment to amendment carried; amendment as amended carried; motion as amended carried.

The House appointed a select committee consisting of Messrs Gunn, Hill and Ingerson, Ms Rankine and Mr Williams; the committee to have power to send for persons, papers and records, and to adjourn from place to place.

SECOND-HAND VEHICLE DEALERS (COMPENSATION FUND) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 5 November. Page 213.)

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): On a point of order, Sir, the Government's advice is that this Bill is a money Bill, and as such—

Mr Atkinson interjecting:

The SPEAKER: Order! The Chair wants to hear this.

The Hon. M.H. ARMITAGE: The Government's very strong independent legal advice is that this is a money Bill and, as such, it is the Government's view that it ought to be discharged. Whether it is discharged we believe is a decision for you, Sir, as Speaker. Standing Order 232 quite clearly provides that money Bills are to be introduced by a Minister. On our advice we would contend that this Bill ought to be discharged, and we await your decision.

The SPEAKER: Order! It has been put to me by the Minister that this Bill is out of order as it is a money Bill, which can only be introduced by a Minister. In my view, the proposals contained in the Bill do not significantly change the purposes of the principal Act and, indeed, with a different drafting style of words, the changes from the original wording would amount to only a few. To argue that by deleting words authorising payment of compensation out of the fund and reinstating the same words amounts to appropriation cannot be sustained. In support of that view, I draw members' attention to Act 19 of 1986, wherein the earlier Second-hand Motor Vehicles Act 1983 had a similar provision deleted and largely reinstated.

That Bill originated in the Legislative Council and passed the House of Assembly without amendment. By definition, and in the absence of a Governor's recommendation, that Bill could not have been a money Bill or be deemed to have appropriated revenue. The question that must be asked is: if it was not a money Bill in 1986, why is it a money Bill in 1998? In 1943 a private member sought to include a new clause in the Soil Conservation Act Amendment Bill, the effect of which was to authorise the Minister to compensate landowners at his discretion if certain notices were issued. On a point of order being raised, the Chairman of Committees ruled that, as the proposed new clause neither appropriated revenue nor authorised any expenditure not already covered by the principal Act with which the Bill when passed would be incorporated, the proposed new clause was in order. In my view this Bill is properly before the House and may be proceeded with.

The Hon. M.H. ARMITAGE: On a further point of order, Sir, I readdress my question to you not in the context of whether the Bill was a money Bill in 1986 but whether it is a money Bill in 1998. You posed the question to the House: if it was not a money Bill in 1986, why is it now? With the greatest respect, I am not debating whether or not it was a money Bill in 1986. I contend that, on our independent legal advice, it is a money Bill in 1998.

Members interjecting:

The SPEAKER: Order! I would have thought that, if a matter was going to get down to a legal argument, the Chair would have been acquainted with all these legal arguments before the matter was raised in the Chamber. From my discussion and my consideration of it thus far, I cannot vary from the decision I have made. If this proposal went through the Legislative Council on a previous occasion and was not considered a money Bill then, I do not know that it can be considered a money Bill now. I have made a ruling that I am prepared to allow the matter to proceed this morning. If members want to disagree with my ruling, it is up to the Chamber.

Mr ATKINSON (Spence): The Opposition supports the principle of the Bill. Indeed, more than a year ago we tried to introduce this same measure on an amendment to the parent Act and the Government said that it would do something about it. It was not the Government that did something about it in the end but the member for Gordon. I support your ruling, Sir: it is absolutely correct and is reinforced by section

60(2) of the Constitution—a provision that the Minister for Government Enterprises and his legal advisers have carefully avoided in this debate because that subsection puts the question beyond any doubt. This is not a money Bill.

It is licensed second-hand motor vehicle dealers who have to pay into the compensation fund. It was a great blow to them when customers of the failed auction house Kearns were able to recover money from the fund, even though auction houses did not pay into that fund. As things stand, customers who deal with backyarders—dealers who are not licensed second-hand motor vehicle dealers—can recover money from the fund even though they have not been dealing with a licensed motor vehicle dealer.

This is a most unsatisfactory situation. The compensation fund is there to indemnify people who deal with licensed second-hand motor vehicle dealers. In the Opposition's view, the only situation in which customers should have access to the compensation fund when they do not deal with licensed second-hand motor vehicle dealers is where that dealer is ostensibly licensed; where the customer reasonably believed that the motor vehicle dealer with whom they were dealing was a licensed motor vehicle dealer. That may occur when a licensed second-hand motor vehicle dealer loses his licence but continues to trade with the invalidated licence still displayed on his premises and the customer has a reasonable belief that he is licensed.

In those situations, where the dealer goes belly up and the customer is unable to have the warranty on his or her vehicle fulfilled, then, yes, there should be access to the fund. The member for Gordon's Bill achieves that, and that is why the Opposition will support the member for Gordon's Bill. If the Government wishes to amend the member for Gordon's Bill and add some minutiae to it, we will not resist that.

The Hon. M.H. Armitage interjecting:

Mr ATKINSON: We believe that the member for Gordon's Bill is the appropriate vehicle to make these changes. We have no difficulty with lifting the corporate veil and directors being liable in certain circumstances when they are party to a decision that leads to losses, but it is best achieved by making those amendments to the Bill introduced by the person who was most concerned about this issue, that is, the member for Gordon. The Opposition foreshadowed these changes a year ago. The Government promised that it would introduce them. It did not.

The only thing that has prompted the Government to act is the member for Gordon's private member's Bill. We will be supporting that Bill. It is the appropriate mechanism to use. The games that have been played by the Minister for Government Enterprises on this are childish. They are political games of the worst kind for which members of Parliament rightly stand condemned. I am glad that we have seen our way clear to get on with the member for Gordon's Bill and I support it.

Mr HAMILTON-SMITH secured the adjournment of the debate.

HEROIN TRIAL

Adjourned debate on motion of Mr Hamilton-Smith:

That this House establish a select committee to investigate whether the Government should conduct a scientific, medical trial to determine if the provision of injectable heroin as part of a program of rehabilitation improves the community's ability to attract and retain into abstinence treatment drug misusers who are committing crimes, at risk of transmitting HIV or at risk of death or serious injury as a consequence of their abuse.

(Continued from 26 November. Page 447.)

Mr CLARKE (Ross Smith): I will be brief, because I am aware that the member for Waite and other members would like this matter voted on this afternoon. I support the motion. I believe that the time for a select committee has passed. I can understand why the member for Waite has moved his motion in this way but I believe that the issue of heroin trials has been debated and canvassed by health Ministers around Australia. It was agreed that a trial be undertaken in the Australian Capital Territory. The trial had the support of the Liberal Government of the Australian Capital Territory, and it had the support of all State Government's of whatever political persuasion. Unfortunately, it did not have the support of one person, namely, the Prime Minister of Australia who, for his own reasons, imposed his own will on the views of the rest of the States and all the State Health Ministers.

A number of other members have canvassed the area of community opinion on the issue of heroin trials. I think, like a number of other members, that the views of the community are, again, well in advance of this Parliament. I believe the community generally are aware that treating heroin addiction as a criminal matter rather than a health issue does not solve the problem.

We are all aware that two-thirds of perpetrators of crime who find their way into our gaols are there as a result of drug-related crimes. We all know that the dramatic increase in burglaries, home invasions and various other crimes, in large part, stems from people seeking to find money to support their drug addiction. It is well past the time for us, as a Parliament, to treat this matter as a health issue rather than as a criminal matter. If treating heroin addiction as a criminal matter were to be successful, it should have been successful in the United States. Tougher drug laws, SWAT teams and the beefing up of police resources in all communities of the United States have failed to stem the tide of heroin addiction. I support the member for Waite's motion.

I understand why he is doing it and the manner in which he is doing it with respect to the establishment of a select committee to inquire into whether or not there ought to be a heroin trial in South Australia. I would prefer that South Australia go straight to a trial. I think that the South Australian community would support such a trial. It should have happened in the ACT. It is unfortunate that the Prime Minister imposed his views on the rest of Australia in respect of that matter. I do not think that we should dally any longer with respect to this matter.

Ms THOMPSON (Reynell): I, too, will be brief in recognition of the time constraints. I am a member of the Noarlunga Community Action on Drugs Forum, which is a group of community workers and activists, professional and non-professional, who come together to try to deal with the issue of drugs in the southern area. A major forum was held last Thursday, 3 December, at which we identified the need for a wide range of actions to deal with the problem of substance abuse in our community. I will identify another opportunity for speaking more about the actions suggested by this community forum but indicate that I see the heroin trial as just one of a range of actions that is required.

I wish to endorse the remarks of the member for Ross Smith about the total inadequacy that the strategies used in the United States have demonstrated so far. We have to do

very much better than that. We have a real problem in our community which affects not just the abusers of substances, whether legal or illegal, but their whole family. We talk much about the impact of gambling on families, but we do not give nearly enough attention to the impact of substance abuse on families, although this problem has been with us for a very long time. At the moment, the southern area has 27 000 needle exchanges per month.

This is not the highest rate of needle exchange of any of the programs. Another exchange program has 36 000 needle exchanges per month. The needle exchange program has been extremely important in minimising the impact of harm from various substances, but it does indicate the extent to which there are people in our community who are not fulfilled in their lives, who are not happy and who are so desperately unhappy that they are prepared to abuse the only body they have, the only mind they have and the only spirit they have in the search for some meaning to their lives. We must not only treat the problems caused by abuse but we must also remove the incentive for anyone to find abusive substances more important and more rewarding than an active and fulfilling community life. There is a lot more to be said but, in the interests of having this matter dealt with today, I will conclude my remarks on that point and look forward at another date to addressing the suggestions of the Noarlunga Community Forum on Drugs.

Mr MEIER (Goyder): I oppose the motion, because I believe that it is too direct in what it seeks to do, from the point of view that it seeks to 'establish a select committee to investigate whether the Government should conduct a scientific, medical trial to determine if the provision of injectable heroin as part of a program of rehabilitation improves the community's ability to attract and retain into abstinence treatment drug misusers who are committing crimes'. If this motion was more general and if a select committee was to be set up to look at the impact of drugs in our society and what can be done to address that impact, it is highly likely that I would support it. However, this motion is directed. It seeks quite clearly to examine—'Yes' or 'No'—whether drugs should be issued to drug users, and I am very worried about that.

I am capable of counting numbers, and I well recognise that the vast majority of members from both sides will support this motion, because I have listened to the debate and I have also spoken to people outside the House. I would hope that, if this select committee does proceed, some good will come out of it. However, I am yet to be convinced that any trials that have occurred anywhere in the world show that the literal legalisation of heroin—the availability of heroin to drug users—is a positive thing. If I had my way, we would go down the Singapore track, where drug use was completely prohibited. It is probably one of the safest places that I have visited for many a year, and I thought, 'This is the ideal situation.' I realise that Singapore is very different from Australia and that it is much easier to control drugs there than in a huge country such as Australia. It is a much smaller country, and there is a tougher situation.

Many years ago I was totally opposed to a select committee to look into death and dying, because I felt that the euthanasia movement was pushing that inquiry. The follow on from the report of that select committee has been a massive increase in palliative care, which I support 100 per cent. I suppose that some good came out of it in the end. However, I cannot support the establishment of this select committee. The motion is disappointing in that it is so pointed in the way in which it seeks specifically to target only the trialling of the issuing of heroin to drug users.

Mr LEWIS (Hammond): Nobody should take my support for the use of heroin as being anything other than in the negative. For years I was prepared to put my life on the line on a regular basis to keep heroin out of this country and to stop people from profiting from its trafficking. And it was not just heroin: there were other drugs involved as well. Therefore, I am in no way capable of supporting a proposition that would send a message to the wider community that heroin will be available free. I have had enough to do with addicts to know that they are not human: they become subhuman once they are addicted, and they will do anything to get a free shot. If, in consequence of this committee being set up, anyone is able, by deception, to obtain heroin from the program, having stated that they will join the program and then become rehabilitated in consequence of one or other of the lines of treatment that are available to them in the investigation that might result, then withdraw from the program before they take the treatment, that will illustrate the point I am making. However, the proposition before the House now is not to do that: it is to investigate it.

So, I am one step back from where the member for Ross Smith is and I am willing to allow the member for Waite's proposition to pass. But do not anyone anywhere ever come to me and say that I supported a proposition to make heroin available to the community or any addict within the community at no cost, without that individual making a commitment through institutional care, once they were to start that program, to stay on it. I will not be a member of this select committee either, in spite of my involvement with addicts and traffickers, and prevention.

Quite frankly, I believe that we do not put enough effort into being tough on drugs. We do not provide the police who are involved in the investigation of it with enough power to do the job properly. That is why it has become a problem of the dimensions that it is today, and that is why young people mistakenly believe that it is cool. And let us not forget that heroin is only part of the scene. There are other problems which need to be addressed and which can be addressed only if we provide the additional resources necessary for the police to do it.

Mr HAMILTON-SMITH (Waite): I thank members for their contribution to the debate on this motion. As the debate has transpired over recent weeks, thousands of drug users in South Australia have injected heroin daily, and hundreds of people have suffered as a consequence of drug-related crime. I have been encouraged by both the substance and the veracity of the debate, which has shown that all parliamentarians are listening to families and the victims of drug abuse. We recognise that this problem is a whole of community problem, and I believe that there are four concerns that stand uppermost in the minds of everyone in the community, apart from those who have a loved one who is a drug abuser. Those four concerns are: first, 'Will I be robbed, attacked or broken into? Will I suffer a home invasion? Will I be a victim of crime as a consequence of drugs?'; secondly, 'Will I, or someone I love, contract AIDS or HIV?'; thirdly, 'What is it costing me, as a taxpayer, to police and provide for health support to the victims of drugs?'; and, fourthly, 'Will my children or my grandchildren be sucked into this vortex of drugs?' We need to give the people of South Australia what

they want—some answers and some solutions. This select committee will do so, and I encourage members of the House to consult their conscience and support the matter in the affirmative.

Motion carried.

The House appointed a select committee consisting of Messrs Hamilton-Smith and Ingerson, Mrs Maywald, Mr Snelling and Ms Stevens; the committee to have power to send for persons, papers and records, and to adjourn from place to place; the committee to report on Thursday 25 March 1999.

[Sitting suspended from 1 to 2 p.m.]

SPEECH AND LANGUAGE PROGRAMS

A petition signed by 63 residents of South Australia requesting that the House urge the Government to continue the current level of funding for speech and language programs conducted by the Education Department was presented by Mrs Geraghty.

Petition received.

WAITE ARBORETUM

A petition signed by 431 residents of South Australia requesting that the House urge the Government to impose a moratorium on the proposed redevelopment of portion of the area known as the Waite Arboretum and to investigate the circumstances under which development approval has been given was presented by Mr Hamilton-Smith.

Petition received.

COLONEL LIGHT GARDENS SPORTS AND SOCIAL CLUB

A petition signed by 1 040 residents of South Australia requesting that the House urge the Government to support the Colonel Light Gardens Sports and Social Club in retaining its heritage and identity in its current facilities was presented by Mr Hamilton-Smith.

Petition received.

OMBUDSMAN'S REPORT

The SPEAKER laid on the table the annual report of the South Australian Ombudsman for 1997-98.

Ordered that report be printed.

PAPERS TABLED

The following papers were laid on the table:

By the Minister for Human Services (Hon. Dean Brown)—

- Charitable Funds, Commissioner of—Report 1997-98
- Medical and Veterinary Science, Institute of—Report, 1997-98
- Occupational Therapists Registration Board of South Australia—Report, 1997-98
- Optometrists Board of South Australia—
  - Report, 1996-97
  - Report, 1997-98
- Psychological Board, South Australian—Report, 1997-98
- Radiation Protection and Control Act—Report on Administration of, 1997-98
- SA Women's Statement—Benchmarking for Diversity, 1998

By the Minister for Government Enterprises (Hon. M.H. Armitage)—

- Land Management Corporation—Report, 1997-98
- MFP Development Corporation—Report, 1997-98
- Mining and Quarrying Occupational Health and Safety Committee—Report, 1997-98
- Privacy Committee of South Australia—Report, 1997-98
- State Records Act- Report on Administration of, 1997-98
- Totalizator Agency Board—
- Financial Statements, 1997-98
  - Report, 1997-98
- WorkCover Corporation—Report, 1997-98

By the Minister for Education, Children's Services and Training (Hon. M.R. Buckby)—

- National Electricity (South Australia) Act—Regulations—Connection

By the Minister for Environment and Heritage (Hon. D.C. Kotz)—

- Simpson Desert Regional Reserve—Review of, 1988-1998
- Innamincka Regional Reserve—Review of, 1988-1998

By the Minister for Local Government (Hon. M.K. Brindal)—

- Local Government Superannuation Board—Report, 1997-98.

JOBS WORKSHOPS

The Hon. M.K. BRINDAL (Minister for Employment): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.K. BRINDAL: Last month, the State Government gave all South Australians a chance to make their voice heard on the issue of tackling unemployment. Job creation is this Government's No. 1 goal. The State Government has already invested $100 million in job creation through the employment statement. This is the largest commitment ever made to tackling unemployment in this State. We estimate that it will produce some 4 500 jobs. This is a great start, but fixing the problem is not a task that the Government can achieve alone.

Mr Foley interjecting:

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

The Hon. M.H. Armitage interjecting:

The SPEAKER: I also call the Minister for Government Enterprises to order.

The Hon. M.K. BRINDAL: We need the help of business, workers and the entire community. Employers need to think about taking on that extra staff member, workers need to put in extra effort that can help to make them more productive so their firms can prosper, and consumers need to think about supporting local industries and local businesses. Fighting unemployment needs to be done on the broadest possible front, and this Government has opened up that front. We wanted to be able to consult as many people as possible and hear their views.

This could not have been done through a jobs summit. As part of our commitment to tackling unemployment, the Government invited and encouraged all South Australians to take part in a series of employment workshops that the Government conducted across the State through November. We all know about the wealth of resourcefulness and creativity that we have in South Australia. These forums gave us a chance to tap into that expertise: 2 500 South Australians were actively involved in the jobs workshops.

The Opposition predictably rubbished the idea. The Leader, so keen on a jobs summit, where I can only assume hearing his own voice would be high on the agenda, seemed lukewarm on the idea of ordinary South Australians having their say. More spectacularly, the member for Elizabeth dashed off with a media release in a fury that there was no workshop on Tuesday 11 November, which was unsurprising given that there will be no Tuesday 11 November until 1999.

The Government chose a 'micro' rather than a 'macro' approach, going out directly to meet with the people on the ground rather than holding a talkfest in Parliament House or some hotel with the usual experts in attendance. Instead, the jobs workshops gave people at the coal face a chance to offer more detailed, grassroots and specific suggestions that met the needs of their local communities. A series of 20 workshops were held at venues across the State. The workshops provided the opportunity for those who felt they had a contribution to make to do so in a structured and constructive manner.

In addition to the advertised workshops, special focus groups for youth were conducted in eight locations and two additional workshops have also been organised for key ethnic, business and community leaders and will be held later this month. I thank all those who attended for taking part, for offering their ideas and for showing some commitment to the future of South Australia. The discussions and the ideas generated during the course of the jobs workshops were wide and far reaching. As the Government hoped, the issues under discussion often took on a regional flavour, as the workshops proceeded with much of what was suggested, having implications both for improving the efficiency of existing programs and resource allocation to new programs ranging across the three tiers of government.

Suggestions for increasing incentives for business, streamlining State and Federal Government services to create one-stop shops for business and changing the current training and education systems with added emphasis on vocational training were key themes that emerged from the workshops. A summary report of ideas raised at the workshops as well as through written submissions and a special web site will now be prepared for presentation to the Premier's Partnership for Jobs forum and used as the Government prepares for next year's State budget.

In addition, a full parliamentary sitting day in the new year is to be dedicated to debate on unemployment, giving all members of all political Parties a chance to make a constructive contribution. These workshops show that, at all levels of government, together with business, employees and the community in general, we all have a role to play in developing innovative and creative ideas that will assist in growing the employment base in South Australia. The State Government is committed to South Australia being the best place in the country to live and work. With the community's help and valuable contribution, and with the help of every member of this Chamber, I am confident that we can achieve this aim.

PARLIAMENTARY COMMITTEE ON OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): I bring up the first report of the committee and move:

That the report be received.

Motion carried.

The Hon. R.G. KERIN (Deputy Premier): I move:

That the report be printed.

Motion carried.

QUESTION TIME

LIBERAL PARTY

The Hon. M.D. RANN (Leader of the Opposition): Given the Premier's statement last year that he would sack or even gaol 'leakers' within his Government—even if they were Liberal MPs—and following claims made at the weekend by Senator Nick Minchin that there were 'one or two individuals who insist on leaking' in the Olsen Government, does the Premier believe he now has the full confidence and loyalty of all and each of his Cabinet colleagues; and, if not, will he now agree to a Party room meeting to resolve the leadership issue once and for all in the interests of South Australia?

The Hon. J.W. OLSEN: The Leader of the Opposition brings the whole Parliament down to a base political game of his. Is it any wonder that in the broader community there is disregard for a political process where in Question Time today the lead question is on this subject?

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: This is the Leader of the Opposition, who wants to sweep away the Fonlon group as though it was never happening on his side of the House. The Leader of the Opposition is attempting to cover up and paper up his position within his own Party. Be that as it may, let the Leader of the Opposition play his base political games. The Government will focus on rebuilding and rejuvenating this economy. In looking at policy thrust and direction of the Government, we have been working for some 12 to 18 months now on a Food for the Future policy that will take South Australian exports from $5 billion to $15 billion between now and 2010. That policy—

Mr Conlon interjecting:

The Hon. J.W. OLSEN: The member for Elder asks, 'What's he talking about?' I know that the member for Elder would not understand what food, food processing and manufacturing meant to South Australia or the importance of it to this State.

Mr CONLON: I rise on a point of order, Mr Speaker. My point of order obviously goes to relevance. We did not ask about the export of food from South Australia.

The SPEAKER: Order! There is no point of order. I am fully aware that it is the last day and that members may wish to make their mark this afternoon. However, I remind members that I do not have to give three warnings before I name anyone. If anyone wants to go back to their electorate early, that is fine by me.

The Hon. J.W. OLSEN: If I could educate at least the member for Elder, in his city based electorate, I point out that a large number of people, in both the city and the country, are employed in food production, manufacturing, processing and export. We have put in place an exporters council. In only the last two weeks, the Government has signed up for funding for an exporters council not dissimilar in structure from the Wine Exporters Council that has brought about exports in wine, heading towards $1 billion per annum. That is the policy,

thrust and direction of the industry sector approach that we are putting in place in South Australia. The Leader of the Opposition can play his petty politics and not be interested in important industry sectors, policy growth, rejuvenation of the economy, working hard to get new private sector investment in place or the creation of jobs. But we are interested, and we will continue to build on those policies.

STATE ECONOMY

Mr SCALZI (Hartley): My question is directed to the Premier. How is South Australia equipped to take advantage of the recent statement—

Members interjecting:

The SPEAKER: Order! I warn the Leader of the Opposition.

Mr SCALZI: —by the Prime Minister that the Australian economy is the strongest it has been for 30 years?

The Hon. J.W. OLSEN: I would ask the member for Hart, as a result of his interjection, to talk to some of the small, medium and large businesses in this State and see how well they are doing. He will find that, economically and in revenue terms, they are doing as well as they have done for a long time in this State.

An honourable member interjecting:

The Hon. J.W. OLSEN: Where? Try Holden's to start with.

Members interjecting:

The SPEAKER: Order! The member for Hart will come to order.

The Hon. J.W. OLSEN: In his five years in this place and in opposition, the member for Hart has continually denigrated any positive moves, any economic build-up and any success stories for a company; he has put them down. He danced on the grave of Australis. This is a man who does not want any success for South Australia. He does not want the State to be successful; he does not want business to be successful; he does not want new private sector capital investment in South Australia, because members opposite want to use such matters for base political opportunism. That is the member for Hart's position, and let there be no doubt about it. As it relates to Australia and South Australia—

Mr Foley interjecting:

The SPEAKER: Order! I warn the member for Hart for the second time.

The Hon. J.W. OLSEN: —it appears to have weathered the storm of the Asian economic crisis. We see mortgage rates at their lowest level for a generation. We see Monday's ANZ job advertisement figures showing the best results since the Keating recession, and figures out earlier this week from the Australian Chamber of Commerce and Industry show that conditions for the vital manufacturing sector are at their highest level since the early 1990s. In South Australia retail turnover has continued to rise in recent months. In the September quarter, our total overseas exports were up $109 million on the previous year, and last week's BankSA South Australian business confidence survey showed that 43 per cent of business owners are likely to create additional employment or take on additional employees in the coming months through to February.

If my memory serves me correctly, skilled vacancies are up by about 5.2 per cent, with an increase of about 25 per cent over the past year. That indicates opportunities being created in the economy in South Australia. However, we are a small State and to profit we need to have investment in our State. It comes back to this other fundamental principle and policy that we are pursuing through this Parliament with some vigour and will continue over the long term to do so, that is, the leasing of the South Australian power utilities and generators. The Bannon Government leased the generators in this State. This House would well remember that, because there have been many debates on it. I ask the Opposition, 'What's different now from when the Bannon Labor Government leased the power generators in South Australia?'

The only difference is that the Labor Party is sitting on that side of the House rather than being in Government. That is why there is absolute hypocrisy in the Labor Party's stand on that matter. What it has done is consigned South Australians to a future that is less rosy than it would otherwise be. It has consigned South Australians—unless the lease legislation is finally agreed early next year in another place and in this House subsequently—to higher electricity prices to maintain the dividend flows to the Treasury. The *Sunday Telegraph* last Friday reported a 94 per cent reduction in the profits of the generators in New South Wales. With that level of reduction in the generators, therefore, there is a reduced income or dividend through those Government business enterprises flowing through to the Treasury.

The Opposition cannot have it both ways. We have Opposition members constantly asking us for additional funding to meet social needs. And members nod as they well recall taking up either with me or with the Ministers concerned the matter of additional funding to meet social needs within their electorate. I have no problem with that. That is a legitimate role for a local member to undertake, namely, to pursue the interests of their electorate. However, this is the rub: on the one hand, we have Opposition members pursuing those interests but, on the other hand, they have no policy or no idea regarding how that ought to be funded and paid for. The Opposition does not want us to lease the assets so that we can free up $2 million a day in interest, and it does not want us to remove the market risk, which some people have quantified as being equivalent to State Bank mark 2. Therefore, the only options we have to meet the budget requirements are to increase taxes and charges, reduce services or increase the deficit.

I have said a number of times in this House this week, 'We do not want to increase taxes and charges.' If the Opposition does, it will have an opportunity to demonstrate that by making a stark and clear choice shortly.

Mr CLARKE: Mr Speaker, I rise on a point of order. The member for Hartley's question dealt with the so-called strength of the Australian economy. We are now getting an open debate on the ETSA legislation.

The SPEAKER: Order! There is no point of order. It was the lead question, and it is custom of this House that usually the lead question is allowed to be developed to a far lengthier degree than the other questions.

The Hon. J.W. OLSEN: I can tell the honourable member that the leasing of our power assets is key and fundamental to the future economic development of South Australia. It is very relevant to the member for Hartley's question in this House, because the cost of electricity is related directly to the conducive business climate that we are attempting to establish in South Australia. But what do we have? We have a Labor Party—supported now by Mr Xenophon—that just simply wants to block and oppose any policy options that will free up this State for the future. Well, very shortly in this House will be the opportunity for the Labor Party to show its true colours. What does it want to do?

Does it want us to free up South Australia for the future, or does it want taxes and charges increased and to pursue further efficiency gains and cuts in the delivery of essential services? For my part—

An honourable member: You're the Government; you have the choice.

The Hon. J.W. OLSEN: 'Well, you're the Government. We want to wash our hands. We're the Opposition but we have no idea and we can't be expected to have any idea, because we're simply the Opposition': that is the natural extension of the interjection. Any Opposition worth its salt at least has an idea, a policy option or an alternative to put to the people of South Australia—and this year we have seen no alternative.

What we will be doing shortly is putting on the table a range of options for consideration by the Parliament, and the Labor Party will then have to front up; it will have the stark choice to make. Then we will see whether it gets down to actual policy development.

Members interjecting:

The SPEAKER: Order!

Mr Venning interjecting:

The SPEAKER: Order! The member for Schubert will come to order.

UNEMPLOYMENT

The Hon. M.D. RANN (Leader of the Opposition): My question is again directed to the Premier following his answer to the last question and his non-answer to the first. Given today's Bureau of Statistics job figures indicating that South Australia now shares the highest level of unemployment with Tasmania at 9.8 per cent; that South Australia has the highest rate of unemployment of men at 10.7 per cent; that the State has the highest youth unemployment rate at 36.2 per cent; and that the State has lost 6 000 jobs in the year to November, will the Premier now move to resolve the constant tensions and divisions within his own Government that are damaging confidence in South Australia and start fighting for the jobs of South Australians rather than for his own?

The Hon. J.W. OLSEN: I would be delighted to put in the post to the Leader of the Opposition the BankSA survey results which came out last week demonstrating a renewed confidence in business in South Australia and which talk about the highest level of consumer confidence for some considerable time. So, the Leader of the Opposition—

The Hon.M.D. Rann: What about jobs?

The Hon. J.W. OLSEN: The Leader of the Opposition might want to pursue his cheap political throwaway lines, as is his wont—and we have seen that constantly now for five years. That is why the Fonlon group on the other side of the House is starting to take on a different sort of air.

An honourable member interjecting:

The Hon. J.W. OLSEN: The Colons now, is it? It is not Fonlons but Colons now.

Mr Hamilton-Smith interjecting:

The SPEAKER: Order! I warn the member for Waite.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: What we will come back to specifically is the question. I have indicated to this House on a number of occasions—and had no bipartisan support from the Leader of the Opposition—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The Leader of the Opposition.

The Hon. J.W. OLSEN: In terms of pursuing new private sector capital investment and new industries in this State, the Labor Party does not want us to be successful, and the reason—

The Hon. M.D. Rann: Is that why we helped you on the Alice Springs line?

The SPEAKER: Order! I warn the Leader for the third and last time.

The Hon. J.W. OLSEN: I can tell the Leader of the Opposition that if that is what he considers help—but I will not go on and say what I was going to say. All the Leader of the Opposition did on tariffs was tailgate me around Japan indicating that he was trying to help. Coming back to the key point, over the past four months in South Australia we have had a trend line in employment-unemployment—

Members interjecting:

The SPEAKER: Order! The Chair is showing considerable leniency to the Leader of the Opposition because he is the Leader of the Opposition. I have warned him on three occasions now and, if I warn him once more, unfortunately he will also be named.

The Hon. J.W. OLSEN: Let me summarise by saying that moving to get new private sector capital investment in this State is particularly important. The trend lines in recent months are reflecting the additional construction that we have seen in South Australia over the course of the past 18 months to two years. We have worked hard for five years to rebuild confidence in this State for private sector investment. That was shown in the 1997 figures. After the decisions that were made prior to 1997 and culminating in the expenditure during 1997, we have seen an increase in private sector capital investment. That is starting to show new confidence in some areas.

I do not deny that we have considerable more work to do—and I have constantly said that. This task will never be completed with an economy and a Government of this size. Our size is our disadvantage, and coupled with that is the debt level which doubly constrains us from investing and reinvesting as we would wish. However, I come back to the point that we will be putting some policy options to this House next year which, once again, will give the Labor Party the option to do some policy homework and either support or reject a plan to rebuild this economy.

WINE INDUSTRY

Mr VENNING (Schubert): My question is directed to the Deputy Premier in his capacity as Minister for Primary Industries. Will the Deputy Premier indicate how the Government is providing assistance to ensure that the South Australian wine industry maintains its international reputation as a centre for excellence and, as a result, continues to create valuable jobs for young South Australians?

The Hon. R.G. KERIN: Last week I had the pleasure of opening the new world-class wine facility at the Waite Campus of the University of Adelaide, which along with the wine centre and the other infrastructure we have built around the wine industry not only makes South Australia the centre of the Australian wine industry but also is giving us international significance. The facility, known as the Hickinbotham Roseworthy Wine Site Laboratory, will enhance the university's international reputation for research and teaching excellence in winemaking, viticulture, wine business management and also wine marketing.

The laboratory incorporates wine making facilities for undergraduate teaching and postgraduate students and will accommodate visiting scientists and researchers including those from the wine research industry and also from the State Government (SARDI). It also has testing facilities, research laboratories, tutorial rooms and a small winemaking facility for critically assessing and evaluating wine for the industry. A special feature of the laboratory is a state of the art analytical facility where research into grape and wine quality, food processing and essential and edible oil production will be carried out.

Interestingly, the technology includes an electronic nose which will be able to accurately detect and give a scientific analysis of the aromas which are so important to premium wines. As you know, Mr Speaker, the wine industry is something of which all South Australians can be very proud. A few years ago the industry set itself what many thought was an impossible target: $1 billion annual exports nationally by the year 2000. I am happy to say today that the industry projections indicate that, despite what is a difficult overseas trading environment at the moment, the target is very likely to be achieved within this current financial year. That is a fantastic achievement for Australia's wine industry but, most importantly, it is a fantastic achievement for South Australia which is certainly leading the way. As we all know, the overwhelming majority of the industry's produce, particularly the export industry, comes out of this State.

This Government has been a strong and vigorous supporter of the continued growth and expansion of the wine industry in this State, and its success brings a great sense of pride to the people of South Australia. In addition, the economic benefits flow to individuals, rural communities, businesses, the metropolitan area and the economy as a whole, and they provide tremendous job opportunities for young people, which gives them a rewarding career to aim for as world-class wine makers or vineyard managers, winery staff, vineyard workers or in export marketing. Certainly it has been a tremendous stimulus to regional development.

The member for Hart, who has disappeared—he must have a media appointment—interjected earlier about economic activity. I would say that, in respect of the wine industry, he would have only to go to the Riverland, Clare, the Coonawarra, the Barossa—any one of a number of areas within the State—to see terrific advancement within that industry. South Australia's wine industry is doing a terrific job, and this Government is proud to support and applaud its overwhelmingly successful efforts.

The wine science laboratory, which I opened last week at the Waite Institute, can be very grateful to the Hickinbotham family who have put significant resources towards it, in conjunction with not only the universities, CSIRO and the State Government but also the industry, which has been a major contributor to the facility. I congratulate all of them for their commitment to the project.

MEMBER FOR HAMMOND

The Hon. M.D. RANN (Leader of the Opposition): Has the Premier met with or spoken to the member for Hammond about his extraordinary and public allegations that the Premier and other Ministers have deliberately told Parliament things they knew to be untrue? Yesterday the member for Hammond said:

> The problem is the conduct of affairs within the Parliament by people who have been trusted with high office and who should know better than to tell the Parliament things they know to be untrue.

The member for Hammond then said:

> I am talking about the Premier and other Ministers.

The Hon. J.W. OLSEN: If I have discussions with any members of my Party, they are a matter between me and my Party, not between me and the Leader of the Opposition.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order!

HORTICULTURE INDUSTRY

The Hon. D.C. WOTTON (Heysen): Will the Minister for Primary Industries, Natural Resources and Regional Development please explain the importance of the horticulture industry in the State of South Australia and the importance of the industry to this State, particularly in regard to developments which will create further jobs for young people in our regional areas?

The Hon. R.G. KERIN: Once again there is some good news, and I thank the member for Heysen for the question. As well as with the wine industry, there is great growing economic confidence in horticulture in many parts of this State, and we are seeing a growing commitment to the export of quality produce into differentiated and premium overseas markets. I well and truly witnessed that confidence last week within the potato industry, an industry that has very quickly grown its farm gate value to the State to in excess of $100 million.

Recently I had the honour of opening two new potato washing and packing ventures. Not long ago a packing and washing plant at Virginia by Mondello Farms was opened to provide the local growers there with the very best facilities to support their farm operations and the marketing of their product. Last week, in the town of Pinnaroo in the mighty Murray-Mallee, I opened a major new potato enterprise for Potato Masters Pty Ltd, which has been established by local potato growers and is tipped to be the start of new businesses that add value to primary products in that region.

It is also important that it will provide major cost savings and efficiencies for growers who to date have had to transport their product to Adelaide, and much of that product has gone back through the Mallee to the eastern State markets, so it will mean major savings. The new Potato Masters operation will play its part in helping to greatly boost the food industry contribution to the State's economy under the South Australian food plan, to which the Premier referred earlier. It is estimated that the development will inject at least $3 million per year into the Pinnaroo district and will also create much needed jobs for the local people.

Mr Foley interjecting:

The Hon. R.G. KERIN: The member for Hart disappeared before. He made a comment about there being no economic activity within the State. I suggest he ought to listen. The creation of 36 jobs with an extra 20 for parts of the year for a place the size of Pinnaroo is extremely good news. That is the sort of thing that the member for Hart should be acknowledging rather than knocking continuously.

The employment level is very important to a place like Pinnaroo and will help maintain families in meaningful employment within the local community. This venture and a few others in that area have soaked up much of the unemployment, and the current problem is a lack of housing and labour in the area. In fact, labour is one of the things that they

are calling out for. I know that the Minister for Human Services has been down to some of those areas talking to people about future housing requirements.

The development will provide state of the art packing equipment which will help the State's potato industry maintain its competitive edge. The State Government has played its part, along with the Murraylands Regional Development Board, in facilitating this development. This is yet another example of the confidence being generated within the food plan.

What the horticultural industry has lacked for quite a while is formalisation of training. Last week I also had the opportunity to launch a training package for the horticultural industry which will formalise training within that industry. As we move into export, that becomes more and more important. Certainly for South Australia, the greatest natural resource is our people, and it is essential that we continue to invest strongly and improve the skills of the work force. That will be improved greatly within the horticultural industry, and we look forward to that industry playing a major part in the future development of South Australia, particularly regional South Australia.

MOTOROLA

Mr CONLON (Elder): Does the Premier accept that the inquiry into whether he misled the Parliament must be conducted without bias and must be seen to be without bias and, if so, why did the Premier take it upon himself to draft the terms of reference for the inquiry into his own actions?

The Hon. J.W. OLSEN: I indicated to the House Thursday week ago that this matter on a drip feed was going to stop and that I would refer everything to the Solicitor-General—every piece of paper. That was a decision I announced in a ministerial statement sometime ago. Subsequent to that, there was a request to have someone independent undertake the inquiry. I have agreed with that, and the Attorney this day has made the announcement.

LOCAL GOVERNMENT EMPLOYMENT

Mr CONDOUS (Colton): My question is directed to the Minister for Employment. In what way does the State Government support local government to employ, and what success has it had?

The Hon. M.K. BRINDAL: Throughout 1998 there has been increasing joint activity between the State and local government with increasing consolidation and success, especially in the jobs area. This afternoon I am pleased to inform the House that I signed an agreement with Rosemary Craddock, President of the Local Government Association, about Jobs Challenge 98, which has the objective of creating 1 000 new jobs of 26 weeks' duration. This package, worth $1.5 million—

An honourable member interjecting:

The SPEAKER: Order! I warn the member for Elder for the second time.

The Hon. M.K. BRINDAL: —from the State Government brings together in a coordinated way three main elements of cooperation with local government. First, it means direct employment of new staff in councils. Youth traineeships have boosted employment in councils, but councils have already employed 60 extra people outside the trainee scheme so, along with their expected uptake of trainees, they are really able to play a significant role in employing young people. Secondly, we have the Contractor Employment Incentive Scheme. Where contractors take on for 13 weeks a new employee who has been long-term unemployed, they receive $1 000, with another $1 000 incentive if the position is maintained for 26 weeks. Thirdly, there is the New Jobs Through Projects in the Community project, which is also supported by councils.

I acknowledge the efforts of many councils but, in particular, the ongoing efforts of the Onkaparinga council, which has been granted funds for an aquaculture project, and the city of Salisbury, which in partnership with the Salisbury Town Centre Association and the Regency College of TAFE is in the final stages of establishing a youth business initiative providing shopping centre-related support services based on successful models operating in Tasmania. The Job Challenge Agreement is a unique opportunity to combine the resources of State Government and local government to achieve job outcomes for South Australia. It is the most important problem confronting this Parliament, and it is a problem that the Premier has said he is taking seriously. It is a problem that the Opposition has fallen asleep about, but we on this side remain vigilant.

SOUTH-EAST WATER

Mr HILL (Kaurna): Will the Premier agree to appear before the select committee established today to inquire into South Australia's water catchments and give evidence on his role in 1997 and that of the former member for MacKillop, the Hon. Dale Baker, in changing the Government's policy on water allocations in the South-East?

Members interjecting:

Mr HILL: It is.

The Hon. J.W. OLSEN: The honourable member's question is based on a false premise: any policy changes are undertaken by the Cabinet.

INFORMATION ECONOMY

The Hon. R.B. SUCH (Fisher): Will the Minister for—

Members interjecting:

The SPEAKER: Order! I warn the member for Elder for the third and last time.

The Hon. R.B. SUCH: —Government Enterprises outline how developments in the information economy can improve the quality of life for South Australians?

The Hon. M.H. ARMITAGE: I thank the honourable member for his question and his ongoing interest in the development of the information economy, an extraordinarily important sector of our economy in South Australia. Our State is one of the major beneficiaries of the information economy's increasing importance. While the past few years have seen a great deal of focus on the large multinationals and their various roles in this State, it is very important to acknowledge that there is a large amount of growth—and, very importantly, wealth creation, which leads directly to employment—being generated by South Australian companies in the information economy.There are a number of examples, such as Camtech and its e-commerce product, or N-Space and other Internet based businesses that are worthy of note. Indeed, Camtech has a role in the Malaysian Multimedia Super-Corridor, one of the most exciting developments in the information economy in the world.

Many of these companies have grown quite dramatically, often from quite small beginnings, in the past three or four

years. In recent times I have met with a number of small but web-focused businesses that have sprung up over the past couple of years and whose target market is literally, from day 1 of their existence, the world. A couple of those companies, Maxamine and WebGenie, in particular, are being assisted currently by the Playford Centre. They are on a very steep growth path at present, so it is an area that should not be ignored by the Opposition. Maxamine has the expectation of taking on an additional 17 staff in the next few months. I am aware of a number of locally based companies that are also looking to increase their staff numbers quite dramatically.

I also acknowledge that the honourable member's question is particularly apt today, because today is the fiftieth anniversary of the signing of the Universal Declaration of Human Rights, a broad-ranging and very visionary statement of the aspirations of the world community. Fifty years on, that vision is being pursued with tools that could not even have been dreamed of when the declaration was written. For example, article 21 of that declaration says in part:

> Everyone has the right to take part in the Government of his country directly or through freely chosen representatives.

The information economy is in the process of revolutionising community access to Government. Members will no doubt recall the role played by the Internet in the dramatic events of China, in the Tiananmen Square massacre, and more recently in Malaysia, where often the Internet is the only source of information other than Government controlled media outlets.

I would argue that the information economy will have just as dramatic an effect on western democracies such as ours. Recently, a study in America of the 1998 US national election indicated that 16 per cent of voters accessed information about the election on the Internet, a figure which was up from 10 per cent a mere two years ago, and 6 per cent of those citizens said that the Net was the primary source of their information about the election, which is double the figure for 1996.

Twenty-eight per cent of younger voters use the Net for election information. So, not only will citizens be able to receive services from Government but they will also be able to participate in Government and, very importantly, in democratic processes such as reading press releases or speeches of parliamentarians without their being filtered by the media; sending an e-mail to their representative; looking up legislation; and so on. It is very important on the fiftieth anniversary of the Universal Declaration of Human Rights that this Parliament identify and acknowledge that the information economy is a key factor in extending equal rights to our citizens. There is a web site for the Universal Declaration of Human Rights, and I am quite sure that I will be inundated with people asking me for the address, which I have here.

NUCLEAR WASTE

Mr HILL (Kaurna): Will the Premier tell the House why he is interested in storing nuclear waste and why he has offered to look at any detailed proposal to establish a privately owned high level nuclear dump in South Australia when Federal Industry Minister Senator Minchin has said that the Federal Government's policy is to oppose the dumping of any further nuclear material? On 1 December 1998 the Premier said that he would be interested in having a look at any detailed proposal put up by US corporation Pangea for the establishment of a privately owned high level international nuclear waste dump in South Australia.

This offer was reaffirmed by the Premier's office on 9 December 1998 after top Clinton adviser Robert Gallucci urged Australia to establish a disposal site for the world's nuclear waste, including material from the disintegration of the Soviet nuclear energy system and dismantled Russian bombs. Both Senator Minchin and the Leader of the Federal Opposition have ruled out the establishment of any international nuclear dump in Australia.

The Hon. R.G. KERIN: I thank the honourable member for the question: it has been a while coming. As far as the nuclear dump goes, our policy is consistent with that of the Federal Government. The Premier's comment was in response to a couple of throwaways to him at a press conference. At that stage this Government had been given absolutely no detail whatever of what the proposal was about. People, such as the Deputy Leader of the Opposition, got a lot of fun out of it on the radio and gave the journos something to play with for a day or two. This Government's position on nuclear waste has been quite clear and is consistent with the Federal position.

ANTI-SMOKING STRATEGY

Mr HAMILTON-SMITH (Waite): Will the Minister for Human Services advise the House of the latest development in the Government's anti-smoking strategy.

The Hon. DEAN BROWN: In just over three weeks, virtually a complete ban on smoking will be imposed in restaurants, cafes and anywhere food is served in South Australia. This will be the first State in Australia, with the exception of the ACT, that has imposed such a ban.

Mr Foley: The ACT is not a State.

The Hon. DEAN BROWN: It is not a State. I recognise that, and so South Australia is the first State in Australia to impose such a ban. I highlight the fact that it has been through the support of people such as the former Minister for Health in this Liberal Government who has made a very significant commitment to our anti-smoking strategy—

Members interjecting:

The Hon. DEAN BROWN: We were leaders in Australia; I acknowledge that. We are still leaders in Australia, because we have committed $3.9 million to our anti-smoking strategy.

Mr Foley interjecting:

The SPEAKER: Order! I warn the member for Hart for the third and last time.

The Hon. DEAN BROWN: I think that is about the third time the honourable member has been warned for the third time.

The SPEAKER: Order! That is not the case.

The Hon. DEAN BROWN: I apologise, Mr Speaker. I was not trying to reflect on your ruling to the House. I point out that we have made a commitment of $3.9 million to our anti-smoking strategy, which is now enforced by this ban on smoking in restaurants and cafes. We have a target to reduce smoking by 20 per cent in South Australia over the next five years. We wish to be a leader in this country. We are proud of the fact that we wish to be a leader in the fight against the tobacco companies. I remind the House once again—

Members interjecting:

The Hon. M.H. Armitage: You spoke against it.

The Hon. DEAN BROWN: Did she?

The Hon. M.H. Armitage: The shadow Minister for Health spoke against it.

The SPEAKER: Order! The Minister for Government Enterprises will come to order.

The Hon. DEAN BROWN: I remind the House of the damage that is done through smoking: 30 per cent of all cancer deaths are attributed directly to smoking; 25 per cent of all heart disease is attributed to smoking; 20 per cent of all low birth weights is attributed to smoking; and nearly all chronic obstructive pulmonary disease is attributed to smoking. The cost of smoking in our community is extremely high. We have established an anti-smoking advisory task force. I am delighted that an educationist will head that task force because a key group that we want to target comprises teenagers.

Next year's target will be to clamp down on the sale of cigarettes to minors. We have already started the campaign. We are already trying to prosecute a number of individual retailers. I highlight to those retailers the high penalty if they are caught: ultimately their licence to sell tobacco products can be removed. The responsibility to ensure that there are smoke-free dining areas in South Australia will fall on the consumers (the diners) and on the restaurant owners. Both groups could be penalised if people were caught smoking in dining rooms. The obligation is there and let us say that 1999 will mean a smoke-free dining area for the whole of South Australia.

MOTOROLA

Mr CONLON (Elder): Following the release of the statement concerning the Motorola inquiry, including the terms of reference, will the Premier explain why Mr Cramond has been given no formal powers, such as the power to summon witnesses or to demand documents, and why no protection or immunity has been given to witnesses?

The Hon. J.W. OLSEN: As clearly demonstrated in the terms of reference in the ministerial statement of the Attorney-General in another place, he is entitled to interview whomever he wishes. He is entitled to—

The Hon. M.D. Rann interjecting:

The Hon. J.W. OLSEN: It would not matter what we put in place, the Labor Party would not agree. Even if the Almighty were involved in this, it would not be good enough for the member for Elder. The position, as clearly pointed out, will subsequently be a matter for this Parliament to determine: the facts of the matter, the chronological order and details of events, the tabling of papers and the result of interviews will be matters upon which the Parliament, in due course, will have an opportunity to consider the issue.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The member for Bragg.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order!

The Hon. G.A. INGERSON (Bragg): Come on, media Mike, how about giving someone else a go?

Members interjecting:

The SPEAKER: Order! The member for Bragg.

The Hon. M.D. Rann: We got rid of you pretty quickly.

LEADER OF THE OPPOSITION, NAMING

The SPEAKER: Order! I name the Leader of the Opposition for continuing to interject after the House has been brought to order. Does the member wish to be heard in explanation?

The Hon. M.D. RANN (Leader of the Opposition): I was attacked by the honourable member opposite and I therefore apologise to the House for responding.

The SPEAKER: I cannot accept that apology personally: it is up to the House to decide. The Chair has been particularly lenient with many members this afternoon, including the Leader of the Opposition, who have continued to interject when the House has been brought to order.

The Hon. R.G. KERIN (Deputy Premier): I move:

That the Leader's explanation not be accepted.

On behalf of the members of the House—

Mr Foley interjecting:

The SPEAKER: Order! The House is in a very serious situation.

The Hon. R.G. KERIN: Mr Speaker, you have named the Leader of the Opposition and I believe that you deserve our support on this matter. The Leader of the Opposition has continually talked about sin bins, members' behaviour in Parliament, bipartisanship and everything else we heard during the last election campaign. The Leader of the Opposition talked about how he would lift the standards of Parliament. He has continually flaunted that. The standard of behaviour of the Leader and many other members of the Opposition does not come up to community expectations.

Continual warnings have been given. The Speaker has been extremely tolerant, not just to the Leader but to other members of the Opposition. They have constantly tested the Speaker. The Speaker has obviously not taken his latest action lightly. The House should always support the Speaker. Over many months the Leader of the Opposition has constantly flouted the authority of the Chair. The Chair has constantly given warnings and the Leader has chosen to continue. As the Speaker has said on many occasions, he has shown special tolerance to the Leader because of his position.

That privilege has not been appreciated whatsoever and, on behalf of the House and the people of South Australia who are looking for better standards of behaviour, we support you, Mr Speaker, and believe that the Leader's explanation not be accepted.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: I wish to contribute to the debate. This is the last day of Parliament. We have extraordinarily contentious issues at stake.

Members interjecting:

The Hon. M.D. RANN: I want to be heard on this.

Mr Meier interjecting:

The SPEAKER: The member for Goyder will come to order.

The Hon. M.D. RANN: I want to be heard on this. We have two inquiries into the honesty of the Premier and the integrity of this Government forced upon him by his own colleagues. Yesterday we had an attempt to gag, silence and expel the member for Hammond for telling the truth about the fact that this Parliament is not told the truth.

Members interjecting:

The SPEAKER: Order! There is a point of order.

The Hon. M.D. RANN: They will not like it.

The SPEAKER: Order!

Mr MEIER: I rise on a point of order, Sir. The Leader's remarks have nothing to do with the motion that his explanation not be accepted—absolutely nothing to do with it.

Members interjecting:

The SPEAKER: Order! I ask the member to return to the explanation, rather than giving a justification.

The Hon. M.D. RANN: I apologise for responding to an interjection from the former Minister, who was deposed himself for misleading this House and not telling the truth to this Parliament. What an extraordinary shambles this Government is in—a Premier who stakes his own leadership on a broken promise and gets defeated—

The SPEAKER: There is a point of order.

The Hon. M.D. RANN: —and two inquiries into his honesty.

The SPEAKER: Order! I ask members to make sure that we do conduct this in an orderly debating manner.

An honourable member interjecting:

The SPEAKER: Order! The Deputy Premier has a point of order.

The Hon. R.G. KERIN: The point of order relates to relevance, but you have—

The SPEAKER: The member will resume his seat.

The Hon. M.D. RANN: The Deputy Premier before talked about proposals that I put forward for the reform of this Parliament—proposals that were supported by you, Mr Speaker, but opposed by every honourable member opposite. So, do not preach to me about parliamentary standards.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: The most fundamental parliamentary standard is to tell the truth, and this Premier does not. That is why there are two inquiries, and that is why the member for Hammond is being gagged—

The SPEAKER: Order!

The Hon. M.D. RANN: —and that is why I am being chucked out today.

The SPEAKER: Order! I remind members of the motion before the Chamber. Clearly, the Leader was almost deliberately moving outside the motion. The motion is that the explanation not be accepted: there should not be a justification.

The Hon. M.D. RANN: The question that was asked was about the privileges of this inquiry and the protection of witnesses. Will witnesses be allowed to come forward and be protected—

The SPEAKER: Order!

The Hon. M.D. RANN: —or will this Government try to—

The SPEAKER: Order!

The Hon. M.D. RANN: —rort this inquiry—

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

The Hon. M.D. RANN: —as it did with the Anderson inquiry?

The SPEAKER: Order! By continuing to speak over the Chair, the honourable member is only exacerbating the situation and justifying his being named.

The Hon. M.D. RANN: I am more than relaxed about telling the truth than being thrown out, because that is the legacy of this first year of this Government under this Leader, and that is why the leaking against him will continue—

The SPEAKER: Order! There is a point of order.

The Hon. M.D. RANN: —and why he does not have the guts to pull on—

The SPEAKER: Order! The Leader—

The Hon. M.D. RANN: —a leadership—

The SPEAKER: —will resume his seat.

Mr MEIER: I rise on a point of order. We have an extraordinary situation here where the Leader—

The SPEAKER: There is no point of order. What is the point of order?

Mr MEIER: —has had to defend himself. Not one of his colleagues has sought to—

The SPEAKER: Order!

Mr MEIER: —and he is refusing to speak to the motion.

Members interjecting:

The SPEAKER: Order! I warn the member for Goyder.

Mr Foley interjecting:

The SPEAKER: Order! Is the Leader finished?

The Hon. M.D. RANN: This is the last day of Parliament. Naming me in this Parliament for responding to interjections that you, Mr Speaker, do not have any problems with from that side of the House—

The SPEAKER: Order! The Leader is going too far.

The Hon. M.D. RANN: —will not affect the truth coming out on these matters.

The SPEAKER: Order!

The Hon. M.D. RANN: Let me just warn of one thing.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: Whether the Parliament wraps up today without a Party room meeting, the divisions within this Parliament will continue, because the Government side is more interested in its own jobs than the jobs of the people of South Australia. And chucking me out of Parliament will make no difference whatsoever. They are like Nero fiddling while Rome burns. Look at today's unemployment figures and look at the shambles this Government is in as members opposite stab each other—

The SPEAKER: Order!

The Hon. M.D. RANN: —not only in the Chamber but also outside this Chamber.

The SPEAKER: Order! The honourable member will resume his seat. The member must return to the terms of the debate. The member is absolutely flouting the Standing Orders and the whole process of the Parliament at the moment, for whatever purpose he has in his own mind.

Members interjecting:

The Hon. M.D. RANN: I am happy to leave the Chamber today, but the truth will come out, I promise that, and this man will not be around leading this Government in the future, because it can do better than him.

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): I have listened—

An honourable member: Mr Justice Armitage.

The Hon. M.H. ARMITAGE: It is yet another title I am being given by members opposite. I have listened to what the Leader of the Opposition said and, as is his wont, he has tried to muddy the water. Sir, your ruling and the matter under debate now has absolutely nothing to do with the question that the Leader of the Opposition was about to ask. It has nothing to do with that at all. What we are debating today is the question of parliamentary standards. The Speaker had already warned the member for Hart for the third and last time. He had warned the Leader of the Opposition, and—

Members interjecting:

The SPEAKER: I name the member for Hart, and we will deal with that next.

The Hon. M.H. ARMITAGE: The point at issue—

Members interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: —is not what the Leader of the Opposition was going to ask; it is not what the Leader of the Opposition thinks about any particular issue—

Mr Foley interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: —it is not about whether there is or there is not an inquiry; it is not about who will lead or who will not lead the inquiry. What we are debating today—

Members interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: —is whether the Leader of the Opposition blatantly and wilfully defied a ruling of the Chair. That is the only issue that the Parliament is debating. The Parliament now is faced with a choice. Does it allow itself to become a rabble? Does it allow itself to continually defy the ruling of the Chair? Does it allow people to shout down the Chair, against the finest traditions of Westminster government? I would contend that, if it does that, South Australian electors will be much the worse because of it.

We are proud representatives of a tradition whereby people in South Australia elect us to represent them in this place. That is why we sit on green chairs, because we are people who are coming from the village green: we are representing the people who have made decisions on the village green. They are fine traditions and they have led to every person, in the Westminster tradition, being able to be represented. One of the reasons why they are able to be well represented is that there are standards in this place, and one of the most important standards that allows this place to work is that the Speaker must be respected. I have sat on the other side of the Chamber—

Members interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: —under the glorious days of Speaker—

Mr Foley interjecting:

The SPEAKER: Order! We can either resolve this here this afternoon, or I can leave the Chamber and the House will just absolutely dissolve itself. This debate is about the standards of this Chamber, and I would like members to respect it as such.

The Hon. M.H. ARMITAGE: I sat on the Opposition benches during my first term in Parliament, and I know how galling it is when one does not have the numbers. But, factually, one stands up and respects the Speaker: that is the only way in which Parliament can run. That is what is at issue today. It is not what the Leader of the Opposition thinks of the Premier; it is not what he thinks about any deal, or whatever; it is not about any inquiry. It is about what sort of standards we are expected to exemplify, so that the people whom we represent can get a fair deal in Government.

The Leader blatantly, wilfully and deliberately—absolutely deliberately—chose to ignore those standards. I know that the Leader of the Opposition maybe does not care about Westminster standards. This House ought to do so. He deliberately defied the Chair, and it was an issue about one thing, and one thing only. The issue that the Leader of the Opposition defied the Chair on was whether he would be quiet when the Speaker told him to do so. That is the basis of Parliament. The Leader of the Opposition has clearly breached the laws of Parliament, and the Parliament will deal with him accordingly.

Mr ATKINSON (Spence): The exchange that led to this naming is as follows. The member for Bragg rose to ask a question but, before proceeding to ask his questions, he interjected out of order and said, 'How about giving someone else a go, media Mike.' They were the words of the member for Bragg. They were provocative, and I believe that he recognises that. And to that the Leader of the Opposition responded, 'We got rid of you pretty quickly'—a pretty short interjection, I would have thought, not something that substantially obstructed the business of the House. And, Sir, I presume that you are naming the Leader of the Opposition for obstructing the business of the House under Standing Order 137.

Whatever went on before, that was the sequence that led to the Leader of the Opposition being named. It was a provocative remark, which I think the Government realises was a smart, provocative remark, to which the Leader of the Opposition responded very briefly indeed. In these circumstances, the explanation ought to be accepted, and I ask the House to vote accordingly.

The Hon. G.M. GUNN (Stuart): This debate has been used as a vehicle to bring other matters before the House. The matter before this House is the wilful disobeying of the direction of the Chair by the Leader of the Opposition.

Mr Hanna: Don't you tell us about standards.

The Hon. G.M. GUNN: That is a reflection upon the honourable member, his own incompetence and nonsense. No Parliament in this country is more lenient in the manner in which members are dealt with.

Mr Atkinson: You were a disgrace.

The SPEAKER: Order! The member for Spence will come to order.

The Hon. G.M. GUNN: The Standing Orders are very clear. Any member in any Parliament in this country who defies the Speaker is named. The Leader was warned at least three times. Great latitude was shown towards him, yet he and others have persistently ignored and flouted the rulings of the Chair. The Chair, who has the responsibility to maintain the Standing Orders, the dignity and traditions of this House, has acted in accordance with those Standing Orders. I suggest that the honourable member read Standing Order 137 which provides:

> If any member persistently or wilfully obstructs the business of the House or persistently or wilfully refuses to conform with any Standing Order of the House or refuses to accept the authority of the Chair, the Speaker names the member.

The honourable member committed those three breaches and the Chair acted in the best interests of the House. This is being used as a vehicle to disrupt this place and to bring scorn upon it. It is a smokescreen for the inadequacies of this Opposition.

Mr FOLEY (Hart): The Leader of the Opposition's explanation should be accepted by this Parliament, because on the very last sitting day of this session the Government is disintegrating and its Leader is incapable of holding his Party together. It is a great tragedy when a Premier of this State continually lies to this Parliament—

The SPEAKER: Order!

Mr FOLEY: —yet the Leader of the Opposition—

The SPEAKER: Order!

Mr FOLEY: —is the one who gets penalised.

The SPEAKER: Order! The honourable member will resume his seat.

Mr FOLEY: You should be thrown out. You should be out of here.

The SPEAKER: Order! I ask the honourable member to withdraw the accusation that the Premier was lying.

Mr FOLEY: I withdraw the accusation that the Premier was lying.

The SPEAKER: The honourable member may now come back to the debate.

Mr FOLEY: The point is that, on the very last day of this sitting, only one person should be leaving this Chamber today with his head bowed, and that is you, John Olsen, because you have continually misled the State of South Australia.

The SPEAKER: Order!

Mr CONLON (Elder): There have been a few times when I have made submissions in the interests of a client and I did not like the look of the people about to judge the matter, but there has never been an occasion when I have had more trepidation about the people about to judge the matter than I have on this occasion. I suspect that no matter what sparkling advocacy I can produce on behalf of this client, he has already been hanged in the minds of the fair members on the other side of the Chamber.

We are talking about the Standing Orders of this House. The Standing Orders exist so that the proper functioning of this House can take place and, above all, so that the people of South Australia can have faith in this House. The Leader of the Opposition, much to the chagrin of the other side, has had a very good year. He has exposed the Government over and over again. The reason why the people of South Australia are losing faith in this House is the Government that runs it. If we are going to throw someone out of this place because he has done a very good job in making sure that the proper standards are adopted in this place, I believe it will be a very bad precedent, but that will not matter. You people opposite will not be convinced otherwise. This has become a pattern of behaviour because the member for Hammond—

The SPEAKER: Order! The camera operators must bear in mind that they may only film members who are speaking.

Mr CONLON: The member for Hammond did similar things. He raised the standards in this place repeatedly. He spoke about Ministers and Premiers misleading the House and deliberately saying things that were not true. They tried to throw him out, too. I wonder how the member for Hammond's process is going. I hope it is fairer than this one, which Mike Rann is about to get. If the Leader of the Opposition is to be thrown out of this place on the last day of the sitting year because we have had too much success in exposing the rotten standards of this sleazy Government, that is a disgrace.

All that the Opposition has done in this place today is what it has done in the past. We have attempted to expose the shoddy standards of this Government. I was warned after responding to an interjection that was ignored. I do not reflect on the Speaker in that because the Speaker seems to have difficulty hearing the interjections from that side as opposed to this side, perhaps because we have healthier lungs. I am sure that it is some reason like that. On this occasion, it is not surprising that you, Mr Speaker, found it hard to hear the former Minister, the member for Bragg, because he sits a long way back now, interjecting.

The SPEAKER: Order! The honourable member is straying from the debate.

Members interjecting:

Mr Venning: Nice comment!

The SPEAKER: Order! I warn the member for Schubert.

Mr CONLON: You want to play a grubby—

Mr FOLEY: I have a point of order, Sir. The member for Bragg, the former Deputy Leader, stuck two fingers up in a very provocative gesture to the member for Elder. I ask that the member for Bragg apologise and withdraw. That was a disgraceful gesture.

The SPEAKER: Order! The Chair was watching the member for Elder, and did not see the action. If the action did take place, I ask the member to apologise and acknowledge it.

The Hon. G.A. INGERSON: I apologise and withdraw.

Members interjecting:

Mr FOLEY: I have another point of order. I ask that the sarcastic remark that the member for Bragg made after he apologised also be withdrawn.

The SPEAKER: Order! I am not sure that there is any point of order. An apology has been given and accepted by the House. I ask members to come back to the debate in question, which is a very serious issue before the House.

Mr CONLON: I am not worried about having a fight with the member for Bragg, but I will close by saying that, if the Leader of the Opposition is thrown out today on the claim that he has not adopted proper standards in this place, it will be a newspaper story, but the people of South Australia know who the sleazy people are who have damaged the standards in this State.

Mr WILLIAMS (MacKillop): This is a serious matter, but a lot of people in this Chamber do not take it half as seriously as they should, and that is purely because their agenda has nothing to do with the running of this House, it has nothing to do with the Parliament of South Australia and it has nothing to do with the good of this State.

Members interjecting:

Mr WILLIAMS: If you bring decent evidence into this House and behave properly, you will get the support you deserve.

The Hon. M.D. RANN: I rise on a point of order, Mr Speaker. The honourable member claims to be so keen on parliamentary standards but he would not even allow a debate on whether there should be a parliamentary privileges committee.

The SPEAKER: Order! Members are only exacerbating the situation and adding to the tension in this place. The whole purpose of this debate is try to bring us back to some semblance of standards.

Mr WILLIAMS: We are talking about the running of this Parliament and this Chamber. The Standing Orders under which we perform are put there for good and proper reason—so that members in this Chamber have an equal opportunity to contribute on behalf of the people who elect them as their representatives. That is what we are: we are the representatives of those people in our respective electorates. Over a period of hundreds of years, we have developed a set of Standing Orders. A short while ago when he was speaking, the Leader asked the House to be heard. It showed a fair bit of pluck to make such a request, given the way he has performed. One person who has contributed quite well to this debate is the member for Spence, and I congratulate him on

being able to recall the actual words exchanged that led to this situation.

However, the member for Spence omitted to acknowledge that the Leader had received three previous warnings. I have been in this place for only a little over 12 months, but I know that he omitted to acknowledge the fact that this is part of the normal course of events in this Parliament. The behaviour of members of this Parliament disgusts me, and I know it disgusts the people I represent. Members flout Standing Orders at will; in fact, they make a media spectacle. No wonder the Leader has the nickname he has, because he continually makes a media spectacle—or at least he attempts to.

I ask members to cast back their minds some years when the debate in this House was over whether to allow television cameras into the Chamber and reflect upon what was said at that time regarding that practice lowering the level of behaviour. Those who spoke against allowing television cameras in this House would be nodding their head today and saying, 'We told you so.' The Leader—and it is in this area that the Leader leads his team—continues to flout the rules of this House and shows disregard for the people of South Australia purely so that he can get on the evening news. The people I represent are disgusted, as are the majority of members in this House. I commend the motion.

Ms KEY (Hanson): I do not support the motion to have our Leader thrown out of Parliament, for two major reasons. First, with great respect to you, Mr Speaker, you have a difficult job. In most cases, you judge fairly on the behaviour of members in this place, which behaviour I find quite obnoxious on both sides at times. Some of the interjections are humorous but some of them are disgusting or even detrimental to the reputation of many members in this House. However, on this occasion you, Mr Speaker, have acted harshly.

After noting what has been happening today in the House, members opposite have made a number of comments and interjections, which I am sure you, Mr Speaker, may not have heard, which have certainly been offensive to me and my colleagues. The debate about other serious issues that are before us—the status of this Government and the Motorola and water contracts—has deliberately been pushed off the agenda by their using the vehicle of interjections and abuse of this side of the House. In summary, Mr Speaker, on the whole you do a very good job. I very much feel for the responsibility that you have in this House. However, on this occasion, I believe that you have dealt with our Leader more harshly than you have dealt with members opposite.

The Hon. W.A. MATTHEW (Minister for Year 2000 Compliance): Just that response by the Opposition is in part the reason why this motion is so necessary and why I stand to support it today. As you, Mr Speaker, are well aware, I recently advised you in a private conversation that for the past six months I have actively discouraged school groups from coming into this place during Question Time. The reason for doing so is the type of behaviour being exhibited today. I support this motion, and I have no doubt that the large majority of South Australians will also support it when they sit back in disgust this evening and view today's proceedings on their television screens in their lounge room.

Any member of the Opposition who seriously and honestly opposes members being thrown out of this place for disgraceful behaviour ought to watch tonight's television proceedings and see the exhibition that has occurred here today. It is about time the Opposition Leader, who has continuously flouted your authority, Mr Speaker, and who has continuously flouted Standing Orders, was thrown unceremoniously from this Chamber. And he is not only one. I look forward to seeing others follow suit. Mr Speaker, I commend you for taking the stand you have taken today. It is about time we saw the Leader exited unceremoniously from this Chamber, and I trust that he and his colleagues will reflect on their behaviour.

The House divided on the motion:

AYES (24)

Armitage, M. H.	Brindal, M. K.
Brokenshire, R. L.	Brown, D. C.
Buckby, M. R.	Condous, S. G.
Evans, I. F.	Gunn, G. M.
Hall, J. L.	Hamilton-Smith, M. L.
Ingerson, G. A.	Kerin, R. G. (teller)
Lewis, I. P.	Matthew, W. A.
Maywald, K. A.	McEwen, R. J.
Meier, E. J.	Olsen, J. W.
Penfold, E. M.	Scalzi, G.
Such, R. B.	Venning, I. H.
Williams, M. R.	Wotton, D. C.

NOES (20)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Clarke, R. D.
Conlon, P. F.	De Laine, M. R.
Foley, K. O.	Geraghty, R. K.
Hanna, K.	Hill, J. D.
Hurley, A. K. (teller)	Key, S. W.
Koutsantonis, T.	Rankine, J. M.
Rann, M. D.	Snelling, J. J.
Stevens, L.	Thompson, M. G.
White, P. L.	Wright, M. J.

PAIR

Kotz, D.C.	Ciccarello, V.

Majority of 4 for the Ayes.

Motion thus carried.

The SPEAKER: As the Leader's explanation has not been accepted by the House, I ask the Leader to leave the Chamber.

The Leader of the Opposition having withdrawn from the Chamber:

The Hon. R.G. KERIN (Deputy Premier): I move:

That the Leader of the Opposition be suspended from the service of the House.

Motion carried.

MEMBER FOR HART, NAMING

The SPEAKER: Does the member for Hart wish to be heard in explanation?

Mr FOLEY (Hart): Clearly, now with the Leader of the Opposition having left the Chamber, the chances of my having the votes to sustain my appearance in this Chamber have now diminished somewhat. Sir, I make no apology because, quite frankly, there is clearly one set of rules for the Labor Party and one set of rules for the Government, because the member for Adelaide interjects consistently, and the member for Mawson and a whole raft of Government Ministers and members continually interject on the Opposition. As my colleague the member for Hanson said very

eloquently: 'It is one set of rules for the Labor Party on some days and one set of rules for the Government.' I have to live with that but, at the end of the day, as I said in my earlier contribution, today is a very sad day for South Australia because the House and the Government is divided. The Premier can no longer control—

The SPEAKER: Order! The honourable member is now straying from the debate.

Mr FOLEY: —this Government. This Premier now leads a divided, split Party in which the State has no confidence.

The SPEAKER: Order! I bring the honourable member back to the debate that is before the Chamber at the moment.

Mr ATKINSON: Mr Speaker, I rise on a point of order. I presume that the member for Hart has been named under Standing Order 137.

The SPEAKER: I did not just name the honourable member then.

Mr ATKINSON: Yes, but I presume that is the Standing Order that is being applied. My point of order is this: that the honourable member may be heard in explanation or apology. That is disjunctive; he is explaining his conduct. I would not have thought that there are very strict boundaries of relevance in respect of that discussion.

The SPEAKER: There are certain boundaries, and the honourable member has been given the opportunity to give an explanation or an apology, which is what the debate is about. If the honourable member strays into a political speech on activities extraneous to that, the Chair will bring him back to his explanation for his behaviour.

Mr FOLEY: I am simply explaining my actions, and in doing so I am simply stating the frustrations of this Labor Opposition. Today, on the very last sitting day of this year, the Government is demonstrating that it is incapable of leading the State, and this Parliament is very close to the brink in terms of its ability to function. Already we have a situation where the member for Hammond is now likely to be expelled from the Liberal Party. This Government—

The SPEAKER: The honourable member must return to the debate.

Mr FOLEY: In explanation of the frustration I feel, when we resume in February it is possible that there will be 21 members on this side of the House, 21 members on the Government side of the House, four Independents, and a Premier who can no longer control the Parliament.

The SPEAKER: Order! I remind the honourable member that the consequence of my naming him a second time is that it is cumulative. I request the honourable member to keep to the terms of the debate.

Mr FOLEY: I have no intention of being named for a second time, and I think I—

Mr Venning interjecting:

The SPEAKER: I warn the member for Schubert for the second time.

Mr Atkinson: What about naming him?

The SPEAKER: Order! I did give latitude to members on my left that extended to at least three warnings.

Mr FOLEY: I simply say that the Opposition is frustrated, but frustrated for all South Australians. On a day of 9.8 per cent unemployment the State deserves better than this Premier and his actions.

The Hon. R.G. KERIN (Deputy Premier): I think the member for Hart has probably pretty well sealed his fate—

The SPEAKER: Is the honourable member moving a motion?

The Hon. R.G. KERIN: Yes, Sir. I move:

That the member for Hart's explanation not be accepted.

The member for Hart's behaviour prior to the Leader of the Opposition leaving the Chamber well and truly sealed his fate. He has since been named and absolutely sealed his fate with his explanation. We have become used to some pretty memorable performances from the member for Hart. He has become a master of outrageous statements. We saw that both yesterday and today. He has well and truly dragged down the standard of behaviour within the House.

What has become very obvious over the past five years—and I think it has become worse—has been his continual defiance of the Chair. As the member for MacKillop correctly identified before, the cameras have a fair bit to do with some of the behaviour in the House, and the member for Hart always seems very interested when a camera is around. In fact sometimes the cameras come back—for example, yesterday—and the honourable member seems to know when they will be here. Once again, the community standards and the expectations have not been met. On behalf of the better behaved members of the House, the electors and the taxpayers deserve much better than what we have seen from the member for Hart, and we support the Chair's move in naming the member.

Mr HANNA (Mitchell): From my point of view one of the disturbing things about today is that I am left with a real concern and a real doubt about the genesis of this situation. It has all the hallmarks of a set up. It is as if Government members expected—

Members interjecting:

The SPEAKER: Order!

Mr HANNA: —or even planned for one or more—

The SPEAKER: Order! I warn the honourable member that I take deep exception to the his implication that anything was set up or anticipated beforehand. I warn the honourable member of the consequence of taking that course of action.

Mr HANNA: Sir, I do not mean to reflect on you but ask only for your reassurance after you have understood the drift of my impression.

The SPEAKER: I think I responded to that in what I just said.

Mr WILLIAMS (MacKillop): I do not wish to reiterate what I said a few minutes ago with regard to the Leader, but I would like to raise a few points in respect of the member for Hart because I think, second to the Leader of the Opposition, the member for Hart has certainly graduated out of the apprentice school and is a master of the trade. No other member, apart from his Leader, has the ability to pull a media stunt the way in which the member for Hart does. I suggest that the House show absolutely no leniency to this member. One of the excuses that the member and other speakers have used during this and the previous debate was the fact that this is the last sitting day.

Are members opposite trying to suggest to the Parliament and the people of South Australia that, on the last day of sitting, we can do things which are not expected of us on any other day? Are they suggesting that on the last day of sitting the Chair does not deserve the respect that it deserves on any other day? I fail to understand what the last day of sitting has to do with the respect that the Chair deserves to have shown to it.

Another reason that I ask that no leniency be shown to this member is that during the previous debate the honourable member continued to interject, continued to flout the Chair, and I heard him say across the Chamber, 'What else can they do to me?'. There was mention a few minutes ago about the idea of a sin bin, and we debated that idea sometime ago.

An honourable member: How did you vote?

Mr WILLIAMS: I voted against it, for the very reason that the sin bin would have members such as these—

Mr Wright interjecting:

The SPEAKER: I warn the member for Wright.

Mr WILLIAMS: The sin bin would have members stand out of the Parliament for an hour. That is of little or no consequence to some members.

The SPEAKER: Order! I ask the member for MacKillop to come back to the debate.

Mr WILLIAMS: It is my belief that the member for Hart continually pushes to the limit and, in my opinion, beyond the limit of the standards that this House should expect from its members, and he does it for no other reason than to create a media stunt. Just to illustrate my point, only yesterday afternoon in this House, a television camera came into the gallery, well after Question Time had finished, and was filming some of the debate. The member for Hart, seeing the television camera in position, decided to make the most of the opportunity. I will just quote a little from yesterday's *Hansard*, as follows:

Mr SCALZI: I rise on a point of order. Mr Deputy Speaker, I believe the word 'sleazy' is unparliamentary.

The DEPUTY SPEAKER: Order! The member for Hartley has made his point—

Mr ATKINSON: I rise on a point of order, Mr Speaker. In an ordinary criminal trial, previous convictions are not admissible.

The SPEAKER: Order! There is no point of order. We are not in a media or criminal trial.

Ms HURLEY: Mr Speaker, I rise on a point of order. I am not sure of the legal niceties, but I believe that the member for MacKillop is straying into irrelevance at this stage from the point at issue before the Chair.

The SPEAKER: There is no point of order. I caution members taking part in this debate to stick strictly to the parameters of the debate and not stray and make points that are not totally relevant.

Mr WILLIAMS: Thank you for your guidance, Sir. I believe it is relevant that yesterday the member for Hart continued to flout the Chair. He continued to make a media stunt for the one reason that there was a camera in the gallery. I thought that his behaviour had nothing to do with the proceedings of this Parliament. It was just about making a media stunt, and he kept—

Mr FOLEY: I rise on a point of order, Sir. The member for MacKillop is clearly imputing improper motives on my debate in this House yesterday.

Members interjecting:

The SPEAKER: Order!

Mr FOLEY: It was about a potential misuse and cover up of the Public Works Committee's inquiring into Motorola that I was referring to, a legitimate role of the Opposition—

The SPEAKER: Order!

Mr FOLEY: —and I ask that he withdraw that remark.

The SPEAKER: There is no point of order. The last request is not relevant to the point of order. The member may or may not wish to respond to that.

Mr WILLIAMS: I was making the point that, once the Chair had asked the honourable member to not use unparliamentary language, the member for Hart continued at length to defy that ruling and continued at length to use what had been ruled as unparliamentary language.

Members interjecting:

The SPEAKER: Order!

Mr FOLEY: On a point of order, Sir, the member for MacKillop has, I believe, potentially deliberately misled this House in incorrectly quoting from yesterday's *Hansard*. I ask that he withdraw and apologise.

The SPEAKER: The Chair happened to read the *Hansard* this morning and also happened to hear the debate in my chambers. It is my assessment that the member for MacKillop is running very close to the mark in giving a very accurate account of the proceedings. It was my view that, had I been here, the reference to 'sleaze Government' on the first couple of occasions was not unparliamentary, but the debate then drifted past that to the stage of total disregard for the authority of the Chair. If I had been in the Chair, I probably would have ruled accordingly.

Mr WILLIAMS: For the benefit of those members opposite, I quote the Deputy Speaker from page 554 of *Hansard* of 9 December, as follows:

The Chair would suggest that the word is unparliamentary.

The member for Hart continually pulls these stunts—

Members interjecting:

The SPEAKER: I warn the member for Peake. He knows the consequence of where he is going. I ask the member for MacKillop to proceed with his contribution and wind it up.

Mr WILLIAMS: I will wind up. I think I have made my point. I commend the House to show no leniency whatsoever. I think this certainly illustrates the commonsense of this House in not going down the track of having a sin bin which would punish this sort of behaviour with one hour's suspension. I believe that the member deserves to be suspended from the House for at least a day. My understanding is that the second time a member is named in a session—

The SPEAKER: Order! It is not for the honourable member to start predicting any consequences. We are debating one issue and one issue alone. I ask members to restrict themselves to the debate.

Mr WILLIAMS: I was just drawing the House's attention to the way the punishment is ratcheted up, and I believe that the House will see some better behaviour from some members when they are facing a little stiffer penalty than they are at the moment. I commend the motion.

Ms HURLEY (Deputy Leader of the Opposition): The Government seems to be saying that the reason the member for Hart should leave the House is that he is seeking media attention. I include in the broad umbrella of the Government the member for MacKillop.

Members interjecting:

Ms HURLEY: I include the member for MacKillop in the Government's ranks because that is how he always votes.

Mr WILLIAMS: On a point of order, Sir, I think the Deputy Leader is well aware that I am not a member of the Government, and I would like her to withdraw that comment.

The SPEAKER: Order! There is no point of order.

Members interjecting:

The SPEAKER: Order! I caution members against taking irrelevant points of order in a debate of this sort. There is a consequence to that course of action.

Ms HURLEY: Nevertheless, perhaps I should amend my remarks to say the members of the Government and the fiercely Independent member for MacKillop blame media stunts for the behaviour of the member for Hart. It has been my observation in my time in politics that it is a common practice for a Government in terminal decline to turn on the media and blame them for its decline. This is indeed what is happening here. Government members talk about media Mike, which is what sparked the Leader of the Opposition's naming, and now they are blaming media stunts for the member for Hart's behaviour.

First, this insults the intelligence of the media; and, secondly, it insults our intelligence. These media stunts by the Leader of the Opposition or the member for Hart would not be picked up if there were not some substance to them. The media are picking them up because there is some substance, because they recognise a Government in terminal decline, and they recognise the divisions among this Government.

Members interjecting:

The SPEAKER: Order! The Chair is trying to hear the contribution from the Deputy Leader, and I would ask the House to remain absolutely silent.

Ms HURLEY: The media recognise that people on this side of the House have something to say that may be of interest to the South Australian public. They get—

The Hon. R.G. Kerin interjecting:

The SPEAKER: Order! I warn the Deputy Premier.

Ms HURLEY: —precious little of substance from Government members themselves. Government members are busy running away from the media, busy trying not to answer media questions and busy trying not to answer questions from this House, which leads to a great deal of frustration, I must admit, among members of the Opposition, who stand here day after day trying to elicit a little information from the Premier and his Ministers.

The SPEAKER: Order! I ask the Deputy Leader to return to the debate.

Ms HURLEY: I am just trying to explain the frustration of the member for Hart and other members of the Opposition in that we—

Members interjecting:

The SPEAKER: Order! I warn the Minister for Government Enterprises and ask that he remain silent for the rest of this debate.

Ms HURLEY: I was expressing the frustration that members of the Opposition have in occasionally responding to interjections and comments from Government members. We hear more by interjection from the Government members than in answer to questions. Members of the Government continually slide past answering questions and, when they do answer questions directly, one sometimes wonders about the accuracy of those answers. This leads to a great deal of frustration on the part of the Opposition. And if we seek to use the media to highlight that, if we seek to go to the public of South Australia directly because of our frustration in this House, then we are blamed for pulling media stunts and for using the media.

This has resulted occasionally in a tendency to answer back by members of the Opposition to interjections from Government members. We have noted time and again that along the front bench and the back benches there is continual interjection. When we respond, it is members of the Opposition who are warned or named, and Government members are not dealt with nearly as severely as are members of the Opposition.

The SPEAKER: That is a reflection on the Chair.

Ms HURLEY: I am sorry: I was not reflecting on the Chair. In this, although he claims consistency, the member for MacKillop really is not being quite forthright, because he did vote against attempts to reform the parliamentary process by revision of the Standing Orders. For the Government as a whole, for member after member to stand up here and claim to be outraged at the behaviour of the Opposition is quite hypocritical. They made no attempt under the Standing Orders to alter the Standing Orders of Parliament so that there might be better control by the Speaker of the behaviour of members. I would speak in defence of the member for Hart, who explained, I think quite eloquently, the way he was expressing his frustration with the prevarication of the Government.

The Deputy Premier in his speech merely seemed to be saying that he thought it would be a good idea if the member for Hart were thrown out. I am sure that Government members would like all of us to be thrown out so that they could regain control over the numbers. I am sure that this is a very sore point with members of the Government at the moment, with certain members in their own ranks proving a little difficult to control. They would prefer to see their numbers regained by having all of us thrown out. That will not be the case, I am sure. Having managed to get rid of the Leader of the Opposition from being able to vote in this House, I am sure that they will see reason and allow the member for Hart to remain in the Chamber. I urge members of the House along those lines. I urge that they vote against this motion.

Mr CONLON (Elder): I submit that it is obvious that the explanation of the member for Hart should be accepted. To any reasonable person, his explanation was compelling to the point of being an objective truth. Of course, we do not deal with reasonable people on that side. Sitting on this side, close to the back of the well-groomed head of the member for Hart, I say to the House that he is a man of decency, of sweet temperament, of genteel disposition; a man moderate in all things, who would never have behaved in any unruly fashion if it were not for very deep frustrations placed upon him in this House. No better evidence of those frustrations is offered than the contribution from the fiercely independent member for MacKillop.

In his discourse on this matter, in his quite unwarranted personal attacks on the member for Hart, he has shown exactly the deep frustrations we feel. We have had some cause to have dealings with the fiercely independent member for MacKillop about standards in this place, the very thing that—

The SPEAKER: Order! The debate is not about the member for MacKillop and I bring the member back to the debate.

Mr CONLON: With the greatest respect, Mr Speaker, the explanation of the member for Hart was that his behaviour came about only from deep frustration at the standards in this place. It is my duty to explain to people what those frustrations are, because it is not apparent. But they are very profound. Let me tell members that the deepest frustration is that we have dealt with the member for MacKillop in terms of the standards of this place. We persistently tried to show him the lack of standards exhibited by the former Minister, the member for Bragg, and he turned a blind eye to those because, apparently, those sorts of miscreancy, those items

of misbehaviour, are not as important as some sort of healthy interjection.

We did this again, over and over, with the persistent misleading of this House by the Premier on Motorola. But that was not a matter that greatly interested the member for MacKillop: all he wanted was a bolthole to get out of enforcing standards in this place. In fact, my recommendation to the member for MacKillop is that he swap positions with Peter Lewis in the Liberal Party—

The SPEAKER: Order!

Mr CONLON: —because at least we would get something that Peter said—

The SPEAKER: Order! The member is now—

Mr CONLON: —and you would get a true blue Lib!

The SPEAKER: Order! The member will resume his seat or I will name him, too. The member well knows that he is now straying well away from the question before the Chair and having a general political debate.

Mr CONLON: I apologise for straying because I too, being of sweet disposition, feel the deep frustrations of the member for Hart with standards in this place. Let me close by saying that the Premier might well have a victory today in evicting two members of this Caucus, but it is not the victory he would really like. The two people he would like evicted from this place are not on this side.

Mr ATKINSON (Spence): I must say that it was much easier earlier to rise and support that the Leader of the Opposition's explanation be accepted than that the member for Hart's explanation be accepted. I think that I am batting on a slightly more difficult wicket here. I want to draw the attention of the House to the consequences of the member for Hart's explanation not being accepted, because they are serious consequences. I do hope that the Deputy Premier is listening, because he requires the cooperation of the Opposition to deal with Government business, and we have given our cooperation quite generously in the past few weeks since he has been the Deputy Premier. My difficulty with not accepting the member for Hart's explanation is this: there is a Bill before the House later today that was before the House yesterday. That Bill was adjourned on a vote of the House and against the consent of the Government.

An honourable member interjecting:

Mr ATKINSON: It has a lot to do with it. In fact, it has everything to do with it. I do not want to explore the possibilities raised by the member for Mitchell but this does raise those possibilities. That Bill is the Second-hand Vehicle Dealers (Compensation Fund) Amendment Bill and it was adjourned against the Government's consent, which is not something that happens very often. It is a matter about which the Minister for Government Enterprises and the Cabinet as a whole are very frustrated and angry: they do not like those things happening—a Bill being adjourned against the Government's consent. But that Bill comes back after this little affair, after the Grievance Debate; it comes back into the House. Two of the people who voted for its adjournment will by then have been suspended.

Elections are held every four years in South Australia to elect a particular House, and 47 members were elected democratically to this Chamber because each of them gained a majority of the vote before or after preferences in their State district. The House has a certain political complexion by the will of the people of South Australia. It is a reflection of that will that the House voted not to proceed with the Government's Second-hand Vehicle Dealers (Compensation Fund) Amendment Bill. It voted to handle that Bill in a different way.

Because of the fortuitous suspension of two members who voted for the adjournment yesterday, the Government is all ready to go, all motored up, as it probably was before Question Time, and in particular the Minister for Government Enterprises—

The SPEAKER: Order! There is a point of order. The member for Spence will resume his seat.

The Hon. R.G. KERIN: The member for Spence is imputing improper motives against the Government and me.

Members interjecting:

The SPEAKER: Order! The Chair would be more concerned if the honourable member was imputing improper motives towards the Chair, and I assume that he has not yet done that.

Mr ATKINSON: Sir, I would never impute improper motives towards the Chair—not, at any rate, since the incumbency changed.

The Hon. M.H. ARMITAGE: I rise on a point of order, Sir. The member for Spence quite clearly identified me, the Minister for Government Enterprises, and said words to the effect of 'cooked up before Question Time'. I regard that, first, as imputing improper motives and, secondly, using offensive words against a member. I ask him to withdraw on both those points of order.

The SPEAKER: The Chair is not aware whether the honourable member used those exact words. If the honourable member did and referred specifically to the Minister, he should withdraw them. We can always check *Hansard* later.

Mr ATKINSON: I have always been happy to withdraw unparliamentary language when the Minister for Government Enterprises has dobbed me in to the House—even language I used that was not even recorded in *Hansard*. On this occasion the member for Adelaide is absolutely wrong. He has just got the words wrong. As a result of refusing to accept the member for Hart's explanation—

The SPEAKER: There is a point of order.

The Hon. M.H. ARMITAGE: Sir, I take it from your comment to the member for Spence that you intend to check *Hansard*, because I would contend that I am not incorrect.

The SPEAKER: I said to the member for Spence that I was relying on him to apologise and withdraw if he made those remarks, reminding him that we can check *Hansard* later. I am trusting the honourable member's word as to whether he did or did not. The sequence of events will reveal whether or not he made the statement and he will have to live with that.

Mr ATKINSON: Of course the Minister for Government Enterprises was all ready to go with the Second-hand Vehicle Dealers (Compensation Fund) Amendment Bill. It is his responsibility to get it through the House. Of course the Minister was geared up, ready to go before Question Time to get it through but, as a result of two suspensions from the House, the will of the House, as created by the election of October 1997, will now be changed. The Government will use the opportunity of these two fortuitous suspensions—

An honourable member interjecting:

Mr ATKINSON: —it just came out of nowhere that two Opposition members were suspended—to put a Bill through the Lower House which does not, in fact, command the support of that House properly constituted. If the Government attempts to do that at the completion of this debate and after grievances have been dealt with, I warn the Government:

there will be no cooperation whatever from the Opposition on any matter.

The House divided on the motion:

AYES (24)

Armitage, M. H.	Brindal, M. K.
Brokenshire, R. L.	Brown, D. C.
Buckby, M. R.	Condous, S. G.
Evans, I. F.	Gunn, G. M.
Hall, J. L.	Hamilton-Smith, M. L.
Ingerson, G. A.	Kerin, R. G. (teller)
Lewis, I. P.	Matthew, W. A.
Maywald, K. A.	McEwen, R. J.
Meier, E. J.	Olsen, J. W.
Penfold, E. M.	Scalzi, G.
Such, R. B.	Venning, I. H.
Williams, M. R.	Wotton, D. C.

NOES (19)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Clarke, R. D. (teller)
Conlon, P. F.	De Laine, M. R.
Foley, K. O.	Geraghty, R. K.
Hanna, K.	Hill, J. D.
Hurley, A. K.	Key, S. W.
Koutsantonis, T.	Rankine, J. M.
Snelling, J. J.	Stevens, L.
Thompson, M. G.	White, P. L.
Wright, M. J.	

PAIR(S)

Kotz, D. C.	Ciccarello, V.

Majority of 5 for the Ayes.

Motion thus carried.

The SPEAKER: I ask the member for Hart to leave the Chamber.

The member for Hart having withdrawn from the Chamber:

The Hon. R.G. KERIN (Deputy Premier): I move:

That the honourable member be suspended from the service of the House.

Motion carried.

MOTOROLA

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): I lay on the table the ministerial statement relating to the Motorola inquiry made earlier today in another place by my colleague (the Attorney-General) and attached letters.

PUBLIC WORKS COMMITTEE REPORTS

Mr LEWIS (Hammond): I bring up the eighty-fifth report of the committee and move:

That the report be received.

Motion carried.

Mr LEWIS: I bring up the eighty-sixth report of the committee and move:

That the report be received.

Motion carried.

Mr LEWIS: I bring up the eighty-seventh report of the committee and move:

That the report be received.

Motion carried.

The Hon. R.G. KERIN (Deputy Premier): I move:

That the reports be printed.

Motion carried.

GRIEVANCE DEBATE

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

Ms KEY (Hanson): My contribution to the grievance debate today relates to the celebration of 50 years of the Declaration of Human Rights. In so doing, I refer particularly to the work that is done on an international level in relation to the International Labour Organisation, which is a much older organisation and which also looks at the protection of fundamental human rights.

It is particularly important to talk about these issues because of the number of industrial disputes that we have witnessed in Adelaide just recently. It seems that, although we have conventions, rules and laws purporting to provide for workers, in particular, many of them do not seem to be observed in the spirit of the International Labour Organisation or, in fact, United Nations conventions. Despite the fact that we are a developed country, we are in the western world and a number of provisions here allow our workers to have a better existence than those in other countries, particularly third world countries, we still see disgraceful events, as happened recently involving the Adelaide Casino, where workers are being forced to sign individual contracts.

Workers at Clarks Shoes, who have never taken industrial action before, have had to go out on strike for four days just to find out whether, in fact, they will have jobs, what will happen if they are made redundant and what their entitlements will be if that happens, despite the fact that the union involved, the Textile Clothing and Footwear Union, had negotiated for these provisions to be put in place. We see people losing their jobs at Lear Seating and in the bus component section of Austral Steel. So, while we might think that the conventions do not need to apply in South Australia and Australia, I am sorry to report that a number of things happening in Australia do not support the tenor of either the United Nations or International Labour Organisation conventions.

It is also of concern to me that the Opposition has been continually frustrated in trying to introduce what is a perfectly reasonable Bill to protect young workers who are out on the street selling sweets. I know that the member for Torrens has worked for at least a year now to try to ensure some sort of industrial protection for workers. There is a lot of rhetoric in this place about human rights and about protecting children but, when we have what would be a much more minor example of children being exploited, the Government cannot get its act together to support a very reasonable piece of legislation to try to ensure that these workers are working within a secure environment and are not left to their own devices in places away from their home and, in some cases, taken to country areas or interstate to sell sweets on the street. It is a disgraceful situation and, because of the way our private members' time is set up, it is almost impossible for us to deal with this issue. Yet again, the matter has not been considered by this Parliament.

As I have said, today is a celebration of the Declaration of Human Rights, and it is also a celebration of some of the conventions that have been put in place to ensure reasonable conditions for workers and their families. One of the

conventions to which I will refer is that involving freedom of association. Unfortunately, that is an issue here in South Australia at the moment where, for different reasons, workers are not able to associate with the union of their choice. On the matter of child labour, we cannot even get it right in South Australia to make sure that children are not out on the streets being exploited selling lollies. There are also conventions concerning forced labour, discrimination, freedom of association, core hours and working hours. So, in wanting to complement the activities in place today celebrating the Declaration of Human Rights, I believe that it would be very hypocritical of us to sit back and think that everything is okay in South Australia and that we are doing our best to look after what would be much better circumstances than those existing in the developing and third world countries.

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

Mr VENNING (Schubert): I rise today to speak about a very important matter involving the deep sea port.

The SPEAKER: Order! I ask the member for Norwood to withdraw herself from the Chamber and remove that head gear.

Mr ATKINSON: Sir, I rise on a point of order. There is a precedent established by Speaker Peterson in, I believe, 1992, following Erskine May, that one is allowed to wear a hat into the House. The only consequence of wearing a hat into the House is that one cannot get the call.

The SPEAKER: Order! That may be so. But it is the ruling of the Chair at the moment that that was not a hat but a display, and I treat it as such.

Mr VENNING: I rise today to speak about a very important issue, involving the new deep sea port in South Australia and the ongoing debate about the requirement and the location on this side of the gulf. This is an extremely important issue for South Australia's major industry, that is, the cereal grain industry. The matter has been dragging on for years. I have a report prepared by consultants Cameron McNamara in 1985—13 years ago—and there have been at least four reports since that time. Here we are today, and what has happened? Absolutely nothing!

A lot of words have been written, there has been a lot of talk, and many meetings have been convened, but still nothing has been done. The situation is becoming serious. Five reports have been done on this over the past 13 years and I have got to the point where frustration has set in. I had my own report done in November 1996 and it was submitted for public comment. That was two years ago, but there was still no final decision. There were still more meetings and still nothing has happened. The South Australian Deep Sea Port Investigation Committee is about to deliver its third report on this issue. The first one was undertaken in March 1996, the second in January 1998 and the third, hopefully, in January 1999. There are too many conflicting forces involved, with industry and marketing boards, storage and handling, and parochial farmers all compounding this indecisiveness. The Government has to step in and take control of the situation and guide the process now.

If Port Giles needs to be upgraded, do it now. If Wallaroo is to go ahead with an upgrade of facilities and dredging of the channel, do it now. Dredging is relatively cheap at present because of the Asian economic downturn. There is a surplus of dredging equipment and I am certain that we can do it cheaply, but we are missing out on yet another golden opportunity to save the State and the industry a great deal of money.

Scores of public meetings have been held around the State. I attended one on 20 April this year at Paskeville, and 500 people came to try to resolve the whole mess. There is a lot of feeling out there, and it has to be sorted out by the Government. Previous Labor Governments prevaricated on this issue through the 1970s and 1980s. Now it is the Liberal Government that needs to address this issue. The State's grain industry needs its infrastructure upgraded to handle the ever-increasing production and the need for greater efficiencies. If the investigation committee reports that Port Adelaide, Port Giles and Wallaroo should be upgraded and improved for the benefit of this State, then let's do it!

The grain industry brings an average of $1 billion into this State every year. We cannot afford to hinder this most valuable industry for the good of the State. Our farmers are the most efficient in the world, but our infrastructure to get the product to market is not up to world standards. We need the capacity to fully load larger Panamax ships. We cannot rely on Port Lincoln to do that, as we do at the moment with our system of two-port loading. We part load a big ship on this side of the gulf but we have to take it to Port Lincoln to top it up. That incurs extra cost which is levied to the farmers. This year, when there are lower commodity prices, it will hit very hard, and many are battling to stay viable.

The harvest is determined by the weather, not the clock, and I wish to raise another matter in relation to silo hours. Workplace agreements should be negotiated with SACBH silo staff to open when farmers are reaping and delivering grain. It is a waste of time and resources for silos to be open when it is raining, because no-one can reap when it rains, but to be shut for 1½ days on a hot reaping weekend. I hope that we will see some common sense in this matter and that, as we become more efficient in our industries, silo management is able to negotiate workplace agreements with the staff so that, when the reaping weather is good, the silos can remain open. The Government needs to step in and give some clear directions to our industry to resolve the whole mess surrounding this deep sea port. Let us hope that, in 1999, we will see some strong decisions and some actions on a new deep sea port on this side of the Spencer Gulf in South Australia.

Ms RANKINE (Wright): Today I again address the House on an issue which has had considerable impact in my electorate and which was a matter of some controversy in the lead-up to the last State election campaign. I refer to the telecommunications tower within the Cobbler Creek Recreation Park. Because of the number of times that I have raised this issue, members will know the history of the tower. There was enormous community concern about a tower being erected in a gazetted recreation park and the residents in the area spent approximately 100 days in a 24 hour vigil protecting that park.

On two occasions, Vodaphone, an overseas telecommunication company, got into the park and twice we got its representatives out. Much of the information that was perpetuated by the State Government and accepted by a lot of residents was later found to be incorrect, and now it appears that other serious questions need to be addressed. I am raising this matter again to advise the House that I have written to the Australian Telecommunications Authority requesting an urgent investigation into this matter.

The issues that warrant investigation are the process of consultation that was undertaken, whether the level of

construction at that site was sufficient to be considered to have commenced prior to 1 July, and whether the construction of the facilities had been completed by 31 December 1997 as required under the Act. It is my opinion that there is substantial evidence to confirm that the consultative process was inadequate, that the work undertaken at this site prior to 1 July could only be considered to be trifling, and that the final phase of this construction has only now taken place.

The process of consultation was an absolute sham. The people of Salisbury, who had fought to establish the park, were excluded from any of the consultation by the telecommunications company. It then identified a few people in the area, brought them into some meetings and basically told them what it was going to do. Never mind what ideas the local people had or suggestions for other locations, because they were totally disregarded. As for the construction at the site being sufficient to have commenced prior to 1 July, the then Minister for Environment spoke to community groups on 24 or 26 June.

At that stage, with construction consisting of four pegs in the ground, the Minister and local member advised local residents that work had proceeded to such a point that it could not be halted. Prior to 1 July, Vodaphone skimmed a few inches of dirt off the topsoil. Workers came in with a small machine, skimmed the dirt and construction was under way. We let those things go, having pushed them and done what we could, but being totally disregarded.

As to whether construction of the facilities was completed by 31 December, I have recently been advised that it was only this month that the fibre optic cable was laid through the park and connected to the tower. On 4 March, an article appeared in the local Messenger Press, in which a Vodaphone spokesperson claimed that the tower could be switched on at any time: it might not happen for six or 12 months, but it was completed by 31 December. How could the tower have been completed if no cable had been laid? All we had was a great big stick in the ground.

This overseas corporation took over our park and lied to my constituents, so I have written to the Australian Communications Authority requesting an urgent investigation. On at least two occasions I received correspondence from the Federal Minister for Communications in which he stipulated that, under the Act and in the particular circumstances, if Vodaphone could establish lawful commencement of construction, the carrier had until 31 December 1997 to complete the facility. What we had was a stick in the ground.

The Hon. D.C. WOTTON (Heysen): I wish to address three matters in the short time available to me. The first is to express my pleasure at the achievements that have been made as far as the Lake Eyre Basin cross-border agreement is concerned. Secondly, I wish to raise the matter of the work that has been and is continuing to be carried out in preserving the Great Artesian Basin. Thirdly, I refer to the matter of the Murray-Darling water cap that has now been endorsed.

Most members would be aware that in 1997 a heads of agreement on the Lake Eyre Basin was reached between South Australia and Queensland. That provided a good base statement to develop a much more formal agreement for the ongoing management of the Lake Eyre Basin. Regrettably, the progress was somewhat stalled, because of the Queensland election and, as a result of that election, a change in the State Government. I am delighted that, after all this time, agreement has now been formally reached.

Most members would also be aware that the Lake Eyre Basin is an extremely important part of Australia. It is one of Australia's great ecosystems. It is important that, as a result of the talks that have now taken place between the two States, we can secure a timetable and put in place a governing body to administer a minding management plan for the basin. There have been occasions when we have been concerned about the possibility of major developments happening, for example, on the Cooper or the Diamantina. It is important that such an agreement be put in place because we realise that inappropriate developments will be extremely detrimental to pastoral lands and the northern part of the State. I am delighted that that agreement has been reached.

I am very pleased to see that the Draft Great Australian Basin Strategic Management Plan has been released. Again, I had a part to play in the early stages of the preparation of this plan with ongoing discussions with pastoralists and communities that live in the region. The Government is now putting in a substantial amount towards a major program to prevent bores in the Great Artesian Basin from flowing uncontrollably. It is important that that should be the case. More than 200 bores have been rehabilitated in South Australia—an operation that is preventing the wastage of a huge amount of water—and only about one dozen bores remain to be rehabilitated, and they have not been done because they are difficult to deal with.

It is important that the Government recognises and provides strong support for the Great Artesian Basin Consultative Council. I understand that some $26 000 a year is being contributed towards its operation and that a further $10 000 is in place to produce the draft strategic management plan which has just been unveiled. I am delighted that that is happening. In the short time that I have available I would like to say how pleased I am that the Murray-Darling cap, which is, of course, of critical importance to both the economic and environmental sustainability of the Murray-Darling Basin, is now secure. For some time there has been a concern that New South Wales may back out of that agreement. I am pleased that its commitment has been made clear now and that the cap is and will remain steadfast. It is vitally important that that should be the case, and I do not need to explain to the House why that is so—because of the importance of the Murray River to South Australia, in particular.

Mrs GERAGHTY (Torrens): It has been a very disappointing afternoon—just as disappointing as the fact that an organisation in my electorate, the North East Community Assistance Project (NECAP), is another victim of the Government's mean approach to community welfare support groups. The Government has not continued to fund NECAP's only paid staff position. The rejection of NECAP's application for funding means that the organisation will lose the very staff member who coordinates the delivery of welfare services to those most in need. This means that NECAP will have to rely purely on volunteers, which is not feasible, and could eventually mean the closure of the organisation.

Both I and NECAP's board of management had a meeting with the Minister for Human Services to discuss options for us to continue funding for the staff position. However, at this stage we have not been successful. NECAP received a letter from Community Benefit SA which outlined that one-off funding arrangements were oriented to 'those projects which met the highest priority in terms of assessed level of need, quality of outcomes for the most disadvantaged families and individuals in South Australia and cost effectiveness'.

NECAP is a front line community support organisation, established in 1980, which has helped thousands of adults and children from the suburbs north of Golden Grove through to Marden, Enfield and even further. It traverses a very wide area. NECAP provides food, family meals, clothing and emergency financial assistance for those in desperate need; it facilitates a financial counselling service; and it delivers a general communication resource for the entire north-eastern community. NECAP performs a vital function as the only provider of such services in the area. Without NECAP, many needy people will have to travel out of the area for assistance. This adds an extra unnecessary cost to its already strained budget.

These one-off funding arrangements for welfare organisations such as NECAP help build needs based infrastructure which supports those in the community who are impoverished, and the community then comes to rely on the benefits which these organisations such as NECAP offer. With no feasible way to provide independent funds to NECAP, the only way that we can rely on on-going funding is with Government support. Recently on radio 5AA the Premier said:

> Organisations like NECAP and the Blind Welfare Association—

which is also in my electorate—

> provide important resources which do important work through the use of volunteers and deserve recognition and should be supported.

I would just like to remind the Premier of those words. In fact, I attended a function at the Blind Welfare Association, and he addressed very similar words to the volunteers who attended. As I said, I would really like to see him stand by that comment. NECAP provides food parcels and cooked meals, as I have said. A total of 4 215 main meals were provided throughout 1997-98 and over 120 food parcels were distributed, and those meals were cooked by volunteers. A total of 1 628 adults and children were assisted over this period. Total funds dispersed amounted to $53 468, and over 2 000 adults and children were given emergency financial assistance.

Major charitable organisations and Government departments refer many clients to NECAP for assistance because they have not been able to assist them, including Centrelink and FAYS at Modbury, Enfield and Marden, mental health, IDSC, the Housing Trust, St Vincent de Paul, Lutheran Community Care, the Salvation Army, and so on. Where will these people go for assistance in the future, particularly as poverty is on the increase within our communities? At a time of increasing poverty in the community, this threat to NECAP is a major disaster for families in the north-eastern area. It is yet another reduction of services in the north-east, which is tearing the heart out of our community and creating despair.

I have spoken to the Premier—and I guess he has other things on his mind at present—and I would like both the Premier and the Minister for Human Services to have a think about the position that taking this funding away for this paid position has put our community in. I would like them to have the decency to come and speak to us and give us the support we need.

The Hon. G.A. INGERSON (Bragg): I would like to very briefly speak about a couple of major events in this State. I am sure that it has not escaped your notice, Mr Deputy Speaker, that Adelaide has been alive to the sound of the Valkyries, but what you may not have heard is the accompanying sound of the cash registers. I bring to members' attention the economic benefits that Australian Major Events, and in particular State Opera's production of the *Ring* cycle, has generated. Let us take the *Ring* cycle as an example of an event, which, specifically, is designed to generate tourism. The visitor surveys alone tell a unique story of success. They show that two out of three people who bought tickets for the opera travelled from interstate or overseas to attend this magnificent event.

The figures are as follows: more than 1 000 ticket buyers came from overseas; 3 000 from interstate; and 1 000 locals purchased tickets. This ratio of three national and international visitors to every local visitor is an incredible achievement and, while no figures are yet available which calculate the duration of stay, members of the House can well imagine that no international or interstate visitor would fly in one day and out the next having attended Wagner's *Ring* cycle. Indeed, the hotel industry reports that most hotels in Adelaide were fully occupied for the duration of the *Ring* cycle. The flow on effect of the number of international visitors from Europe travelling to Adelaide for this premier arts event was that it raised the profile of South Australia, making the State a first choice destination for many new international tourists.

Restaurants reported a brisk trade. I am reliably informed that conductor Jeffrey Tate's favourite eating establishments included the Salopian Inn in the Southern Vales area, and The Citrus and Wok's Happening in Hutt Street. The winner of the Remy Martin Gourmet Traveller Restaurant of the Year, The Grange, is now booked out until February next year. The telephone began ringing at 7 o'clock on the morning after the award was announced, and it has not stopped since.

In relation to the *Ring*, not surprisingly, the Centre of Economic Studies in its preliminary study estimated that the *Ring* cycle's economic benefit to the State would be about $14 million. Another study of the actual economic benefit is being commissioned and will be available in the next six months. International visitors came from Germany, Belgium, Finland, South Africa, Singapore, Brazil, the United States of America and the United Kingdom. Thirty-five interstate and international journalists alone attended the first cycle, and more planned to attend the second and third—and those figures are not yet available.

Major features have appeared in French newspapers *Le Journal du Marche*, *Le Figaro*, *Madame Figaro*, and *Liberation* and, closer to home, in *Vogue*, the *Weekend Australian*, the *Financial Review*, the *Times*, the *Sydney Morning Herald* and on the *7.30 Report*. They all covered this prestigious international event. Monday's *Australian* headlined its story on the *Ring* with the comment, 'Well within the sphere of brilliance'. Britain's BBC3 has already aired a special on the *Ring* cycle. The *Observer*, *Vanity Fair*, the *Los Angeles Times* and ABC TV are also planning to feature the opera and have made a firm commitments to do so.

The Tourism Commission, through its visiting journalist program, has supported this bold Arts SA initiative by bringing journalists from interstate and overseas to experience this magnificent opera in arguably one of the most beautiful cities in the world. This collaborative working relationship between the Tourism Commission and Arts SA highlights the effectiveness of Government departments working together in promoting national and international major events. State Opera calculates that the editorial value alone of coverage of the *Ring* cycle is worth between $1 million and $1.5 million. Australian Major Events

committed $1 million to assist State Opera (in conjunction with its sponsors) to stage the epic *Ring* cycle and in return has helped generate around $14 million, which constitutes a return of over 1 000 per cent on the taxpayers' investment.

As well as this, this first staging of the full *Ring* cycle in the southern hemisphere reinforces South Australia's position in the centre of arts excellence. South Australia has earned its reputation as the festival State through its history of innovative and groundbreaking festivals and events. The curtain will hardly have come down on the *Ring* cycle before the international media again spotlights South Australia in the Tour Down Under. It is also important to recognise that last week probably one of the biggest sporting events we have seen in this State for a long time, the Australian Open, was held at the famous Royal Adelaide Golf Course. The event attracted in excess of 75 000—one of the biggest crowds to ever attend a golf event on Sunday—and it really was a major achievement for Major Events in South Australia.

JOBS WORKSHOPS

Ms STEVENS (Elizabeth): I seek leave to make a personal explanation.

Leave granted.

Ms STEVENS: On two occasions the Minister for Employment has criticised me in this House for highlighting bungles in his jobs workshop program. On the first occasion he even went so far as to accuse me of spreading a tissue of lies. In the *Advertiser* of Tuesday 3 November an article written by Miles Kemp containing quotes from the Minister and entitled 'A politician free zone' stated that the jobs workshop in Elizabeth was to be held at the Central Districts Football Club at 9.30 a.m. on 11 November. As I had received no invitation and wished to attend, my assistant rang the Minister's office on Friday 6 November to confirm date and time and was told by a staffer that the details in the *Advertiser* were correct.

On 11 November there was no jobs workshop in Elizabeth. Further investigation by me revealed that a letter signed by the Minister had been sent to the mayor of Playford inviting her to a jobs workshop at a later date. No correction of any misprint appeared in the *Advertiser* before 11 November, hence my release.

Mr MEIER: Mr Speaker, I draw your attention to the state of the House.

A quorum having been formed:

EDUCATION (GOVERNMENT SCHOOL CLOSURES AND AMALGAMATIONS) AMENDMENT BILL

The Legislative Council agreed to the Bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No.1 Page 3 (clause 3)—After line 3 insert new paragraph as follows:

(ca) a person (not being a teacher at a school that is subject to the review) nominated by the Australian Education Union (SA Branch); and

No.2. Page 3, lines 28 and 29 (clause 3)—Leave out paragraph (a) and insert new paragraph as follows:

(a) call for submissions relating to—

(i) the present and future use of Government schools within the area; and

(ii) the likely effect on Government schools outside the area in the event of the closure or amalgamation of schools within the area; and

The DEPUTY SPEAKER: I point out to the House that this Bill was restored to the Notice Paper in the Legislative Council at the third reading stage and not at the point it reached at the end of the last session.

Consideration in Committee.

Mrs MAYWALD: I move:

That the Legislative Council's amendments be agreed to.

It has been a lengthy process to get this private member's Bill to this stage, but it is very timely in that we are at the end of a school year. Any reviews to be undertaken in respect of school closures or amalgamations will now have the review process as enshrined in this legislation to ensure that appropriate consultation will take place with communities. With this process in place, I believe that communities will have a much broader say in what happens to the future schooling and education needs within their community. I support the amendments.

Ms WHITE: The Opposition does not consider that this Bill, as amended, is as good as the Bill I introduced in December last year. We are disappointed that debate on that Bill was not permitted to proceed by the combined votes of the Government, the Independents and National Party members, because we do feel that that was a superior Bill. However, we support the less superior Bill—

Ms Stevens: Inferior.

Ms WHITE: —thank you—that has found its way to our Chamber today.

Mr WILLIAMS: I want to speak briefly in support of these amendments. A lot has been said over the past 12 months, since the member for Taylor first introduced a Bill almost 12 months ago.

Members interjecting:

The CHAIRMAN: Order!

Mr WILLIAMS: In that time, a small school in my electorate has closed following representations to the Minister from the school community requesting that closure. The people of Kybybolite and the parents of students at the Kybybolite school suggested to the Minister and the people in his department that the educational outcomes for their children and the students in that area would be better served by closing that school and bussing students to the nearby larger schools in Naracoorte. I commend those parents for taking that very brave decision.

Several weeks ago I attended a wake at the Kybybolite school and I believe that, at the end of this week, the school will close forever. I would certainly like to place on the public record my thanks to the Minister for also attending that wake at the Kybybolite school.

Members interjecting:

The CHAIRMAN: Order! The discussion between the member for Spence and the Minister for Government Enterprises will cease.

Mr WILLIAMS: The people of Kybybolite appreciated the Minister's attending to celebrate the 90-odd years of that school's operation. It was a rather sad occasion. Even though the parents of today's crop of children at that school did elect to have the school closed, some of the older citizens of that area, and some of the older students, were very sad to see their school, which had been running for 93 or 94 years,

eventually close. It was done in good faith by the Minister and I believe there are other communities that may wish to go down that same path. I commend this legislation, because it puts some commonsense back into school closures.

Motion carried.

PASSENGER TRANSPORT (SERVICE CONTRACTS) AMENDMENT BILL

The Legislative Council disagreed to the amendment made by the House of Assembly for the reason assigned herewith, and amended the words of the Bill reinstated by the disagreement as indicated by the following schedule:

House of Assembly's amendment—

Page 2, lines 8 to 21 (clause 2)—Leave out subsections (3b) and (3c).

Legislative Council's amendment—

Page 2 (clause 2)—After line 19 insert the following:

(3ba) The Board is not required to disclose in a report under subsection (3b)—

(a) specific amounts payable under a contract; or

(b) other information of a commercial value the disclosure of which would diminish its value or unfairly advantage a person or persons in future dealings with the Board.

Schedule of the reason of the Legislative Council for disagreeing to the amendment by the House of Assembly.

Because the amendment does not provide adequate accountability to the Parliament.

Consideration in Committee.

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

That the House of Assembly's amendment be not insisted on and that the alternative amendment made by the Legislative Council be agreed to.

Mr CLARKE: I oppose the amendments made by the Legislative Council but, given the numbers as they lie in this place, the Opposition will lose. It is intriguing to see how the Government has from time to time lacerated the Australian Democrats for their position in the Legislative Council. I guess it will be my turn now to have a crack at the Australian Democrats, both with respect to this piece of legislation and another which will follow very shortly involving TransAdelaide.

What intrigues me with the Australian Democrats is that the Government, with respect to the leasing out of ETSA and Optima Energy, was prepared to table a whole raft of information if it was successful in that legislation, including all the details involved in any final successful leasing out of those publicly-owned assets, involving billions of dollars and however many tenderers might have sought to become the lease holders of that asset. Yet, with respect to the Passenger Transport (Service Contracts) Amendment Bill, in comparison, piddling amounts of money involving some of the assets that may be leased out under contract with respect to the work done by the Passenger Transport Board are not required to be disclosed under the Legislative Council amendment, which provides:

(3ba) The board is not required to disclose in a report under subsection (3b)—

(a) specific amounts payable under a contract; or

(b) other information of a commercial value the disclosure of which would diminish its value or unfairly advantage a person or persons in future dealings with the board.

As I said earlier, we have this unique position where the Government, to try to get the support of Mr Xenophon on the leasing out of billions of dollars worth of assets with respect to ETSA and Optima Energy, is prepared to reveal all, with every last bit of detail and no commercial confidentiality whatsoever but, with respect to the Passenger Transport Board, with amounts of money that are piddling by comparison with the assets of ETSA and Optima energy, commercial confidentiality comes out again.

I can understand the Government's position, I guess: it wanted Mr Xenophon's vote in the Upper House with respect to ETSA. But the Democrats' position on it is absolutely astounding, in that they acquiesced to the Minister. I will have more to say about these rather twee arrangements that seem to apply in the Upper House between the Democrats spokesperson for transport and the State Minister for Transport in these areas. One only has to read the *Hansard* of the debates in these matters to understand just how twee are these arrangements in the Legislative Council.

Here we have the Hon. Sandra Kanck fighting vigorously against the leasing out of ETSA and Optima Energy and demanding, quite rightly, if it were to happen, full disclosure, and for no commercial confidentiality to exist in those areas yet, in the space of a paragraph or two in the *Hansard* of the Legislative Council debate, rolling over to the blandishments of the Minister for Transport and, in a metaphorical sense, having her tummy tickled by the Minister and being satisfied, and acquiescing in the Government's amendment. I conclude on that: I will have more to say with respect to the Trans-Adelaide Bill when it comes before the Committee.

I should not be astounded by the Australian Democrats, but I am very disappointed in their stance with respect to this matter. The Government, unfortunately, has had its way in this area of again invoking commercial confidentiality when we are dealing with public assets, when the public have the right to full disclosure of details.

The Hon. R.G. KERIN: I will be very brief. The amendments were moved by us and we obviously agree with them. They give a clear direction to the Passenger Transport Board in relation to the awarding of contracts under the competitive tendering process. Most importantly, they support the view of TransAdelaide as both a public operator and a private operator, so tender price is a matter of commercial confidence. The amendment also takes note of the fact that contracts will be awarded on a range of inputs, not just on price alone. I recommend the amendments to the Committee and hope that they will ensure that we have the best result for public transport in this State.

Mr ATKINSON: I do not quite follow how the Legislative Council's amendments are incorporated in the Bill we have before us in our Bill folders. If one looks at Bill No. 22, new subsection (3b) provides:

The board must, within 14 days after awarding a service contract to which subsection (3)(a) applies, forward to the Minister a report which—

(a) sets out the full name of the person to whom the contract has been awarded; and

(b) provides information on the term of the contract; and

(c) identifies the region or routes of operation under the contract; and

(d) provides information on the amount or amounts that will be payable by the board under the contract; and

(e) provides information on how the principles under subsection (3)(a) have been applied in the circumstances of the particular case; and

(f) contains such other information as may be required by the regulations or as the board thinks fit.

It then goes on to new subsection (3c), which provides:

The Minister must, within six sitting days after receiving a report under subsection (3b), have copies of the report laid before both Houses of Parliament.

Are those provisions, which are supported by the Parliamentary Labor Party, still in the Bill and, if so, does new subsec-

tion (3b)(a) fit in between those two new subsections? How does this work?

The Hon. R.G. KERIN: I am very pleased to inform the member for Spence that, if he looks at page 2 and goes down to paragraph (f), and if behind that he puts new subsection (3b)(a), leaves the other in there and just adds the amendment, he will know what is going on.

Mr ATKINSON: I am indebted to the Deputy Premier—a man of honour; a man of his word—for that information as to how the matter will proceed. In that case, then—and I put this not for the purpose of flummoxing the Deputy Premier or being difficult—is there not a contradiction between paragraph (d), 'provides information on the amount or amounts that will be payable by the board under the contract', which is left in, and new subsection (3b)(a), which we are putting in, and which provides, 'The board is not required to disclose in a report under (3b) [to which I have just referred] specific amounts payable under the contract'? Is there not something of a contradiction between these two provisions? For the purposes of the Government, would it not be better to delete paragraph (d) from new subsection (3b)?

The Hon. R.G. KERIN: New subsection (3b)(d) provides:

> provides information on the amount or amounts that will be payable by the board under the contract.

They have agreed to that, to general information, but new subsection (3b)(a) provides that they are not required to actually come out with the specific amounts payable under a contract. They can provide information but they are not required, where they feel that that is commercial in confidence, to come up with the specific amounts.

Mr ATKINSON: The difficulty with that reply is apparent if readers of *Hansard* were to go back and read the debate on this clause in the other place, because the Government in another place sought to delete paragraph (d) on the basis that to allow that information would be commercial in confidence, yet the Government seems to accept paragraph (d)—which the Labor Party is happy with: we support paragraph (d); it was our idea—but then qualifies that by new subclause (3b)(a), saying that the board is not required to disclose in a report under new subsection (3b) specific amounts payable under the contract.

The Government argued that that was all very well and that it was happy to provide information about how much in total the Passenger Transport Board would pay under all the contracts aggregated. Let us say that the Passenger Transport Board let out 13 service contracts: the Government was happy to tell Parliament and the public what the total amount payable for those 13 service contracts was but then, when the Opposition proposed that the Parliament and the public should know what the contract price was for one of those service contracts, the Government said, 'No, we cannot do that; that would be commercial in confidence', and one notes new subsection (3b)(d), as follows;

> provides information on the amount or amounts that will be payable by the board under the contract—

not 'contracts' but 'contract'—singular. So, what I do not understand in the Government's reasoning is that it has given in on paragraph (d) and must provide information on the amount or amounts to be payable by the board under 'the' contract, but then under the next paragraph it will not tell us specific amounts payable under 'a' contract. Have I missed something there between the definite and the indefinite article? I do not understand it. It seems to me that the two paragraphs in different subsections cancel out each other.

If it is not permissible for the board to disclose specific amounts payable under a contract, then what information will the board give us under new subsection (3b)(d)? I cannot see any information that it remains lawful to give the Parliament and the people unless it is entirely misleading and useless information.

Mr Clarke: It fooled the Democrats.

The Hon. R.G. KERIN: The member for Ross Smith's interjection is probably quite correct. What makes the difference between the two paragraphs is the word 'specific'. New subsection (3b)(d) relates to global information, which the board is quite happy to provide. However, new subsection (3b)(a) gives the board the ability not to disclose specific amounts under a contract.

Mr Atkinson interjecting:

The Hon. R.G. KERIN: Yes, the board is not required to disclose. So, proposed new subsection (3ba)(a) gives the board the ability to withhold information if it feels that it will be commercially in confidence.

Mr Atkinson interjecting:

The Hon. R.G. KERIN: Paragraph (d) provides for information. Very clearly the word 'specific' is missing from paragraph (d). Whether it is the 'contract' or 'contracts' is not really the point because 'contracts' is the plural of 'contract'. New subsection (3b)(d)—-

Mr Atkinson interjecting:

The Hon. R.G. KERIN: It depends on what sort of contract it is. With a contract, there is often a global amount for that contract, and then there are lots of add-ons for various services offered under that contract.

Mr Atkinson interjecting:

The Hon. R.G. KERIN: The member for Spence asks, 'What do we get?' What you get is what the board chooses to give under new subsection (3b)(d), and proposed new subsection (3ba)(a) gives the board the ability not to disclose something if it feels it is going to be commercially in confidence.

Mr CLARKE: The Minister summed it up beautifully when he acknowledged that my interjection was correct, that is, that it fooled the Democrats. It actually made the Democrats think that new subsection (3b)(d) had some work to do when, in fact, subsection (3b)(a)(b) allows the board not to give information on anything it does not want to. But the Democrats will be able to feel warm and fuzzy about subsection (3b)(d), even though paragraph (d) has no work to do. What rationale did the Government follow in insisting on its amendment being supported when, at the same time, this Government was seeking, through debate in another House, the ETSA/Optima Energy lease legislation which allowed for total revealing of all commercial information with none of it being treated as confidential?

What is the difference between the Government's having a policy on ETSA and Optima Energy of revealing all—no hidden tricks, in terms of what the final lease contract would be; the public would know about it in its entirety and it is worth billions of dollars—yet allowing the Passenger Transport Board to reveal, if it so desires, its so-called arrangements and to withhold that information if it deems it to be commercial in confidence? Where is the Government's consistency in that approach?

The Hon. R.G. KERIN: Obviously, anyone involved in the transport game would understand this.

Mr Clarke: You tell me the difference.

The Hon. R.G. KERIN: I certainly will. Public transport comprises both a public company, which is TransAdelaide, and private operators; and, in the type of market in which they operate, if people have open access to each other's tenders it obviously slants the playing field. It is not fair to do so, because those amounts that are in the tender should not be disclosed, and that is the stance we take. The honourable member needs to remember that new subsection (3b)(d) was actually inserted against the Minister's will but, with the assistance of the Democrats, she was able to get proposed new subsection (3ba)(a) passed, which covers the interests of both TransAdelaide and the private operators.

Mr CLARKE: The Minister just said, in answer to my previous question, that both TransAdelaide, which is a public entity, and private enterprise are involved, and that it would be unfair for one to know what might be loosely termed commercial in confidence information. I put it to the Minister that, if the Government was prepared to lease out ETSA and Optima and open all the books, the successful leaseholder in that area would likewise be competing against public and privately owned energy distributors and generators from right around Australia; and the same principles would apply in terms of wanting to keep their cards close to their chest. Nonetheless, the Government was going to require them to reveal all in terms of the contract, but not with respect to public transport. What is the difference?

The Hon. R.G. KERIN: There are some pretty obvious differences.

Mr Clarke: You explain them to me.

The Hon. R.G. KERIN: The type of operation and the length of the lease are very obvious differences. We are not here to debate the ETSA and Optima legislation. If one looks at the practical side of this Bill, one sees that protection needs to be afforded to operators, whether they be TransAdelaide or other operators, to ensure that we have the best public transport system in the State, and that is what this Bill does.

Mr HANNA: I am concerned that, when the Minister answered the member for Ross Smith earlier, he was misleading when he talked about keeping commercially confidential material secret in respect of tenders. This section has nothing to do with tenders: it is about the amounts in contracts. I know that the Minister will not give this serious consideration but I point out that an honourable member can ask in Estimates Committee the exact cost of providing a particular run and a particular service provided by Trans-Adelaide, yet the amendment from the other place allows the board to refuse to disclose essentially the cost of a service that the Government wants to provide to transport users.

That is contradictory and it is wrong, and I ask the Minister (even though he is not listening): what is the difference between knowing the cost of a bus service provided by TransAdelaide—which we can find out through Estimates Committees—and the cost of a similar service by a private provider which, according to this amendment, we will not be able to find out?

The Hon. R.G. KERIN: In the initial part of that question the honourable member talked about contracts, not tenders. The contracts are awarded by tender, and this is only about the information that is in a successful tender that becomes a contract. But if, in fact, you release the information contained in the successful tender, that gives a flag to other people within the industry as to what the cost is. Our argument—and yours might be different—is certainly along the lines that it is not fair for that information to be released.

Mr HANNA: The fact is that, once you have a contract for a service made with a person, there is absolutely no commercial justification, especially from the taxpayers' point of view, in keeping the cost of that contract secret, because it then sets a benchmark with the next round of tenders for the next service. Everyone—taxpayers, Government and other private providers—can look to the previous service and say, 'Right, we know what the successful tender was there; we will have to beat that next time if we want to have a chance of winning the contract.' You are being anti-competitive by insisting on this clause.

The Hon. R.G. KERIN: I believe that that might show the difference in philosophy between the honourable member and me. These are rolling contracts, and there is a lot of difference because of the fact that someone's costings would become public: that would make an enormous difference. It is just not fair to those businesses that win contracts to release all their information. We have been through this argument with a whole range of things and, basically, what it comes down to is that people will not be keen to do business in a State where commercial confidentiality is not given to contracts.

There is an enormous amount of disadvantage to us as a State if, with every deal that business does with the State Government, people lay it on the table. Businesses will start bypassing South Australia because of the fact that their commercial information is not kept secret, and that is the whole reason for our doing what we do. You might have a different point of view but we want people wanting to do business here and to keep it competitive by their wanting to do this. If you start scaring businesses off from South Australia you will not have the competition for the contracts.

Mr HANNA: I point out to the Minister that there is nothing unreasonable in the Government or the board, as it may be, saying to a private sector service provider, in any sector—but let us say transport—that whatever you put in your tenders will be confidential. How you do your business, how you cost the contract—all of that—will remain confidential, but if we award you the contract, because the taxpayers want to know how much it is costing the Government, we need to know the bottom line. And that will be public information. I do not believe that that will scare anyone off, and I defy the Minister to explain what is unreasonable in that proposition.

The Hon. R.G. KERIN: Exactly what I explained before. That is what does scare businesses off. It does not matter whether or not their tender is successful. These same companies then go and tender, either in another State or for another contract. If, in fact, what they have tendered for a certain contract becomes available, it does not matter whether they are successful or not successful: it is still commercial information that will allow their opposition to know what they might tender for other contracts, and that is unfair. Businesses will dodge the State if those are the rules here.

Question agreed to.

TRANS-TASMAN MUTUAL RECOGNITION (SOUTH AUSTRALIA) BILL

The Hon. J.W. OLSEN (Premier) obtained leave and introduced a Bill for an Act to facilitate the recognition within Australia of regulatory standards adopted by New Zealand regarding goods and occupations, and for that purpose to adopt the Trans-Tasman Mutual Recognition Act 1997 of the Commonwealth as a law of the State. Read a first time.

The Hon. J.W. OLSEN: 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 the Trans-Tasman Mutual Recognition Bill is to facilitate South Australia's participation in a scheme for the mutual recognition of regulatory standards for goods and registered occupations adopted in Australia and New Zealand. The principal aim of mutual recognition is to remove impediments to trans-Tasman trade in goods and the mobility of labour caused by regulatory differences among Australian jurisdictions and New Zealand.

The Bill implements the Trans-Tasman mutual recognition Arrangement, which was signed by Australian heads of government at the Council of Australian Governments on 14 June 1996. The Prime Minister of New Zealand subsequently signed the Arrangement on 9 July 1996.

The proposed scheme is based on the framework of the existing Australian mutual recognition agreement, signed by Australian heads of government in May 1992. That scheme has recently been reviewed and while the detailed recommendations of the view are still being considered by governments, it is generally considered that the practical benefits have included:

- greater choice for consumers;
- reduced compliance costs for manufacturers;
- economies of scale in production, leading to lower product costs;
- greater cooperation between regulatory authorities and the accelerated development of national standards where appropriate;
- greater discipline on individual jurisdictions contemplating the introduction of new standards and regulations; and
- increased movement of service providers and freedom for service providers to practise in jurisdictions in which they are not registered.

The trans-Tasman mutual recognition arrangement was finalised after the release of a discussion paper in April 1995 by the Council of Australian Governments and the government of New Zealand. Input was sought from industry, standards setting bodies and the profession. Approximately 142 written submissions were received. The comments received during the consultation process have been taken into account in deciding upon the final lists of exemptions and exclusions from the scheme.

Principles

The trans-Tasman mutual recognition arrangement is based on two main principles in relation to goods and registered occupations. The first is that a person registered to practise an occupation in Australia can seek automatic registration to practise an equivalent occupation in New Zealand and vice versa. A person will only need to give notice, including evidence of home registration, to the relevant jurisdiction to be entitled immediately to commence practice in an equivalent occupation in that jurisdiction.

However, I stress that a person will only be entitled to practise an equivalent occupation. Equivalence means that the activities carried out by practitioners registered in each jurisdiction must be substantially the same. This will be the case in most instances. However, if significant differences do exist between occupations, a registration authority may impose conditions on a person's registration in order to achieve equivalence.

In essence, the scheme creates a situation similar to the regime in Australia for drivers' licences, whereby individuals do not have to re-sit a driving test when they move from one State to another. It will apply to all registered occupations in Australia and New Zealand with the exception of medical practitioners.

The second principle is that goods that can be legally sold in a participating Australian jurisdiction can be sold in New Zealand and vice versa, as long as the goods meet the regulatory requirements for sale in the jurisdiction in which they were manufactured or first imported. This means that goods, which can be sold lawfully in one jurisdiction, may be sold freely in another, even though the goods may not comply with all the details of regulatory standards in the second jurisdiction.

Under mutual recognition, producers in Australia will have to ensure that their products comply with the laws only in the place of production. If they do so, they will then be free to distribute and sell their products in New Zealand without being subjected to further testing or assessment of their product.

Implementation mechanism

This Bill forms part of a larger legislative scheme that involves enactment of legislation by the States and Territories, the Commonwealth and New Zealand. The Commonwealth, New South Wales, Victorian and New Zealand components of the legislation came into effect on 1 May 1998. Other Australian jurisdictions have either recently passed their legislation or currently have Bills before their respective Parliaments.

The mechanism for implementing the Australian component of the scheme is similar to that used to implement the Australian mutual recognition scheme. To come into effect, the scheme required at least one state to enact legislation referring the enactment of a Mutual Recognition Act to the Commonwealth parliament.

The New South Wales legislation refers to the Commonwealth Parliament, using the mechanism provided by Section 51 (xxxvii) of the Commonwealth Constitution, the power to enact an Act in the terms, or substantially in the terms, set out in the schedule to that Act.

The additional powers of the Commonwealth will be limited. The States and Territories are not granting extensive new powers to the Commonwealth to regulate goods and occupations. Rather, the Commonwealth is being empowered, to the extent to which such powers are not otherwise included in its legislative powers, to pass a single piece of legislation that will prevail over inconsistent State and Territory legislation. Amendments to the Commonwealth Act will require the unanimous agreement of participating Australian jurisdictions.

The Commonwealth Act will provide a comprehensive scheme for mutual recognition that will operate independently of other State laws and, therefore, will not require modification of those laws to enable its implementation. This is achieved through section 109 of the Commonwealth Constitution, which provides that a Commonwealth Act prevails over a State Act to the extent of any inconsistency. The legislation will apply to all States that refer power to enact the Commonwealth Act or request enactment of it, or adopt the Commonwealth Act afterwards under section 51 (xxxvii) of the Commonwealth Constitution.

Operation of the scheme

The focus of mutual recognition is on the regulation of goods at the point of sale and on entry by registered persons into equivalent occupations in another participating jurisdiction. Mutual recognition will not affect the ability of jurisdictions to regulate the operation of businesses or the conduct of persons registered in an occupation. It is also important to note that laws that regulate the manner in which goods are sold, such as laws restricting the sale of certain goods to minors, or the manner in which sellers conduct their businesses are explicitly exempted from mutual recognition.

In addition, the arrangement does not affect laws relating to the transport, handling and storage of goods as long as those laws are the same for both imports and locally produced goods. Nor does it affect the inspection of goods, provided inspection is not a prerequisite to sale. An example is customs inspections.

Moreover, the scheme will not affect laws relating to quarantine, endangered species, firearms and other prohibited or offensive weapons, fireworks, indecent material, ozone protection, agricultural and veterinary chemicals, and gaming machines. Nor will the scheme affect Australia's or New Zealand's international obligations, intellectual property laws, customs laws, taxation laws or tariffs.

The scheme incorporates a temporary exemption mechanism, giving participating jurisdictions the right to ban unilaterally, for a total of twelve months, the sale of goods in their jurisdiction in the interests of protecting the health and safety of persons or preventing, minimising or regulating environmental pollution. Before the temporary exemption expires, the ministerial council responsible for the affected goods is required to determine whether a particular standard should apply to the goods and, if so, the appropriate standard. A ministerial council determination can include whether to prohibit the sale of the goods in question and requires endorsement of heads of government.

The scheme will also set in train cooperation programs in a number of industry sectors. These will relate to therapeutic goods; hazardous substances, industrial chemicals and dangerous goods; road vehicles; electromagnetic compatibility and radio communications equipment; and gas appliance standards. Regulatory authorities in these areas will consider whether existing regulatory differences would be best addressed by either applying the mutual recognition principle to the affected goods, permanently exempting the goods from the operation of the scheme, or introducing harmonised standards for such goods.

For occupations, the legislation is expressed to apply to individuals and occupations carried on by them. Registered practitioners wishing to practise in another jurisdiction will be able to notify the

local registration authority of their intention to seek registration in an equivalent occupation there and provide the required evidence. The local registration authority then has one month to process the application and to make a decision on whether or not to grant registration. Pending registration, the practitioner is entitled, once the notice is made and all necessary information provided, to commence practice immediately in that occupation, subject to the payment of fees and compliance with various indemnity or insurance requirements in relation to that occupation.

To avoid costly and lengthy appeals processes in the courts, the Commonwealth Administrative Appeals Tribunal will hear appeals against decisions of Australian registration authorities, and a newly created New Zealand tribunal will hear appeals against decisions of New Zealand registration authorities. The tribunals are required to cooperate to the maximum extent possible so as to ensure consistency in their determinations.

Conclusion

The trans-Tasman mutual recognition scheme builds on the mutually beneficial economic and trade framework that has developed under the Australia-New Zealand closer economic relations trade agreement and is a logical extension of that agreement. It is also expected that the scheme will contribute to the development of the Asia-Pacific region by providing a possible model of cooperation with other economies in respect of product standards, including those in the South Pacific and APEC.

The scheme reflects the high degree of confidence that exists between Australia and New Zealand in respect of each other's regulations, regulatory systems and decision-making processes. It is expected to remove regulatory barriers to the movement of goods and service providers across the Tasman and to enhance the international competitiveness of Australian and New Zealand enterprises by encouraging innovation and reducing compliance costs.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides for the Act to come into operation on proclamation.

Clause 3: Interpretation

The "Commonwealth Act" is defined. (The text of the Commonwealth Act is set out in the Appendix to the Bill).

Clause 4: Adoption of Commonwealth Act

This clause adopts the Commonwealth Act and any amendments made by regulation under that Act, for a period of 5 years. The schedules of the Commonwealth Act that set out certain exclusions and exemptions can be amended by regulation provided that (with some exceptions) all participating jurisdictions concur.

Clause 5: Regulations for temporary exemptions

This clause enables the Governor (of this State) to make regulations for the purposes of temporary 12 month exemptions, as contemplated by section 46 of the Commonwealth Act.

Clause 6: Expiry of Act

This clause provides that the Act will expire at the end of the 5 year period of adoption.

Mr ATKINSON secured the adjournment of the debate.

TRANSADELAIDE (CORPORATE STRUCTURE) BILL

The Legislative Council disagreed to amendment No. 1 made by the House of Assembly for the reason assigned and amended the words of the Bill reinstated by the disagreement as indicated by the following schedule. The Legislative Council agreed to amendment No. 2 made by the House of Assembly and consequentially amended the Bill as indicated by the following schedule. The Legislative Council desires the concurrence of the House of Assembly to the amendments and consequential amendments.

House of Assembly's Amendment No. 1

Page 4, lines 5 to 8 (clause 10)—Leave out subclause (2) and insert:

(2) The board is to consist of not more than five members appointed by the Governor on the nomination of the Minister.

Legislative Council's Amendments

Page 4, line 5 (clause 10)—Leave out 'five' and insert:

six

Page 4, line 7 (clause 10)—Leave out paragraph *(a)* and insert:

(a) one will be a person nominated by the Minister after taking into account the recommendations of the United Trades and Labor Council;

Schedule of the Reason of the Legislative Council for disagreeing to Amendment No. 1 made by the House of Assembly.

Because the amendment is not seen to be in the best interests of TransAdelaide.

Schedule of the amendments made by the Legislative Council consequent to Amendment No. 2 made by the House of Assembly and agreed to by the Legislative Council.

Legislative Council's Consequential Amendments—

Page 9, line 2 (Schedule)—Leave out '*Consequential Amendment*' and insert:

Related Amendments

Page 9, line 3 (Schedule)—Leave out 'Consequential amendment' and insert:

Repeal of schedule 2

Page 9 (Schedule)—After line 4 insert:

Amendment of schedule 3 of Passenger Transport Act 1994

la. Schedule 3 of the Passenger Transport Act 1994 is amended—

(a) by striking out the heading to the schedule and substituting the following heading:

Public transport assets;

(b) by striking out paragraph (c) of clause 1 and substituting the following paragraph:

(c) the Minister must, at least two months before the proposed sale—

(i) give notice of the proposal in the *Gazette*, and in a newspaper circulating generally throughout the State; and

(ii) provide a written report on the proposed sale to the Economic and Finance Committee of the Parliament; and;

(c) by inserting after clause 3 the following clauses:

3a. If it is proposed to transfer or assign to a private sector body or private sector bodies all or a major part of the rights of TransAdelaide under its service contracts with the Passenger Transport Board under this Act (when all of TransAdelaide's service contracts are considered together), then the Minister must, at least two months before the proposed transfer or assignment, provide a written report on the matter to the Economic and Finance Committee of the Parliament.

3b. For the purposes of clause 3a, TransAdelaide will be taken to transfer or assign a major part of its rights under its service contracts if the effect of the relevant transaction or transactions would be to divest TransAdelaide of 50 per cent or more of the total revenue payable to TransAdelaide by the Passenger Transport Board under all of TransAdelaide's service contracts.

3c. However, clause 3a does not apply to—

(a) a transfer or assignment proposed by TransAdelaide for the purpose of entering into a joint venture or partnership arrangement; or

(b) a transfer or assignment proposed for the purpose of a subcontracting arrangement; or

(c) a transfer or assignment proposed by the Passenger Transport Board under section 39.

Page 1, line 7, Long Title—Leave out 'a consequential amendment' and insert:

related amendments.

Consideration in Committee.

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

That amendment No 1 be not insisted on; that the the alternative amendments made by the Legislative Council be agreed to; and that the amendments made by the Legislative Council consequent to amendment No. 2 be agreed to.

The CHAIRMAN: Just for clarification, the Chair suggests that we deal with those three amendments separately but they can be discussed as one. The question will be put separately but I am suggesting that members can speak to the three amendments, if they wish, at the same time.

Mr ATKINSON: Mr Chairman, can we speak three times on each amendment?

The CHAIRMAN: No, not in that case. Would members prefer them to be dealt with separately?

Mr ATKINSON: Yes, Sir.

Amendment No. 1:

The CHAIRMAN: The question is:

That the House of Assembly's Amendment No. 1 be not insisted on.

Mr CLARKE: I oppose the proposition. This deals with the change to the board membership of TransAdelaide and the role of the United Trades and Labor Council. The Government does not want to agree to the Labor Party's position that at least one board member should be a representative of the United Trades and Labor Council. I can see no sense in there not being a board member who is nominated by the UTLC rather than a person nominated by the Minister after taking into account the recommendation of the UTLC, which is the Government's position.

When the WorkCover Act was amended and the composition of the board was changed, we had this debate with the then Minister for Industrial Affairs, the member for Bragg, and similar if not identical wording was put into the WorkCover legislation. We had this stupid position that the person nominated by the United Trades and Labor Council as a board member to represent the interest of the employees could not be a person appointed by the Government to that board, although that was another trade union official, and I am not being critical of that person. However, that person was not the chosen representative of the United Trades and Labor Council.

In legislation such as workers compensation, which affects all workers other than Commonwealth public servants in this State, it was more appropriate to have somebody who could claim that they had representation of the whole trade union movement, not just a person who happened to be a union official. In terms of TransAdelaide, the Minister could deliberately ignore the views of the United Trades and Labor Council for political reasons, and the Minister could try to reward with board membership a person who might purport to represent the interests of employees but who has basically done no more than speak in support of the Minister during the last State election, particularly during the time of the sale of Australian National. In fact, a name immediately springs to mind, but I will not debate that issue at this time.

The Minister has raised the question of the UTLC picking the secretary of one of the unions that operates within TransAdelaide, perhaps even the majority union in that place, and that person could have a conflict of interest between their role representing the interests of their members and being on the board, representing the interests of the body corporate, particularly with respect to wages and things of that nature. However, the United Trades and Labor Council has to take that factor into account in selecting the person that it chooses as its nominee for that board position. If it chooses a person who may potentially have a conflict of interest, that person would be well aware that they must wear two hats and work their way through it. They would have to be prepared to face the wrath of their own members at the next union election if, as a member of the board, they took positions that were contrary to the interests of the membership of the union they represent.

Those situations may occur, but they do not always occur. I remember Arthur Tonkin, Secretary of the Meat Workers Union, who for many years was on the board of SAMCOR. If he was not on the board, his union was represented on the board, and it posed no problems. In fact, it broadened the approach towards industrial relations and human relations generally on that board by having as a member a practitioner who was able to give the board sound advice as to what was and was not a good idea as far as the work force was concerned.

We do not seem to have these problems when the Ministers of this Liberal Government choose to appoint their mates to particular positions, even if possible conflicts of interest arise. Yesterday in a grievance speech, the shadow Minister for Recreation, Sport and Racing criticised, quite rightly in my view, the decision of the Racing Minister to appoint as Chairman of the Harness Racing Board in South Australia a Victorian who is also Chairman of the Harness Racing Board in Victoria. That person will continue to reside in the State of Victoria. This Government does not see any potential conflict of interest with respect to that appointment.

There are a number of Government appointments of business people to Government boards where one could equally say that a conflict of interests could arise between their role on a board and in some other capacity—for example, if they work as an executive in a private business or on boards of other businesses that do business with that Government entity or authority.

For all those reasons, I oppose the Government's position. This appointment should be a nominee of the United Trades and Labor Council, for the reasons that I have stated, rather than go through the sham of the Minister consulting the UTLC and then, in all probability, ignoring its advice and picking someone they wanted to pick in the first place. It would be better not to have that amendment at all but to allow the Minister to say, 'I have the right to choose anyone I like.' To let the Minister consult the UTLC and then ignore its views is an insult to the UTLC and a waste of everybody's time.

Question agreed to.

Amendment No. 2:

The CHAIRMAN: The question is:

That the alternative amendments made by the Legislative Council be agreed to.

Question agreed to.

Amendment No. 3:

The CHAIRMAN: The question is:

That the amendments made by the Legislative Council consequent to Amendment No. 2 be agreed to.

Mr CLARKE: I want to speak to the amendments to page 9, the schedule—

The CHAIRMAN: We are now considering the consequential amendments. The Chair was asked to deal with the questions separately.

Mr CLARKE: You are not at fault, Mr Chairman. It is my lack of understanding

The Hon. M.K. Brindal: Hear, hear!

Mr CLARKE: At least I am prepared to admit my faults, unlike the member for Unley.

Mr McEwen interjecting:

Mr CLARKE: The member for Gordon interjects, 'Get on with it.' What about the time wasting we endure with him? Both the Government and the Opposition have to try to keep him jolly because he is a so called Independent, so he should not tell me to hurry up.

The Legislative Council's amendments deal with the privatisation, as I term it, of TransAdelaide. In its initial consideration of the Government's Bill, the Legislative Council put in an amendment on which the Opposition spoke and which was successful at that time. Effectively, it provided that, if the board went ahead and sold or leased 50 per cent or more of the assets of the undertaking, it had to get the approval of both Houses of Parliament. It was an anti-privatisation measure put up by the Labor Opposition to ensure that the Government, through corporatisation, would not be able to simply go out and outsource the management or control of TransAdelaide, as the Government did with the old EWS—or SA Water—or as it has now tried to do with ETSA.

With respect to the United Water contract, as we all know, in 1994—and I was a member of this place at that time—the then Minister for Infrastructure, now Premier, gave an undertaking in the *Hansard* on the corporatisation of the old EWS that the Government was not considering or was not involved in the privatisation or the outsourcing of the management of the water company. We know what happened with respect to that matter. Likewise, with respect to the corporatisation Bills that came before this Parliament and the last Parliament dealing with ETSA and Optima Energy, the first issue for consideration by our Party was, 'Will you do to ETSA and Optima Energy as you did to the old EWS? In other words, once you have it corporatised without recourse back to Parliament, will you simply outsource the management or privatise it because you do not have to come back to Parliament?' The then Minister for Infrastructure, now Premier, asked, in effect, 'How could you ascribe those motives to me?'

Members will recall some late night sittings during the debates on the corporatisation of ETSA and Optima Energy Bills which eventually saw in that legislation clauses which provided that ETSA and Optima Energy could not be sold without the approval of both Houses of Parliament. Indeed, we have seen the Government recently try to get legislation through to lease those instrumentalities. We are now dealing with TransAdelaide, and we find that the Minister for Transport has said, not once but on numerous occasions, that it is not her intention or that of the Government to outsource or privatise TransAdelaide. I am afraid that, if we on the Labor Party side choose not to believe her, she has only herself and the Government to which she belongs for our having that cynical view as to her word on those issues, given the policy backflips and the blatant back filling on solemn commitments given not only in this House but before the South Australian electorate with respect to ETSA.

We thought we had an ally in the Australian Democrats in another place. They supported very strongly the amendment put by the Labor Opposition in another place. And so did the Hon. Terry Cameron, which sounds a bit odd, given his views with respect to ETSA and Optima Energy. However, that is for him to decide. We had the numbers. The legislation came before the House of Assembly, and predictably we got rolled—although by a smaller number these days than would have been the case in the last Parliament. It went back before the Legislative Council last night, and I note that the debate on the Government's successful amendments took all of about 2½ pages of *Hansard*.

I refer to my contribution in respect of an earlier amendment involving the rather twee arrangement, as I term it, that we seem to have in the Legislative Council between this Minister and the Australian Democrats. What we have before us in this amendment is the Government's saying, 'Look, if we decide to sell TransAdelaide or lease out any part or the whole of its assets, we will make a big concession to you, the public of South Australia. We will legislate to provide that, before we do it, we have to give two months' notice of such action to the Economic and Finance Committee of the Parliament.' Big deal! It gets referred to the Economic and Finance Committee and, even though that committee might be unanimously against the sale and say how bad it would be, the Government could still proceed to sale because there would be no legislative block or a legislative requirement that the Government receives the support of both Houses of Parliament for a sale.

Quite frankly, it is a stupid amendment—but not from the Government's point of view. I do not blame the Government for its putting this type of amendment forward, because it suits its purpose. It is incredulous for the Hon. Sandra Kanck, after having been involved in all the debates on the outsourcing of water in the metropolitan area of Adelaide and given the huge debates that have taken place and her Party's stance—and her stance in particular—on ETSA and Optima Energy, to now just turn around to the State Government and say, 'You can do what you like. All you have to do is give the Economic and Finance Committee two months advance notice of what you propose to do.' I bet the Government wishes it was dealing with the Hon. Sandra Kanck on ETSA and Optima Energy a couple of years ago when it first proposed corporatisation legislation, if it had only hatched out this particular form of words rather than having to accept the Labor Party's position of no sale of ETSA without the approval of both houses of the Parliament.

We can see the indepth debate that went on in another place on this issue when the Hon. Sandra Kanck said—and this is her sole contribution in defending this complete about face on the Democrats' previous position on TransAdelaide—the following:

> I indicate that the Democrats will support the Transport Minister on this matter. I am pleased that the Minister has come around a little from the position she took when we debated this matter a couple of weeks ago. She took it terribly personally at that time, and I was feeling quite concerned that she was taking it so personally.

The Hon. Diana Laidlaw interjected, 'Good.' What a wonderfully twee arrangement we have in the Legislative Council. Then the Hon. Sandra Kanck said:

> The Minister should get an Oscar for acting. I am certainly aware that we need to have something that will not disadvantage TransAdelaide, and again I think this amendment has been able to encompass what the Opposition was trying to achieve and also to give the protection to TransAdelaide that it needs.

I might also add that the Hon. Terry Cameron spoke in support of the Government's amendment as well. What surprises me is that the Hon. Sandra Kanck does not protect TransAdelaide at all with this amendment to which she has agreed with the Government. It allows the Government to sell off TransAdelaide or to lease out the rest of its business without any reference whatsoever to this Parliament, except by going to a committee which may or may not agree with the Government's decision. However, at the end of the day, it does not matter, because the Government can just carry on and do what it wants to do, in any event.

The Labor Party's proposal would have protected TransAdelaide. It would still have allowed TransAdelaide to go about subcontracting and leasing out parts of its operations, but what we said was, 'If you want to get rid of more than 50 per cent of the assets of that undertaking, you have

to come back to this Parliament.' So, if it wanted to subcontract out bits and pieces of its operation, as it has done historically for some time, it could still do so, but it could not get rid of public ownership of public transport without the Parliament having a say. And I will conclude on this matter: public ownership is very important in public transport, because for many of our constituents their only means of getting to work is by public transport.

The continued good financial health of our retail stores and shopping centres in particular is dependent upon the timetable and the arrangements of public transport getting shoppers to and from their retail centres. For many members of my electorate, the sole means of transport, whether it be for work, recreation, social outings or whatever, is public transport. It is essential for them to know that they have a reliable public transport system, that it is not driven only by the profit motive and that the Government of the day can be held accountable for any shortcomings in public transport and not simply off-load to some private company whose interests, at the end of the day, are tied up in the profit motive, the first interest being their shareholders. I oppose bitterly the Government's amendments.

Question agreed to.

LOTTERY AND GAMING (TRADE PROMOTION LOTTERY LICENCE FEES) AMENDMENT BILL

Received from the Legislative Council and read a first time.

SHOP TRADING HOURS (MISCELLANEOUS) AMENDMENT BILL

The Legislative Council agreed to the Bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No.1 Page 1, line 7, Long Title—After '1977' insert:
and to make a related amendment to the Retail and Commercial Leases Act 1995

No.2 Page 4—After line 7 insert new clause as follows:
Amendment of Retail and Commercial Leases Act 1995
10. The Retail and Commercial Leases Act 1995 is amended by inserting the following subsection after subsection (2) of section 61:
(2a) The lessor or the lessee under a retail shop lease (or an officer of an association referred to in section 60 acting at the request of a lessee) may call a meeting of the persons who are entitled to vote in a ballot to vote on a resolution approving different core trading hours for the purposes of subsection (1)(c).

Consideration in Committee:

The Hon. M.H. ARMITAGE: I move:

That the Legislative Council's amendments be agreed to.

The Government would be intending to agree with the amendments made in the Upper House, but it is not necessarily in agreement with them. There are some concerns, which I identified both when the Bill was debated in the House and on other occasions with the mover of the amendments. There are a number of concerns, not the least of which is that there is no time limit upon which the meeting of persons who are entitled to vote in a ballot is called. It is an interesting fact that, in a previous iteration of this Bill, I believe that there was a time limit of three months—I am not sure how that was expressed, but I am informed that is the case—such that there were not meetings of these persons being called on a regular basis so as to subvert the business of the particular retail outlets.

As a Government we would be attracted to some similar later amendment after discussion with the Retail and Commercial Leases Advisory Committee but, in the first instance, we are absolutely of the view that the shop trading hours as now defined (assuming this Bill is passed) will be of great benefit to South Australians, and accordingly we will support these amendments for the expeditious passage of the legislation, identifying that we believe there are some problems and we would be seeking to consult with other bodies who will give us advice as to those concerns.

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): I move:

That the sitting of the House be extended beyond 6 p.m.

Motion carried.

Mr ATKINSON: The Opposition supported the Bill arising from investigation by the Minister for Government Enterprises: that is, we supported the extension of permissible trading hours in the suburbs to 7 p.m. every weeknight. There are small retailers who are anxious about that extension of trading hours. They do not want to extend their trading for the full hours permissible in the suburbs. They say it would lead to no extra trade and to higher costs—and they are probably right.

Those who have rung me about this to complain about the Opposition's supporting the Government's Bill have received from me the answer that they ought to exercise their rights under the existing legislation to call a meeting of the tenants in their enclosed shopping centre and resolve not to trade until 7 p.m. during the week.

That was my advice and, to achieve that end, small retailers in an enclosed shopping centre need only obtain 25 per cent of the votes cast at a meeting to exempt themselves from the requirement to trade until 7 p.m. on weeknights. But those small retailers who rang me—and at least one of them at Westfield Marion—made the point that some landlords will do anything they can to dissuade the small retailers from calling such a meeting, and will imply to small retailers that, if they call such a meeting, they may in some way be disadvantaged upon the renewal of their lease.

The Hon. M.K. Brindal interjecting:

Mr ATKINSON: As the member for Unley says, it would be not only improper but illegal. To refresh the member for Unley's memory, it would be vexatious conduct under the parent Act. That is why the Labor Party, against the resistance of that landlords' man, the Attorney-General, got the provision of vexatious conduct into the parent Act in the first place. But it is all very well for me, a member of Parliament, to give advice to small retailers about how they deal with giant landlords in enclosed shopping centres: the realities on the ground are somewhat more difficult for them. They find it hard to insist on their legal rights.

Parliament can give small retailers all the rights that they ask for in legislation against giant landlords but, given the inequality in their bargaining position, it is very hard for small retailers to vindicate their legal rights. So this clause was introduced by the member for Ross Smith. It was his idea, and it is splendid. It provides a trigger for meetings of small retailers in enclosed shopping centres to consider enforcing their rights under the Retail and Commercial Leases Act. Sometimes there is just no trigger, and the

meetings of small retailers that are required to vindicate their rights are not held because landlords are able, because of the dominance of their economic power, to intimidate small retailers out of calling those meetings.

It is no wonder that people such as the Attorney-General and the Minister for Government Enterprises have difficulty with a clause such as this. I think this clause will help small retailers in enclosed shopping centres to vindicate their lawful rights under the parent Act. I support it, and I thank the member for Ross Smith for having the persistence, both in the Parliamentary Labor Party and in this Chamber, to champion this clause and see it through into the law of this State.

Mr CLARKE: In particular, I thank the generous words spoken by the member for Spence concerning me, but he has also long been a champion for small retailers and small business in his capacity as our shadow Minister for Small Business. But enough of mutual congratulations. I also want to get a bit of something off the liver—and in particular, to the member for Gordon. The member for Gordon, the last time I got to my feet—

Mr Atkinson interjecting:

Mr CLARKE: No; I am going to enjoy this. The last time I got to my feet, half an hour or so ago, we heard this audible groan, 'Get on with it.' Well, to the member for Gordon, let me say this: you would not support the Opposition in its amendment regarding small retailers. You said, 'This would be better dealt with in my private member's Bill, and that is where it should be comprehensively dealt with, in private members' time.' The member for Gordon might have noticed that we have not yet discussed his Bill, and it is almost Christmas time: the Government will get its Bill for extended hours through the Parliament before Christmas. Westfield Arndale wrote to its retailers on 3 December and, in its usual diplomatic way, in its usual kind approach to the small retailers and small traders, said:

> I know that extended trading hours can strain our resources during the busy Christmas period. But we are a service industry and must satisfy our customers' expectations if we wish to succeed. At all times we must portray a service oriented and professional image to our customers, and nothing is less professional than a customer expecting stores to be open and turning up only to be disappointed.
>
> These hours form part of the centre's core trading hours. Hence, all stores need to be open. There is not only an obligation to our customers but also to your fellow retailers to make sure that your store is open during all extended trading hours.
>
> As such, review the attached trading hours and ensure that you are open for all the days and hours listed.

So much for consultation with the traders. There was a variation of the core trading hours and the agreement of at least 75 per cent plus one of the traders was required, and they stood roughshod over those small retailers.

An honourable member: 'Rode' roughshod.

Mr CLARKE: You are becoming as bad as the member for Spence. Are you competing for the biggest pendant of the—

The CHAIRMAN: Order! We are becoming as bad as each other.

Mr CLARKE: I am getting carried away on the last day, Sir.

An honourable member interjecting:

Mr CLARKE: That is true. There is no-one in this Chamber who has what it takes to be as bad as the member for Spence on nitpicking and picking up others on infinitives and grammatical mistakes. He never makes them himself.

That is how Westfield treated its small traders—as if they had no rights at all. In fact, they did have rights under the parent Act but that would have required a trader to stick their head above the trenches and have it knocked off by Westfield when it came to renegotiation of their lease, and they would not have done it. This amendment, which has now been agreed to by the Attorney-General, enables the association to step in and assist.

It is not the sole answer. There are a number of other things we should do to the principal retail Act to assist small retailers but, as I reminded the member for Gordon when I made my contribution on this amendment a week and a half ago, there are times when you have to move quickly in this House when dealing with Government Bills to get what advantage you can. The only reason why the Attorney-General supports this amendment is that the Democrats stood firm, for once, because they believe they are the champion of the small retailers, and I have had the small retailers working on them overtime in these last few days to make sure they are firm.

Also, because of its own disarray and division, this Government wanted to get the hell out of here by 6 o'clock or earlier if it could. It did not want a deadlock conference so there could suddenly be an unscheduled Party meeting and a change of Leaders. That is why the Government is agreeing to this amendment: otherwise we would have had deadlock conferences for the next 24 hours or more. As I said to the member for Gordon a week and a half ago, there are times when there are advantages in linking onto Government Bills, which you know it wants through, making sure you get the numbers in the Upper House to back you, and then being ruthless about making sure that you are prepared to sit here until Christmas Day, if necessary.

We are quite happy to sit every day as a Labor Opposition and for this Government to sit here and continually expose its open wounds for all the public to see. The Government did not want it and, as the Deputy Premier said, the member for Gordon might like it but they certainly do not: they agreed to your amendments. Let it be a lesson to the member for Gordon. Next time the honourable member wants to groan because I get up or another member of the Opposition gets up, as if to say that it is a time-wasting filibuster, let him remember this as a bit of a lesson. The member for Gordon could actually have made himself a champion of small business and done what I did—

The CHAIRMAN: Order! The member for Ross Smith will address the Chair.

Mr CLARKE: Through you, Mr Chairman; the member for Gordon could also have tried to make himself a hero to small business, to shore up his support base in Mount Gambier from the Hon. Angus Redford, who keeps snapping at his heels like a bull terrier—more like a bull mastiff, I should say—and he would be in a better position to maintain his position within this House. Finally, in terms of what the Minister has said, I do not believe that there will be any problems with respect to the association mischievously calling meetings every week or within short periods of time when it does not have legitimate grounds for doing so. If it does that, that will come back to the attention of this House, and no Parliament and no political Party of any persuasion could allow any such vexatious attitudes to prevail.

It would not be in the interests of South Australia as a whole. Therefore, they would run the very real risk of what they have won today being withdrawn from them and would have some difficulty with the Labor Opposition in our supporting any vexatious attitudes on their part. As I said earlier, I thank the Attorney-General for recognising that the

Government wants to clear out of this place as quickly as possible and for agreeing to the amendment as put forward. We look forward in the new year to putting further amendments to the Retail Shop Leases Act, which will help redress the imbalance, the power relationships, between landlord and tenant.

Mr McEWEN: I dips my lid to the member for Ross Smith, and I take his good counsel.

Motion carried.

PETROLEUM (PRODUCTION LICENCES) AMENDMENT BILL

Returned from the Legislative Council without amendment.

SITTINGS AND BUSINESS

The Hon. R.G. KERIN (Deputy Premier): I move:

That the House at its rising adjourn until Tuesday 9 February 1999 at 2 p.m.

As is customary, I would like to say a few thankyous before we head off for Christmas. To you, Mr Speaker, thank you very much for the job you have done through what has been somewhat of a difficult year. There have been quite a few unruly members, but you have done an excellent job leading the House as the Chair. The Chairman of Committees likewise has done an excellent job and kept everything under control. I thank the Deputy Leader of the Opposition for her forbearance and understanding in the management of the House. There has been a lot of legislation during the year and I appreciate the manner in which she has cooperated in making sure that we have been able to get the work done and that people most times have been able to get home at a reasonable hour.

I thank the two Whips, who have a rather difficult job. Members of the House do not always do what they are told and there is no doubt that the Whips do an excellent job. To those two gentlemen, thank you very much. To the other members, whether here or suspended, thank you for the cooperation we have seen during the year. Thank you to the Clerks, who tell us all what to do when we are not too sure. I thank the attendants and other staff; we also appreciate the manner in which you go about your job. There are a lot of staff members around Parliament House, including the committee staff who help get some very necessary work done, and to the other staff who work within the House, whether ministerial staff or staff of members based here in the House, I say thank you for your cooperation.

The catering staff who look after our fine figures do a wonderful job, and we really appreciate that, as we appreciate those who look after the bar: thank you for a fine job. I thank the Library staff for the assistance they give to many members in the preparation of speeches and other research that needs to be done by members. I thank the *Hansard* staff, who tidy up our untidy grammar in a lot of cases. And I thank the support staff of the House, the finance section, travel and everyone else; we really appreciate their efforts. Likewise I thank the security staff and the caretakers for a job well done in looking after us. To all those people and to all members in the House, thank you for your cooperation, and I wish you all and your families a very merry Christmas and reinvigorating break.

Ms HURLEY (Deputy Leader of the Opposition): I would like to wish everyone a very peaceful and happy Christmas and a good start to the new year, including yourself, Sir. I echo the sentiments of the Deputy Premier in thanking you for the task that you have performed during the year. It has been a very long year. We had the additional month in August and many of us went almost straight from that into assisting in the Federal election, so it has been a very long and draining year with a number of incidents that have claimed our full attention. Apart from getting back to my electorate, I will very much appreciate a complete break for some time as will, I am sure, all members of this House.

I would also like to echo the Deputy Premier's sentiments and wish everyone in this House, Labor, Liberal and the Independents, a very good Christmas. To the National Party member, in particular, the member for Chaffey, I wish a very good Christmas and new year and all the best wishes for—

Mr Lewis: A productive confinement!

Ms HURLEY: —as the member for Hammond said, a productive time in the early new year. All of us are very excited by the idea of one of our number having a baby while in Parliament. I know that all members wish the member for Chaffey all the best and look forward to her bringing her new baby into the Parliament so that we can all get—

Members interjecting:

Ms HURLEY: I will speak for myself—so that I can get very clucky about it. We look forward to seeing the baby in the new year. The Deputy Premier has thanked the table staff, *Hansard*, Parliamentary Counsel, the Library staff, the parliamentary committee staff, catering, the caretakers, security, as well as the cleaning staff. We wish them all a good Christmas and a happy new year.

Mr Lewis interjecting:

Ms HURLEY: Yes, and the policeman who so ably looks after our interests in this Parliament. Along with members I am sure that all staff members are looking forward to a break over the Christmas period. It has been a very long year for the staff, as well as members. I am sure that Parliament House will be a much quieter and more pleasant place to work when we are not occupying it. I look forward to the new parliamentary sitting, but I look forward even more to a holiday over the break.

The Hon. M.K. BRINDAL (Minister for Local Government): I do not normally do this but I want to add to the remarks of the Deputy Premier and the Deputy Leader of the Opposition in wishing well the member for Chaffey and her impending new arrival. She scared everyone in this Chamber today by daring to get a glass of water, or something, without asking permission. She just about caused more chaos than the other matters that were then before the House.

Mr Clarke: You were just worried about the vote on the floor; be honest.

The Hon. M.K. BRINDAL: The member for Ross Smith rightly tells me that I was actually counting at the time, and that is true. While this is only a brief respite in the parliamentary sittings, none of us knows really what is in front of us. I would like to wish everyone all the best. We do not know what lies in front of us. All that we should say is that we wish everyone good health and happiness and hope that we are all here again, fit and well, when Parliament resumes. I wish everyone the compliments of the season.

Mr CLARKE (Ross Smith): I will not repeat all the personages mentioned by the Deputy Leader and the Deputy

Premier with respect to the running of this Parliament and the staff of this Parliament. However, I, too, extend my thanks to them and, in particular, extend my best wishes to them and their families for Christmas and for a safe and happy new year. Likewise, I join the Deputy Leader with respect to his comments concerning the member for Chaffey and the imminent arrival of a new member of her family. I am sure that she and her husband will find it very rewarding and will make her wonder why she wanted to come into this place in the first place.

I also thank you, Mr Speaker, for the work that you have done over the past 12 months. From time to time the Opposition, including myself, have not agreed with your rulings but I believe that you have done your best to rule impartially and to carry out the high office that you hold in an even-handed fashion, despite the fact that, from time to time, on certain political issues of the day we naturally take umbrage with some of your rulings. The Government has no doubt thought that 1998 has been a hell of a year. Well, it ain't seen nothing yet! I certainly cannot wait for the end of 1998. It has been the worst year possible for me. I thank the staff and members of Parliament on both sides of the House for their kindness and understanding, and I look forward to coming back here in 1999.

Mrs MAYWALD (Chaffey): On behalf of those of us on the crossbenches, those fiercely Independent members, including me, as the National Party member, I thank members on both sides of the House for their consideration of our position, and I particularly thank you, Mr Speaker. I also say a special 'Thank you' to both Whips, who have worked very well with us in the past 12 months. On a personal note, I thank everyone for their good wishes for the impending arrival of my new family and also for the way that I have been treated during the term of my pregnancy. I am very humbled that everyone has treated me with such great respect. I thank everyone for that and I wish everyone a very merry Christmas and happy new year. I look forward to coming back in the new year.

Mr WRIGHT (Lee): I echo the remarks made by members who have contributed to this debate. I also put on record my thanks to all of the staff who work in this building. As new members, obviously, we have challenges that confront us, and we need to go through learning curves. Certainly the support of people such as yourself, Mr Speaker, the staff and a broad range of people who have been able to pass on their experiences, knowledge and skills have made 1998 a much smoother transition for myself and, I dare say, for some of my colleagues who are also first time members.

I pay a tribute to our Whip and acknowledge the Government Whip, as well as the Leader of the House and our Deputy because, by and large, we have had a smooth transition with regard to legislation and the debates that have occurred. Certainly, we will have our blues in here because that is the nature of the beast. We had a fairly good stoush today and that will happen on other occasions but, at the end of the day, when we look at 1998, most members would say that, with respect to the formalities and the process (I am not talking about the Government's performance) of the Parliament, it has gone as one would have expected.

Also, I wish to echo the comments made in respect of the member for Chaffey. Like my Deputy Leader, I am excited on behalf of the Parliament that we have a member who is obviously going through pregnancy and who will be bringing a baby into the Parliament—

Mr Clarke: Creche!

Mr WRIGHT: Into the creche! It will obviously be a challenging time for the member for Chaffey, and I wish her all the best. I can assure her that, as a forthcoming new parent, that she has some of the most exciting and happy times in front of her over the next few months, and we look forward to her bringing her new child into the Parliament in 1999.

Further, I would like to make a brief comment about my old mate the member for Ross Smith, who has probably had the hardest personal year of any of us. I would like to thank him for his support of me this year and also for the way in which he has handled himself both inside and outside the Parliament. It has been a difficult time. I noted his true bipartisanship in acknowledging the role played by members on both sides during this difficult period. That is good and sensible, because there are times when we do have to show a little commonsense. I wish him all the best, and I know that he will come back an even stronger person next year.

I conclude on a personal note, because it was a special tribute to my mother and me that so many members from both sides of the House saw fit to attend my father's funeral. We were both very touched by that. I was surprised and delighted that so many of my colleagues on this side of the House attended my late father's funeral. I speak for my mother as well when I say that we were delighted that so many Government members, including yourself, Sir, saw fit to attend my father's funeral. The range of glowing tributes made during the condolence motion were a great tribute to my father.

I wish everyone in this building a happy and safe Christmas. The member for Unley said very correctly that we do not know what is in front of us, and it is important that people have not only a happy but also a safe Christmas. We want to see everyone back here with their batteries recharged in 1999 as we get ready for our next session of Parliament.

An honourable member interjecting:

Mr WRIGHT: All 48 of us. In conclusion, I acknowledge your role, Mr Speaker. You have a difficult job. In many ways you probably have the most difficult job in the House. We will not always agree with your rulings, but we acknowledge the difficulties that you face. You bring much skill and humanity to the role in the way in which you perform it. Thank you.

The SPEAKER: On members' behalf, I extend the compliments of the season to our staff. We have a very large and dedicated staff in Parliament who work very hard behind the scenes, and I believe that we ought to acknowledge that. It does not hurt from time to time to put that on the public record.

As has been mentioned by other speakers, the staff include: the accounts section; *Hansard*, who work long hours—when we go home they continue on; and the telephonists and those who man the phones, who we sometimes tend to forget about. The building maintenance goes on, and we have the caretakers and the catering staff, who work after we leave the building and who are here in the morning before we arrive. We have those who wait on us at the tables in the kitchens and in the bars. I would like to make particular reference to our Chamber staff, and our attendants in the Chamber and out in the offices surrounding us. Some members may not be fully aware that they have run under strength for some of the time this year, but their conscien-

tiousness has risen to the occasion and we have never been left wanting in here for the services of the attendants. On members' behalf, I thank them for their work. We also thank those in the library who work on our projects.

From the Chair, I thank my colleagues for their cooperation during some very difficult occasions. I believe that those of us who have been here for some time and who have sat in many places around this Chamber know what goes on, know the difficulties and have some feeling for the position one sometimes finds oneself in.

The member for Chaffey has left the Chamber, but I would like to convey to her my very best wishes for her confinement, and we trust that everything goes very well for her. I thank my colleagues for their cooperation and ask them to pass on to their families my compliments of the season. I hope that all members have a very healthy and joyous Christmas, and I look forward to seeing you all again during the coming year.

Motion carried.

ADJOURNMENT

At 6.33 p.m. the House adjourned until Tuesday 9 February 1999 at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday, 8 December 1998

QUESTIONS ON NOTICE

ADELAIDE AIRPORT

1. **Mr KOUTSANTONIS:**

1. How was the official opening of the Adelaide International Airport Runway Extension funded and was there any cost to the State Government?

2. Which members of the South Australian Parliament were invited to this opening?

The Hon. DEAN BROWN: The Minister for Transport and Urban Planning has provided the following information:

1. The Federal Government committed $48 million to the construction of the Adelaide International Airport Runway Extension project. The official opening ceremony was funded from the Federal project funds and there was no cost to the State.

2. In addition to the participation of the Minister for Transport and Urban Planning, the following Members of the South Australian Parliament were invited to the opening:

Ms Stephanie Key, MP
Hon John Oswald, MP
Hon Graham Ingerson, MP
Hon John Dawkins, MLC
Ms Liz Penfold, MP
Mr John Meier, MP
Hon Robert Brokenshire, MP
Mr Ivan Venning, MP
Hon Caroline Schaefer, MLC
Mr Peter Lewis, MP—Chairman, Public Works Committee
Hon David Wotton, MP

REVEGETATION PROGRAM

8. **Mr HILL:** Under the Government's Revegetation Program:

(a) how many trees have been planted and how much land has been revegetated during each of the years 1996-97 and 1997-98, and what is intended during the year 1998-99; and

(b) how long will it take to revegetate 1 per cent of this State?

The Hon. D.C. KOTZ: In 1996-97, 3.98 million trees (includes shrubs and understorey) were planted in South Australia. The area of land revegetated was 2 607 hectares, and 1 324 hectares was supported by the Native Vegetation Council for voluntary Heritage Agreement to protect existing native vegetation.

In 1997-98. 6.5 million trees (including shrubs and understorey) were planted. The area of land revegetated was 4 035 hectares, and 54 662 hectares was supported by the Native Vegetation Council for voluntary Heritage Agreement to protect existing native vegetation. The significant result for area placed under Heritage Agreement in 1997-98 resulted from the acquisition of the former pastoral lease Gluepot Station by Birds Australia, and now managed as part of the Bookmark Biosphere Reserve.

In 1998-99, it is intended that 7.7 million trees will be planted. The area of land anticipated to be revegetated is 5 000 hectares, and it is anticipated that 4 000 hectares will be recommended for voluntary Heritage Agreement.

In regards to your second question, how long will it take to revegetate 1 per cent of this State, I have interpreted your question in relation to the agricultural region of South Australia. If the agricultural region is defined as the total area of State's Hundreds, then 1 per cent of this is 168 300 hectares. Revegetating at 10 million seedlings a year with an average of 1 500 seedlings per hectare, gives an answer of 25 years to revegetate this 1 per cent of the agricultural region of the State.

This figure does not take into account the area already protected under Heritage Agreements which is estimated at 550 000 hectares or 3.2 per cent of the agricultural region of the State.

It also does not take into account the continuing positive impact on natural regeneration as a result of the introduction into South Australia of the Rabbit Calicivirus Disease.

SOUTH ROAD

12. **Mr ATKINSON:** When will the stretch of South Road between Port and Torrens Roads be upgraded and, if not in this financial year, why not?

The Hon. DEAN BROWN: The Minister for Transport and Urban Planning has provided the following information:

The construction of South Road between Port and Torrens Roads will not commence this financial year. This is a very complex and costly project due to the close proximity of ETSA Power 66 kV transmission lines on each side of the road and major underground Telstra cables adjacent to the 66 kV transmission line on one side of the road.

In the mid 1990's Transport SA investigated implementing a scheme similar to that used on South Road south of the River Torrens, which involved moving at least one of the 66 kV transmission lines. However, this did not proceed as the revised ETSA Power clearance standard for any new or relocated above ground transmission line to a building could not be met without major land acquisition outside of the requirements of that needed for actual road widening.

Transport SA recognises the strategic importance of this section of South Road to the arterial network and has programmed a planning study to commence in the second half of this financial year. The study will identify concept options which take into account the existing constraints of the ETSA Power and Telstra Services.

By the end of June 1999, Transport SA should be able to quantify the estimated costs of the concept options, especially the land acquisition and service relocation costs. This will enable the project to be prioritised within the State's capital project budgetary process.

PREMIER AND CABINET DEPARTMENT MEDIA UNIT

18. **Mr KOUTSANTONIS:** What are the total annual costs of the Department of Premier and Cabinet's Media Unit and how many staff are employed?

The Hon. J.W. OLSEN: The cost of salaries for the Government's Media Unit as at November 3, 1998, was $425 715 (including on costs).

Five media advisers, and one Program Manager are employed in the Media Unit.

In comparison the cost of salaries for 14 media advisers employed by the previous Labour Government in November 1993, was $857 907 (including on costs).

RURAL SPEED LIMIT

19. **Mr KOUTSANTONIS:** Are there any proposals to reduce the speed limit to 100 km/h in rural areas?

The Hon. DEAN BROWN: The Minister for Transport and Urban Planning has provided the following information:

As the member for Peake should be aware, in 1991, the former Labor State Government reduced the general open road speed limit from 110 to 100 km/h. Subsequently, Transport SA reviewed all rural arterial roads and found that the majority of rural arterial roads were suitable for a speed limit of 110 km/h. New speed limits were fixed for these roads accordingly.

Earlier this year, on a motion moved by the Minister for Transport and Urban Planning, the Legislative Council referred a draft of the Rural Road Safety Action Plan, prepared by a Task Force of the South Australian Road Safety Consultative Council, to the Environment, Resources and Development Committee of State Parliament. One of the recommendations in the draft Plan is for '. . . the maximum speed limit on rural roads to be reduced to 100 km/h on those roads considered to be of an inappropriate standard for a limit of 110 km/h.'

The Committee has not yet tabled its report.

PASSENGER TRANSPORT BOARD

24. **Mr KOUTSANTONIS:** How many inspectors from the Passenger Transport Board currently inspect hire cars on the road and how many operators have been fined or reprimanded in the past year?

The Hon. DEAN BROWN: The Minister for Transport and Urban Planning has provided the following information.

The Passenger Transport Board (PTB) is responsible for ensuring that appropriate standards of service delivery, driver presentation and behaviour in the passenger transport industry are maintained. This

is achieved through co-regulation and the co-operation of the industry in supporting measures taken by the PTB in the areas of compliance and enforcement.

The PTB conducts a number of programs which are co-ordinated to achieve an effective system of monitoring the whole of the passenger transport industry in South Australia. These include—

Passenger Transport Inspectors

The PTB employs two Passenger Transport Inspectors who work within the Adelaide metropolitan area to monitor and report breaches of the Passenger Transport Act 1994 and Regulations by members of the taxi, small passenger and large passenger vehicle industries.

During the 1997-98 financial year the PTB Inspectors conducted 5072 vehicle inspections and counselled or cautioned 1008 industry members. They also referred 367 reports to the PTB for further investigation and disciplinary action.

Authorised Inspectors

Since November 1996, the PTB has conducted an innovative program designed to increase enforcement in the taxi and small passenger vehicle industries through an arrangement with Chubb Security Services. The PTB has trained and authorised a number of Chubb Security Officers to work in co-operation with the PTB Inspectors. They work random shifts on a roster basis including night times, weekends and public holidays.

During the 1997-98 financial year the Chubb Inspectors referred 936 reports to the PTB for further investigation and disciplinary action.

Transport SA Inspectors

The PTB has an arrangement with Transport SA for inspections to be conducted of small and large passenger vehicles operating in areas outside the metropolitan boundaries. Reports generated by the Inspectors are either referred to the PTB for action under the Passenger Transport Act 1994 or are activated by Transport SA.

On-Road Auditing

The PTB has conducted an on-road (mystery shopper) audit program since 1995. The audits monitor the performance of taxis and small passenger vehicles in metropolitan Adelaide and monthly reports are distributed to the industry. During the period January 1996 to June 1998 a total of 6 161 audits were conducted.

It has been acknowledged that the PTB and the industry have benefited from this program in the development and improvement of customer service standards.

Authorised Officers Scheme

The industry, through the Authorised Officers Scheme, actively supports the work performed by the PTB and Chubb Inspectors. The number of Authorised Officers operating in the scheme has increased from 6 to 15 and includes members of Access Cabs and the small passenger vehicle industry.

Joint Enforcement Programs

Joint exercises have been conducted by the SAPOL, Transport SA and the PTB in monitoring the taxi and small passenger vehicle industries. These exercises have concentrated on auditing driver accreditation and licences, wearing of prescribed uniform, vehicle presentation and roadworthiness.

These programs resulted in a total of 1362 reports being referred to PTB Investigators for further action during the 1997-98 financial year. Of that number, 1242 reports related to members of the taxi industry, 97 related to members of the small passenger vehicle industry and 23 to members of the large passenger vehicle industry.

Matters are referred by the Investigators for adjudication to the Passenger Transport Standards Committee of the PTB. In the 1997-98 financial year 137 matters arising out of the reports initiated by the PTB and Chubb Inspectors were referred to the Committee. The Committee fined 61 operators/drivers, disciplined 8 and suspended or revoked the accreditation of 8 drivers during that period. One matter was withdrawn and in the case of 2 matters the Committee found that there was no cause for disciplinary action. The remainder (57 matters) were carried over into the 1998-99 financial year.

The PTB continues to endeavour to achieve a spirit of co-regulation and co-operation with the taxi and small passenger vehicle industries resulting in the industries having greater responsibility for ensuring regulations are adhered to and standards are maintained by operators, drivers and the Centralised Booking Services. Co-regulation of the industries has improved all aspects of service delivered to the public.

MULTILATERAL AGREEMENT ON INVESTMENT

33. **Mr KOUTSANTONIS:** How will the Federal Government's announcement that Australia will not be a signatory to the Multilateral Agreement on Investment effect South Australia?

The Hon. J.W. OLSEN: I refer to the question by the honourable member for Peake, in which the honourable member sought information about the effects for South Australia of the Federal Government's announcement that Australia will not be a signatory to the Multilateral Agreement on Investment.

As the honourable member alludes, the status of OECD negotiations on the Multilateral Agreement on Investment (MAI) have significantly changed course since the recent OECD meeting on 20 October. For the benefit of this house, I propose to provide an update on the background to the announcement as well as a more specific answer to the honourable member's question.

The MAI was being negotiated among Organisation for Economic Co-operation and Development (OECD) countries to cover cross border investments. Its essence was to be non-discrimination, with all signatories to commit to treating foreign investors in the same manner as domestic investors unless 'exceptions' were lodged.

The main benefit of the MAI was expected to be greater transparency and certainty regarding regulatory regimes affecting investment, which in turn was expected to boost investor confidence. The longer term aim of the MAI was to encourage liberalisation of foreign investment regimes.

OECD Ministers decided in April 1998 that there would be a six month pause in negotiations to enable further consultation and evaluation on areas of disagreement. Negotiations were to recommence in October 1998.

Instead, MAI negotiations were replaced with an informal consultation process on 20 October, at which Australia was represented by Commonwealth Officials. This was precipitated in part by a withdrawal of France from negotiations in late September, which in turn cast some doubt on the ability of the European Union as an entity to become a signatory to the MAI.

At the October meeting, a number of OECD countries acknowledged concerns with the draft MAI, including: the need for any rules on foreign investment to be consistent with the sovereign right to regulate in a non-discriminatory way, with that regulation not amounting to expropriation; concerns about protecting local culture; and questions as to the appropriate balance between rights of governments and rights of international investors.

Outstanding differences also remain among OECD countries and observers (some of whom are developing countries) with respect to labour and environmental standards and the particular needs of developing countries.

It was generally agreed that the OECD could usefully continue work to develop an international framework of rules for foreign investment, but that the draft MAI was no longer the vehicle to achieve this. Ongoing work on international investment rules in the OECD would be complementary to work undertaken in the WTO in the lead up to the millennium round of WTO negotiations.

This decision was taken at an international level, and, in response to the honourable member's question, it was not a case of Australia announcing that it would not be a signatory to the MAI, but of OECD officials agreeing that the draft MAI was no longer an appropriate form of agreement. Australia, along with other OECD members, participated in and supported this decision.

The decision by OECD officials to discard the draft MAI, and adopt a new approach to the development of an international framework of rules for investment, is a positive outcome for South Australia. Australia's participation in the MAI was not expected to have a significant impact on the level of foreign investment in Australia—including South Australia, as Australia has a relatively liberal foreign investment regime.

However, the draft MAI had the potential to diminish State sovereignty and constrain the ability of the State Government to pursue a range of strategies and activities consistent with its economic and social policy objectives.

This Government will continue to work closely with the Commonwealth as international negotiations on a new multilateral investment framework proceed, to ensure that the Commonwealth takes State interests into consideration.

HOME RENOVATIONS

34. **Mr KOUTSANTONIS:** What action does the Government intend undertaking to protect home buyers from illegal home renovations?

The Hon. M.K. BRINDAL: The Minister for Transport and Urban Planning has provided the following information:

The Royal Australian Institute of Architects operates a pre-purchase inspection service through Archicentre, which has drawn the public's attention to the number of illegal home renovations found during their inspections. It is alleged these renovations have been undertaken without development approval, by owner-builders, and are substandard building work. Because there is no licensed builder and approval for the building work, the consumer protection mechanisms of the Development Act and the Building Work Contractors Act will not apply.

Building work, including demolition, repairs and alterations to existing buildings is controlled under the Development Act 1993. Unless it is non-structural minor work which is excluded from the definition of development under the Act, all proposed building work requires a development approval before commencement. The Act also requires all building work to be carried out in compliance with the approved documents and with the Building Code of Australia. Furthermore, for domestic building work valued over $5000, the Act requires a certificate of building indemnity insurance (which licensed building work contractors are required to take out under the Building Work Contractors Act 1995) to be lodged with the approving authority before commencement.

Councils as the approving authority have powers under the Act to issue emergency orders or enforcement notices or to institute proceedings through the Environment, Resources and Development Court. If a Council became aware of building work undertaken without approval, it has discretionary powers to order demolition, require remedial work or, if it complies with the Building Code, approve the building work retrospectively.

A prospective home buyer would be well advised to commission a professional pre-purchase inspection. They can then make an informed decision on whether or not to purchase a house with substandard and unapproved alterations—and if they choose to proceed, to then negotiate a price which takes into account any necessary remedial work.

LANDFILL SITES

70. **Mr HILL:** How many applications for the development of landfill sites are currently before the Department for Housing and Urban Development and, in each case, which site is involved, who is the applicant and when will the application be resolved?

The Hon. DEAN BROWN: The Minister for Transport and Urban Planning has provided the following information:

The Department of Housing and Urban Development has not existed since the last election.

Set out below is a summary under 4 categories for landfill applications submitted under Development Act processes, and under consideration by either the Minister for Transport and Urban Planning or the Development Assessment Commission.

1. Two proposals are currently being considered under the Major Development Process—

· Pathline Australia Pty Ltd at Inkerman.
· Northern Adelaide Waste Management Association at Smithfield.

The assessment of these proposals is in the final stages and a report should be made to the Governor for decision in the near future.

2. In recent times, requests for Major Development Declarations have been submitted for two proposals—

· Removal All Rubbish Pty Ltd at Mallala—declined request for a Declaration.
· GHIA Enterprises at Kalbeeba—still under consideration.

3. The Governor has approved (January, 1998) IWS Pty Ltd, Northern Balefill at Dublin—a licence application is now under consideration by the Environment Protection Agency.

4. The Development Assessment Commission is currently considering two applications, outside the Major Development process—

· Penrice Soda Products at Gillman.
· Clare & Gilbert Valley Council, located 4km north of Rhynie and 9km south of Auburn.

The Commission is nearing its assessment of these applications and decisions are anticipated in early 1999.