HOUSE OF ASSEMBLY

Monday 7 March 2005

The SPEAKER (Hon. I.P. Lewis) took the chair at 2 p.m. and read prayers.

SCHOOL RETENTION RATES

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.D. LOMAX-SMITH: On examining the *Hansard* from last Thursday, 3 March, I realised that I needed to clarify an answer I provided to a question from the member for Bragg about school retention. I inadvertently left out the words, 'since we came into government' in my response. I need to inform the house that the current years 8 to 12 school retention rates have improved under this government from the low retention rates that we inherited from the former Liberal government. However, I do recognise that the retention rates were even better under the Labor government in the early 1990s, a level that this government is striving to reach again.

ALLEGATIONS, INVESTIGATION

The Hon. K.O. FOLEY (Minister for Police): I seek leave to make a ministerial statement.

Leave granted.

The Hon. K.O. FOLEY: In the past week, allegations previously made and investigated by the Anti-Corruption Branch of the police about a member of parliament and his alleged behaviour in the southern parklands have re-surfaced. This has been the subject of questions in this house and of stories in the media. It appears that the allegations remain the same. Even though the allegations were not substantiated when they were raised in 2003, the Police Commissioner has informed me that the Anti-Corruption Branch will conduct an investigation into any new material provided by yourself, Mr Speaker, or anyone else. Until the police investigations are concluded, it would be inappropriate for anyone in the government to comment further.

HOUSING PLAN

The Hon. J.W. WEATHERILL (Minister for Housing): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.W. WEATHERILL: Today I publicly released South Australia's $145 million housing plan, the state's first-ever comprehensive housing plan. It responds to the targets for housing set out in South Australia's Strategic Plan to reduce homelessness and housing stress, and to create more community-based housing options for people with disabilities. This state government is back in the housing business. The housing plan for South Australia involves investing $145 million in initiatives to increase affordable housing for South Australians; measures to reduce homelessness; and creating a road map for South Australia's future housing needs over the next 10 years.

We know the key to success is working collaboratively, and we are talking some bold action to lead the way. We will be kickstarting new joint ventures between the state government, not-for-profit organisations, the private sector and local government to deliver affordable housing and high-need housing projects. We are putting in place a new Affordable Housing Innovations Program with upfront investment of $15 million by the state government, which we expect to grow by $93 million into a substantial fund for new affordable and high-needs housing. That growth will come about from the sale of social housing to existing tenants through a new HomeStart product called Equity Start Loan, and the total reinvestment of that sale money will go into housing. This $93 million reinvestment will help create around 1 000 new homes for new tenants including 580 new community and public housing properties and new community-based homes for people with disabilities.

We will be making an additional immediate cash injection of $4.7 million to build new group homes and supported accommodation for people with disabilities. We will be introducing a target on all social housing agencies that 75 per cent of new homes will meet accessible and flexible housing design criteria which comply with disability access principles. In all our new housing developments in South Australia we will set a target of 10 per cent affordable housing and 5 per cent high-needs housing. We will invest an extra $15 million to accelerate urban regeneration programs across the state. We have a whole range of measures in the housing plan to tackle homelessness, amongst them the immediate additional commitment of $16.5 million for the new supply of transitional and long-term housing options for homeless people in both metropolitan and regional areas. This plan puts the state government back in the business of housing to help more people realise their dream of a secure home for their family.

QUESTION TIME

CHILD ABUSE

Ms CHAPMAN (Bragg): My question is to the Attorney-General. What action will the government take to restore public confidence in the judiciary in light of the front page accusation made in yesterday's *Sunday Mail* by public servants that a serving South Australian judicial officer has participated in paedophile activities?

The Hon. K.O. FOLEY (Minister for Police): The honourable member's question written after an article appeared in the *Sunday Mail* is of interest to the extent that any allegations against any person, be they holding public office or not, should be referred to the police for proper investigation. Let us remember that, importantly, the Mullighan inquiry was established by this government to look at matters relating to wards of the state, but the member for Bragg is somebody who has practised—

Ms Chapman interjecting:

The Hon. K.O. FOLEY: I am answering the question.

Ms Chapman interjecting:

The SPEAKER: Order! The honourable member for Bragg will leave the Deputy Premier to answer.

The Hon. K.O. FOLEY: Thank you, sir. The member for Bragg has asked a very sensitive question and I am answering it in kind. Any allegations, be they against people holding public office or not, should be referred as a matter of urgency to the police. I have no doubt that the police read the *Sunday Mail* as well. I have no doubt that the Paedophile Task Force and all the significant resources now being applied to the issues of child abuse provide us with good resources available

to our police to undertake their work. Of course, I have no doubt there is.

Ms CHAPMAN: I have a supplementary question to the Attorney-General. Has the Attorney-General ensured that the information has been referred to the police?

The Hon. K.O. FOLEY: This is a matter relating to the alleged behaviour of a member of the public or in this case a person who holds judicial office.

Ms Chapman: You are relying on reading the *Sunday Mail*.

The Hon. K.O. FOLEY: I am relying on what I read in the *Sunday Mail*. The allegations that appeared in the paper are allegations made, not substantiated. I have full confidence in our police given that we have established the Paedophile Task Force. We have put enormous resources into our policing of paedophilia and, in particular, as the Liberal government was incapable of doing it, saw to remove the pre-1982 restriction, and we set up the Mullighan inquiry.

It does not matter what politics members opposite wish to play on these matters, there is one criticism that cannot be levelled at this government and that is that we have not put significant resources into dealing with issues of paedophilia. If the allegations raised in the *Sunday Mail* and provided to former Justice Mullighan (as I understand the article read) are of significance, I am confident the information would be passed on to the police, who would take the appropriate action.

The member for Bragg shakes her head. I know she considers herself to be a higher authority on most things in this chamber but I do, from practice, rely heavily on the good offices of our police force and the good offices of former Justice Mullighan and the work his people are doing. I have no doubt that if these allegations are substantiated they will be appropriately followed up by the police. As for the member for Bragg, nothing pleases her, as I have come to know in the short time she has been here.

Members interjecting:

The SPEAKER: Order!

HOUSING TRUST

Mrs GERAGHTY (Torrens): My question is to the Minister for Housing. What does the housing plan for South Australia mean for existing Housing Trust tenants?

The Hon. J.W. WEATHERILL (Minister for Housing): I thank the honourable member for her question. She represents an electorate that has a substantial proportion of Housing Trust tenants in it, and she is rightly concerned to ask, on their behalf, what the plan means for those tenants. I make very clear at the outset that every existing trust tenant will always have a trust house to live in at an affordable rent. So, we want to make absolutely clear that for those tenants this plan is all benefit; it is all positive. It provides benefits and opportunities but will not disturb any of their existing security of tenure, and it is very important that that message be conveyed back to those trust tenants. Certainly, I have corresponded with them to that effect and they will receive that information from me.

The additional benefits of this plan are that they will now have a Housing Trust which will be reinvigorated in its efforts to renew their neighbourhoods. We do not want to be in a situation where we experience the sad scenes we have seen in Sydney housing estates which simply have not been attended to over the years and where we see social decay emerging. That has never been the South Australian way, so we are investing an additional $15 million into the acceleration of urban renewal programs across South Australia.

This is a very important initiative. Unfortunately, the previous government thought all that was needed was to somehow improve the physical environment of the state, giving some suburbs a 15-year project. If you are in precinct A at the end of the 15-year project your suburb has a 15-year death penalty, so it is not surprising that there is a lack of morale in some of those public housing estates. We are going to put the ambition back in the Housing Trust to look after its tenants. We are also going to make sure that they look after long-standing trust tenants and recognise their value and contribution, and we are going to make sure that they live in safe and secure suburbs. I want the Housing Trust to accept its responsibilities to ensure that disruptive tenancies are dealt with urgently and that we have neighbourhoods people can be proud of.

ALLEGATIONS, INVESTIGATION

Mrs HALL (Morialta): My question is to the Attorney-General. Given the statement by the Minister for Police to parliament on 13 October 2003 that it was a Rann government minister who was the subject of allegations of inappropriate behaviour, why does the Attorney-General claim that the allegations reflect on every male member of the South Australian parliament?

The Hon. M.J. ATKINSON (Attorney-General): The question of the 2003 allegation came up comparatively late in the debate last week. At the time I was commenting it reflected on all male members of the South Australian parliament and no particularity had been established.

BANK SA

Ms CICCARELLO (Norwood): Can the Treasurer inform the house of the latest results from the Bank SA state monitor survey?

An honourable member interjecting:

The Hon. K.O. FOLEY (Treasurer): It will not help us in Norwood. The opposition is incapable of dealing with public policy matters in this chamber and of being able to successfully probe the government on matters of public policy. I am happy to bring the debate in this chamber back to what it should be about, that is, public policy. But I can say—

The SPEAKER: Order! I remind the Deputy Premier that question time is not the place for debate: it is to answer questions.

The Hon. K.O. FOLEY: Thank you, sir. I am happy to be providing an answer on a matter of public policy, not of gutter policy. On Friday, BankSA released its state monitor survey, which shows that business confidence is now at its highest level in the eight year history of the survey, while consumer confidence reached an 18-month high. A record 69 per cent of business respondents (up from 59 per cent in the last survey) reported that they had not experienced, or been worried about, any downturn in turnover in South Australia. Of the businesses surveyed, 63 per cent felt that the climate for business in South Australia would improve during the next 12 months. A record 78 per cent of consumer respondents said that they had not been worried in the past three months about anyone in their family either losing their job or not being able to find one. Fifty-nine per cent of those

consumers surveyed, compared to 59 per cent in the last survey, said that they felt confident that work would be available if they or another family member wished to change jobs.

In the rural sector, business confidence is the highest in the state, particularly in the north and west regions. The Managing Director of BankSA, Mr Rob Chapman, said:

> The unprecedented optimism in eight years of surveys was mirrored in the renewed sense of pride in South Australia. . .

He went on to say:

> . . . while the overall picture for South Australia was extremely positive, there were signs that growth may slow slightly in 2005.

Without question, this shows that our economy today is the strongest it has been in a decade or more. There are more people employed in this state than in the state's history; levels of production are at their highest levels; and we are seeing the most important ingredients of all (business and consumer confidence) at their highest levels after three years of a Labor government. It is a Labor government that has put the economy first; that has put the state's finances first; that has put job creation first; that has put investment first; and, importantly, it has put the state first. That is a great result for South Australia, and one of which all members of parliament should be proud.

PORT RIVER, BRIDGES

The Hon. R.G. KERIN (Leader of the Opposition): Will the Minister for Infrastructure advise the house whether unsuccessful tenderers for the construction of the Port River bridges will be partly financially compensated for contract delays and repeated requests for costings of design modifications? The opposition has been advised by many in the construction industry of ever-increasing cost blow-outs in relation to tendering for the Port River bridges and concerns at the cost of tendering for all government projects.

The Hon. P.F. CONLON (Minister for Infrastructure): I am unaware of any claims against the government. I will check that for the Leader of the Opposition, but I am confident that I have not heard of any. I have also spoken to industry about these bridges, and industry told me just today that it wants to know what the opposition wants to do with them.

Members interjecting:

The Hon. P.F. CONLON: No; I will tell members who it was: it was the road transport people. They told us that they telephoned the Leader of the Opposition and asked him what his position was, and he did not have one. I will bring back that information, but I place on the record that industry has asked the Leader of the Opposition what is his position, and he does not have one.

SCHOOL LEAVERS

Ms THOMPSON (Reynell): My question is directed to the Minister for Further Education and Training.

Members interjecting:

The SPEAKER: Order! Will the member for Reynell begin her question again, please?

Ms THOMPSON: Certainly, sir. My question is directed to the Minister for Employment, Training and Further Education. How does the government support young people leaving school in year 10 to help address the national skills shortage?

The Hon. S.W. KEY (Minister for Employment, Training and Further Education): I thank the member for Reynell for her question: it is good that she is interested in this area, unlike some of my colleagues opposite who say that this is boring. I do not know why they would think—

Members interjecting:

The SPEAKER: Order!

The Hon. S.W. KEY: —the national skills shortage is boring. It is interesting to hear today that the Prime Minister has now waded into the debate. He suggested that young people should consider dropping out of school at year 10 and pursue a trade.

The Hon. M.J. Wright interjecting:

The Hon. S.W. KEY: The Prime Minister. It is absolutely amazing that he would say such a thing. It is important to understand the system which we have in place in this state. We are trying to encourage young people to stay at school, achieve their SACE and, at the same time, think about undertaking vocational education and training. We have also put in place a number of strategies to help those young people who do not fit into that scenario. The vocational training undertaken at school is nationally recognised. It is available to senior students as part of their normal school curriculum. This allows students to achieve a senior secondary certificate qualification, gain a university or TAFE entrance score, and receive practical work skills and a vocational education and training qualification up to certificate 3.

We say that this provides our young people with a wide variety of opportunities. In fact, our government recommends that students aiming to work in the trades stay at school because many trades and apprenticeship programs require a high understanding of maths, and many employers offering apprenticeships require completion of year 12. For this and many other reasons, I am surprised that the Prime Minister does not seem to appreciate the level of skill which employers are seeking from young people starting apprenticeships. Our government knows—and this has been supported by a number of different independent research organisations, and one which comes to mind is the Dusseldorf skills formation—that staying at school improves the options for young people and assists them gain entrance into their trades.

Just last week, the Premier and the Minister for Education and Children's Services announced that 10 high schools in Adelaide's northern suburbs have joined forces to train students for jobs in local industries. The schools are working with local industry, the University of South Australia, local TAFE campuses and other training providers to give students in that area 14 different specialty areas of work. These networks of schools, trainers and industry are becoming the technical schools of the 21st century, and they are important in the state's effort to connect all young people to school work or training. The Prime Minister's statements today suggest that parents are somehow to blame for Australia's skill shortage and overlook the excellent opportunities to engage vocational education and training in schools.

It is true—and I must say that our government has been saying this for quite some time—that we do need to ensure that parents understand what opportunities are available as well and not say that every student who is about to leave school needs to attend university. There is certainly a point there, but I think the Prime Minister's statements today are a little behind the way in which the whole agenda has been heading. The states, including South Australia, have been seeking realistic growth funding for vocational education and training from the commonwealth for some years now, and

there is certainly a disagreement over the amount of growth funding needed for TAFEs and other trades training. We believe that this is one of the reasons for the breakdown of the ANTA agreement post 2003.

As most members in this chamber will know, ANTA ceases to exist after June this year. We really do need to ensure that, whatever replaces the ANTA agreement, we have adequate funding and support for young people, otherwise this just continues to be a talkfest about what the future for our young people will be. I believe that suggestions about students dropping out of school are short-sighted and do not address commonwealth planning and the lack of growth funding in our states for vocational education and training. We want to expand the choices and opportunities for our young people, not limit them.

PORT RIVER, BRIDGES

The Hon. R.G. KERIN (Leader of the Opposition): My question again is to the Minister for Infrastructure. Will the minister confirm that the navy has not changed its stance on allowing ships into Inner Harbor at Port Adelaide since 2003? The federal defence minister was quoted in this weekend's *Advertiser* as saying that the Rann government's claims that the navy has recently changed its mind about bringing ships into Inner Harbor are 'nonsense'. The defence minister wrote to the Rann government in 2003 saying the navy did not wish to influence the design of the bridges and that they had no operational requirement for access to the Port Adelaide Inner Harbor.

The Hon. P.F. CONLON (Minister for Infrastructure): Given that this was contained in letters tabled in parliament—something that the opposition would never have done when it was in government, but we brought in the letters and showed parliament everything—you would think that the Leader of the Opposition would be capable of reading the answer. That letter of November 2003, to sum it up, says that it may make those berths less suitable. If you are telling me that means they are never going there, I do not have the same understanding of English as the Leader of the Opposition has when it says it may make them less suitable.

The Hon. J.D. Hill interjecting:

The Hon. P.F. CONLON: And I am prepared to concede that my use of the English language is different from that of the Leader of the Opposition. We spent a lot of time asking the navy to be clear about what the situation was, and it was very difficult for it to do that. Finally—and it was only on 13 or 14 February—it made an unequivocal statement that it would not be going there regardless of whether or not there were bridges that opened. That was the first unequivocal statement.

These letters were tabled. Anyone can read them. I invite the media or anyone who has an interest to read them. They are sitting there in black and white. We tabled the letters from the navy. I cannot assist the Leader of the Opposition if his reading comprehension is not what it should be, but what is true is that we put all the arguments out there, openly and publicly. I repeat that the one thing we cannot find is the position of the opposition; and I can tell the house that industry is being very critical of the Leader of the Opposition and the opposition, because they do not have a position any more, even though it was originally their promise to open bridges. Then, two years ago, they were on the record saying, 'They must be opened, otherwise Labor will let people down.' Then we have the member for Schubert saying, 'They cannot be opened,' and now we have the Leader of the Opposition saying, 'I haven't got any idea. I haven't got a clue. I don't really know and don't really care.'

We are working through these issues. We have been entirely open with people, and it is time the Leader of the Opposition actually said what the opposition would do. It may well be that they do not believe they are the alternative government; they certainly have reason to do so. I will read what the Leader of the Opposition said was a communication from the navy that told us that ships would not go there. It states:

> In certain security situations, this could make the inner wharves in Port Adelaide less suitable for navy ship visits.

Mr Koutsantonis interjecting:

The Hon. P.F. CONLON: Yes, I know. That is it, isn't it? That is the communication in the letter tabled in this parliament that he should be able to read. It was made unequivocal in February and, if the Leader of the Opposition cannot understand that, I would say that it is not a case of my not being frank with him: it is just a case of my being unable to put in what God left out.

The Hon. R.G. KERIN: I have a supplementary question to the Minister for Infrastructure. When will the government make a decision on the port bridges to allow construction to commence?

The Hon. P.F. CONLON: We are going to do that very soon.

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: Can I explain to the opposition, while they are all fretting with their urgency, that you cannot actually build a bridge until you have a road that goes to it? We think a bridge will work better then. I am the first to say I am not an engineer, but we reckon the bridge will work better if it has a road at either end of it so that things can get there. That has been our basic approach. It will be very soon.

HEALTH, RURAL

Mr CAICA (Colton): My question is to the Minister for Health. How will the rural health scholarships help to address the shortage of health practitioners in rural communities?

The Hon. L. STEVENS (Minister for Health): As many in this house would be aware, a great challenge that we face is the lack of enough qualified health professionals to take up positions in country areas of South Australia. That is why I was particularly pleased recently to present scholarships worth $480 000 to country students pursuing health careers in regional areas. Some 34 rural South Australians were awarded rural undergraduate scholarships. Another 51 rural postgraduate scholarships were awarded to existing country health professionals. These scholarships provide health professionals with $4 000 to assist with their postgraduate studies. Not only are we providing incentives to young people just starting out but we are also encouraging those practitioners already in rural areas to stay there. By supporting local rural students, they are more likely to return and stay in the rural community as health professionals.

Also included in the postgraduate scholarships are two Professor Margaret Tobin Memorial Scholarships for mental health professionals. The scholarships, coordinated by the Department of Health, provide undergraduate students from regional areas with up to $15 000 over three years to assist

them with their studies, provided that they commit to working in rural South Australia when they graduate. This year, one of the scholarships has been sponsored by the Cummins Community Bank, in a show of community support after the Eyre Peninsula bushfires. The South Australian Dental Service and the Central Yorke Peninsula Health Service have also sponsored scholarships. It is pleasing to see this type of community support, and I am sure that scholarship recipients will go on to demonstrate a strong commitment to their country communities.

DRAFT INFRASTRUCTURE PLAN

The Hon. R.G. KERIN (Leader of the Opposition): Will the Minister for Infrastructure confirm that the draft infrastructure plan has been recirculated to all government departments in the past few weeks? The opposition has been advised that all government departments were told to find additional headline infrastructure projects in the past few weeks because the original draft infrastructure plan submitted to Treasury did not contain any major projects.

The Hon. P.F. CONLON (Minister for Infrastructure): Before I answer the question, let me deal with what was purported to be an explanation but which, instead, was a cheap piece of debate. It is utterly untrue that there were no headline projects, but opposition members will be so excited when they see the infrastructure plan. As to the question of whether the draft has been circulated around agencies—has an infrastructure plan for the entire state been circulated around agencies—the answer is that I bloody well hope so, because it will not work if it has not. I can deal with the question very shortly: yes, it has been circulated. Because it is whole of government, we would like all of the government to keep working at it.

Regarding the allegation that there was nothing in there and now there will be, there was always a great deal in there. The Leader of the Opposition is going to be very excited. We are all very excited, but we are determined to get it right. I will refer to one other infrastructure plan that was promised by the member for Finniss: I think it was 1995, and it was to be a five-year plan. If they think we are a little delayed, can I say that we are still waiting for the member for Finniss' plan. But he did have, shall we say, a bit of a force majeure on himself, which made it a little impossible to continue with his plans. The member for Finniss was then the premier—but we all remember the night of the Wiltshire knives. So, perhaps he has an excuse for not having got there. Yes, it has been circulated, and that is really a big surprise!

PERPETUAL CROWN LEASES

Mr O'BRIEN (Napier): My question is to the Minister for Environment and Conservation. How many applications for freehold crown leases have been received, how many have been approved and what support is available for applicants in financial hardship?

The Hon. J.D. HILL (Minister for Environment and Conservation): Applications for freeholding of perpetual leases were open from 12 March 2003 until 30 September that year. Applications were received from more than 90 per cent of available leases, so the government extended the application period to 31 January this year for general applications, and those with waterfront leases have until 30 September this year.

Up to 31 January 2005, we have received 9 223 applications for 13 249 leases. Some of these leases date back to 1888, and a few have required survey work to confirm boundaries where there has been insufficient survey data. Since the process has begun, 2 018 freehold titles (22 per cent of applications) have been completed, and it is anticipated that the project will take until September 2007 to complete the freeholding of all transactions. If anybody wants to do it quickly because they want to sell or for some other reason, the program has been made adaptable to allow those kinds of things to happen.

Members will recall that the Select Committee on the Crown Lands (Miscellaneous) Amendment Bill recommended that support be provided for people in hardship. We are honouring that commitment, and 586 lessees covering 985 applications have asked the review panel for support. The review panel is chaired by retired judge Michael Bowering and includes representatives from the South Australian Farmers Federation. The review panel has agreed on a formula as to how this assistance will be provided. Recently, I approved an extension of time to pay to 30 June 2007 for lessees affected by the Eyre Peninsula bushfires. So, the program is going very well. I would like to thank the Farmers Federation in particular for their help in making the process as smooth as possible for applicants. They have been very constructive partners during this whole process.

ORIGIN ENERGY

The Hon. W.A. MATTHEW (Bright): When was the Minister for Energy first advised by Origin Energy that its Katnook gasfield in the South-East of South Australia was running out of gas earlier than expected, and when was the minister first advised that gas rationing would be necessary in the South-East?

The Hon. P.F. CONLON (Minister for Energy): I can place on the record for the member for Bright that I was advised by Origin at an extremely late date, and I was extremely unhappy about this. I will get the exact date for the honourable member. I am looking at the member for Mount Gambier because he would remember this. It was a couple of weeks ago. It was a very late date, and I was extremely unhappy. When I asked questions about what this would mean, they said it might mean shortages for the major customer but it would not affect small customers, of course. We made sure of that straightaway. I was also told that it would not affect the other 11 industrial customers because of the size of the large customer, KCA. Members will understand how happy I was to find two days later that Origin had advised its 11 major customers differently.

So, I put on the record that I am not very happy with Origin about the way they handled this thing with the government. However, I can say that since then we have had some very full and frank discussions with Origin. I think their earlier manoeuvring was probably around protecting their legal position vis-a-vis their customers. It appears that they did not understand how much gas they had left in the system until very late. That is the best complexion I can put on this regarding how late the advice was given to the government. However, I will say that, since that time, Origin have come to some arrangements with their customers to supply LPG, which means that there should be some shortage to industrial customers for only a few weeks until those arrangements can be put in place, and they have brought ahead the commissioning of the lateral pipeline, which will overcome this problem

entirely. It was always intended to overcome it, and that has been brought ahead to commence in June.

I met with the Victorian minister, Theo Theophanous. I always welcome the member for Bright's allowing me to explain what a good job I have been doing in this place. I met with Theo to arrange to get those planning approvals through very quickly, and that was done and it has all been signed off. So, it is actually good news in a bad situation. I am sure this will be disappointing to the member for Bright, but it appears that there will be problems for a few weeks, there will be the LPG solution, and the pipeline solution will be brought ahead. Once again, this government has responded very quickly and made sure the private sector is doing the job that it should do.

The Hon. W.A. MATTHEW: I ask a supplementary question. In view of the minister's answer, will he assure the house that there will be no gas rationing for Mount Gambier households this winter when Mount Gambier's residential gas consumption increases due to the demand for winter heating?

The Hon. P.F. CONLON: Yes, I can. My mother once said that, if you do not have something nice to say about someone, you should not say anything, so I will say nothing about the member for Bright. Why he would want to frighten the people of the South-East with a question like this, when I have been on the public record several times guaranteeing that very thing, is beyond me. It is shallow scare mongering.

The Hon. DEAN BROWN: On a point of order, sir, the question asked for a simple assurance and the minister was debating the issue, which is in breach of standing order 98.

The SPEAKER: The minister has concluded his reply. The observation is valid.

PREMIER'S READING CHALLENGE

Ms RANKINE (Wright): My question is to the Minister for Education and Children's Services. What is the government doing to ensure the continued success of the Premier's reading challenge in 2005?

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I thank the member for Wright for her question. I know she has been a great supporter of the Premier's reading challenge and, like me, has been astounded by its success, reaching out to 2006 South Australian state strategic plan targets within its first year, well ahead of plan. As she knows, last year 50 000 young people achieved the challenge's goal to read 12 books by the end of the school year. That in itself was not the purpose of the challenge—just to read books—but to encourage a love of reading, a respect for good literacy standards and to work with our $35 million literacy strategy and our $2.1 million investment in extra library books to improve the literacy levels of all young people in this state.

Last year, reception to year 9 students took part and read 500 000 books. This year we want to set the benchmark higher. We kicked off this year's challenge last week using a whole range of ambassadors, particularly sports stars, children's authors and an Olympian, who will cheer on the state's children to encourage them to read more books. This year those spreading the word will be Natalie Avellino, Amanda Graham, Rachael Sporn and Jenny Williams, and they will be joining the inaugural ambassadors—Mark Bickley, Che Cockatoo-Collins, Phil Cummings, Mem Fox, Kathryn Harby-Williams and Juliet Haslam.

The book list includes 2 700 books, and again this year we have added new and more exciting books to the list to encourage those children who read to the limit last year to take up more reading. Again this year those starting the challenge will get a signed certificate from the Premier, but those doing the second year of the challenge will get a bronze medal. Those subsequently will get silver and gold medals for each year. This is a fantastic way to encourage young people to develop a love of reading. It has been a great project started by the Premier and I understand that this, together with our $35 million literacy strategy and the extra library books, will be integral parts of our challenge not just to young people but to all teachers, all schools and all families to encourage reading in young people.

HOMESTART

The Hon. R.G. KERIN (Leader of the Opposition): My question is to the Minister for Housing. Why has the government's HomeStart graduate loan, currently being advertised to encourage graduates into home ownership, not available to the majority of regional South Australia? A constituent of mine who is a graduate has been told that, as she wished to buy a house in Gladstone, she is not eligible for the loan. She was told that 'the loan is only to be offered within metropolitan Adelaide and major regional centres.' She further writes that this 'may in fact drive me back to employment in Adelaide as the option to settle down with a house and family is not available to country graduates.'

The Hon. J.W. WEATHERILL (Minister for Housing): I thank the member for his question. I am disturbed to hear about that. I will ask what is the policy basis for that. We are committed to providing affordable housing opportunities for people in regional South Australia. HomeStart is an essential part of that picture. I will find out the reason for that particular policy stance.

WATER SUPPLY

Mr SNELLING (Playford): My question is to the Minister for Administrative Services. Have reductions in Adelaide's water consumption been sustained?

The Hon. M.J. WRIGHT (Minister for Administrative Services): I am pleased to provide an update on Adelaide's water consumption. The water consumption for July 2003 to June 2004—a full year of water conservation measures—was 14 per cent lower than consumption the previous year. Specifically, I am advised that Adelaide's water consumption was 180.1 gigalitres in 2003-04 compared to 2002-03 when consumption was 208.5 gigalitres. When consumption so far this year is compared to the year before water consumption measures were introduced, it can be seen that Adelaide is still very much on track to maintain a significant reduction in water consumption. Between July 2004 and the end of February 2005, consumption was 126.4 gigalitres compared to 150 gigalitres in 2002-03. This is a 16 per cent reduction in consumption compared to the same period before the introduction of water conservation measures.

The government's water conservation measures have been met with a high level of acceptance by the South Australian community. I acknowledge and congratulate our community for its great response to these measures. The government will continue to work with the community on these important matters, as well as getting on with the job of saving the

Murray River and achieving our long-term water conservation goals.

WOMEN'S HEALTH, KANGAROO ISLAND

The Hon. DEAN BROWN (Deputy Leader of the Opposition): Will the Minister for Health advise the house why the state government has not advertised for the position of women's health worker on Kangaroo Island six months after the position became vacant; and why it has shown such a lack of commitment to improving women's health services?

The Hon. L. STEVENS (Minister for Health): I am happy to look into the matter for the deputy leader. I am afraid that, with the dozens of health units and thousands of workers, I am not aware of every single one in the health system, but I will get back to him with some information.

MULTICULTURAL AND ETHNIC AFFAIRS COMMISSION

Mr KOUTSANTONIS (West Torrens): Will the Minister for Multicultural Affairs inform the house about the new appointments to the South Australian Multicultural and Ethnic Affairs Commission?

The Hon. M.J. ATKINSON (Minister for Multicultural Affairs): I am pleased to report that the commission has recently appointed Mrs Vaheda Mansoury to the commission. Vaheda migrated to Australia from Iran. She is an active member of the Kurdish community, an ardent worker in that community and an advocate for multiculturalism.

The Hon. R.G. Kerin interjecting:

The Hon. M.J. ATKINSON: The commission was almost entirely made up of Liberals when we inherited it, as the Leader of the Opposition acknowledges.

The Hon. R.G. Kerin interjecting:

The DEPUTY SPEAKER: Order!

The Hon. M.J. ATKINSON: I have no idea what Mrs Mansoury's politics are: presumably, she is interested in the politics of Kurdistan, which does not readily translate into the South Australian parliament. She is able to translate in Farsi (or Persian, for the information of the member for Bright) and Kurdish. Vaheda has a degree in psychology from Tehran University and is interested in child care.

I am also pleased to be able to tell the house that the leadership of the commission has again been placed in the hands of John Kiosoglous (as Chairman) and Hieu Van Le (as Deputy Chairman). Most members of the chamber would have met John and Hieu at one of the many ethnic community festivals. It is important that the commission has good leadership during 2005, especially as this year is the 25th anniversary of the South Australian Multicultural and Ethnic Affairs Commission Act. Importantly, this is the 30th anniversary of the beginning of migration of Vietnamese people to our state.

I have no doubt that both John and Hieu will make certain that the South Australian public have the opportunity to celebrate both anniversaries. Hieu was outstanding in organising the Australia Day parade and the participation of so many Vietnamese Australians in that parade. I am confident that many members in the house—and I know that the member for Morialta would be one of them—would endorse my sentiments and praise the toil of the Chairman and the Deputy Chairman.

Mrs Hall: Absolutely.

The Hon. M.J. ATKINSON: Absolutely. The government has also reappointed Mr Norman Schueler to the commission. Members would know Mr Schueler not only as a successful South Australian businessman but also as a tireless worker for the Jewish community. The South Australian Multicultural and Ethnic Affairs Commission plays an important role in our state by giving advice to government on matters affecting ethnic communities. I am told that the commission will continue in 2005 its successful community consultation program in both metropolitan and regional South Australia. I congratulate the new and re-appointed commissioners. I wish them and other members of the South Australian Multicultural and Ethnic Affairs Commission all the best in their deliberations this year.

WOMEN'S HEALTH POLICY

The Hon. DEAN BROWN (Deputy Leader of the Opposition): Why is the Minister for Health claiming to launch the state's first women's health policy tomorrow when Jennifer Cashmore launched the first one 25 years ago, and there have been subsequent women's health policies since? The invitation to the launch of the policy tomorrow states:

The launch of South Australia's first women's health policy.

The Hon. L. STEVENS (Minister for Health): Indeed, it is unusual for the deputy leader to ask any question about a policy because, of course, when he was minister it was a complete policy-free zone. In relation to the invitation, I think that it was a matter of over-enthusiasm from departmental officers. Let me say to all members that tomorrow there will be a launch of South Australia's women's health policy. It will be a wonderful launch. I have invited many current and previous women MPs to tomorrow's launch, and we will proceed.

CHRISTIES BEACH FORESHORE

Ms THOMPSON (Reynell): Will the Minister for Urban Development and Planning inform the house about the upgrade of the Christies Beach foreshore?

The Hon. P.L. WHITE (Minister for Urban Development and Planning): I thank the honourable member for her question, and I appreciate her interest in this topic. Recently, together with my colleague the Minister for the Southern Suburbs, I was pleased to join with the Mayor of the City of Onkaparinga, Ray Gilbert—

The Hon. W.A. Matthew interjecting:

The Hon. P.L. WHITE: Yes, John Hill.

The Hon. J.D. Hill: I was there.

The Hon. P.L. WHITE: Yes, John Hill; my friend and colleague the Minister for the Southern Suburbs—and also the local Kaurna Heritage Board Chairperson, Ms Lynette Crocker, in opening Taikurrendi, a coast park. Taikurrendi, of course, is a Kaurna word meaning 'come together'. It was chosen to reinforce the theme of the coming together of two cultures. The new park is located on the esplanade in front of the new Christies Beach Surf Lifesaving Club. The people of the area will excuse me when I say that the area had become a little run down, but the new work is magnificent.

The new Christies Beach park and the coastal section therein is a symbol of continuing conciliation between two cultures: the indigenous people, of course, who have lived there for thousands of years; and descendants of European

settlers. It is a $920 000 project jointly funded by the state government and the City of Onkaparinga; and it is part of a wider aim to link 70 kilometres of coastline right from North Haven to Sellicks Beach.

The park itself includes a rock pool-themed plaza with public art, a shared recreation park, bike parking facilities and grassed-in landscaped areas. I am sure that the southern residents, tourists and visitors to the area will benefit from the improved amenity and contribute to conserving the natural features of the foreshore and the offshore reefs. I congratulate everyone involved in this venture and encourage all members to visit and enjoy the new Taikurrendi Park.

RAIL SAFETY INVESTIGATION

Mr BROKENSHIRE (Mawson): Will the Minister for Transport support the Rail, Tram and Bus Union and community demands for the reform of, first, the Rail Safety Act and, secondly, an independent accident investigation following the death of a railway worker in September last year? The Rail, Tram and Bus Union advised that it wrote to the minister on 7 September 2004 requesting that, in accordance with the Rail Safety Act 1996, an independent investigator be appointed to inquire into the tragic accident involving railway worker Mr Karl Petry. I am advised that the minister did not respond positively to this request. Further, in October 2004 the union wrote and asked the Premier to intervene to ensure that an independent inquiry took place. It advises that to date only acknowledgment has been received.

The Hon. P.L. WHITE (Minister for Transport): This is an important question. The honourable member has a few of the details incorrect, and I will provide him with the information. Today right around the country the RTBU is holding a day of action on rail safety. For the honourable member's interest, I made a statement to the house a month ago (on 7 February) in which I outlined actions that have been taken as a result of the investigation into the unfortunate death of Mr Petry. I might say that that was a shocking incident and a tragedy, not only for Mr Petry's family but for his co-workers and the people of the region generally. When I made my statement on 7 February, I pointed out that the government had already initiated a review of the rail safety legislation and would come forward with amendments to that legislation to enhance it.

There are currently two investigations. There was an investigation report that I tabled in this house last month, which was conducted under the act. There is a workplace services investigation report, which I anticipate will be completed later this month, and there is also the option, once that report has been completed, of further investigation, particularly if there are discrepancies. So, that door is open. Several actions have already been put in place as a result of the report completed at the end of last year. That particular report raised significant concerns with the monitoring of rail safety workers, particularly in remote locations, or when working alone.

It made recommendations in the areas of improving communications procedures, introducing appropriate communications technology and the manufacture, maintenance and operation of hi-rail vehicles, which was the type of vehicle that Mr Petry was working on at the time of the accident. The South Australian Rail Regulator then wrote to all South Australian accredited rail operators, requiring them to review their procedures relating to workers operating in remote locations or working alone.

He also wrote to the South Australian accredited railway operators using hi-rail vehicles requiring them to comply with manufacturer requirements and legal load limits and to review their procedures governing hi-rail operation. He also issued safety alerts to the industry on a national basis in relation to the maintenance and operation of those hi-rail vehicles, reinforcing the need to comply with manufacturer and vehicle standard regulations. He also wrote to the Australasian Railway Association requesting it to coordinate, through its code management company, an industry review of the manufacture, maintenance and operation of hi-rail vehicles and its procedures in relation to the monitoring of rail safety workers and the management of overdue track occupancies. In essence, some serious issues were raised by the report. That report is not the only investigation into that particular accident. These are serious matters, and the government and the South Australian rail regulator treat them seriously. Some actions were undertaken originally, but they will not be the end of the matter. I have already indicated that the South Australian government has initiated a review of the rail safety legislation.

PIRSA LOGO

Mr VENNING (Schubert): My question is to the minister for primary industries and resources. Why is the PIRSA logo being changed and what are the costs associated with this process? This logo has been in use for around 10 years, and concern has been expressed to me that the cost of changing it will be severe. It is also suggested that the money spent on redesigning the logo should go towards helping farming families in need.

The DEPUTY SPEAKER: The Premier.

The Hon. M.D. RANN (Premier): Thank you, sir.

Members interjecting:

The DEPUTY SPEAKER: Order! The member for Schubert has asked a question. He cannot answer his own question.

The Hon. W.A. Matthew: He is the minister for new logos!

The Hon. M.D. RANN: I was delighted to get that interjection, because we remember when the honourable member for Bright (who, apparently, was a junior minister in the previous government) was the minister for Y2K compliance. He was the only minister who had a use-by date above the logo.

The Hon. DEAN BROWN: I rise on a point of order, sir. This is clearly in breach of standing order 98, and I ask you to bring the Premier back to answer the question asked.

The DEPUTY SPEAKER: The question was about a logo. I gather the Premier is getting to that point.

The Hon. M.D. RANN: Thank you, sir. John Howard has done a very good job of making sure that the Australian government has some consistency in terms of the way it brands itself. All of us go to many functions and see all these departmental agencies which, under the former government, particularly, have wasted money. People want to know where it is, and it is the South Australian government—

The Hon. W.A. Matthew interjecting:

The Hon. M.D. RANN: No; don't you worry about that. I know you had trouble making it to the cabinet, and I know that there are those of you who were desperate to get the title 'honourable' on your logo but, unfortunately, seem to have failed.

ACTIVE CLUB GRANTS

The Hon. M.R. BUCKBY (Light): Will the Minister for Recreation, Sport and Racing advise the house whether unspent money from the Active Club grants is held over or returned to Treasury? At present, each electorate in the state is allocated $50 000 per year for Active Club grants.

The Hon. M.J. WRIGHT (Minister for Recreation, Sport and Racing): To the best of my knowledge, that money is spent. As the honourable member and others would be aware, there is a notional allocation of $50 000 to each electorate. If that money is not spent on the second round, there is the opportunity for—

The Hon. W.A. Matthew interjecting:

The Hon. M.J. WRIGHT: I beg your pardon?

The DEPUTY SPEAKER: Order! The minister is answering the question, not the member for Bright.

The Hon. M.J. WRIGHT: The member for Bright makes an interjection about the use of a whiteboard. I am sure that he would not want me to remind him and the former government about the way in which they pork-barrelled money in the recreation and sport funds. I am sure that members would not want a reminder of that.

Members interjecting:

The Hon. M.J. WRIGHT: You do, do you? We can certainly provide that information about money being spent at Blackwood and Heathfield, and how that came about. This government has undertaken a review of grant funding—

Mr Koutsantonis interjecting:

The DEPUTY SPEAKER: Order! The member for West Torrens is out of order, and out of his seat.

Mr BRINDAL: On a point of order, sir: ministers are required to answer the substance of questions and also to address those matters to which they are responsible to the house. The minister is not responsible to this house for any actions or accusations against the previous government.

The Hon. M.J. WRIGHT: In regard to the Active Club money that the member for Light asked about, I will check the detail, but $50 000 is allocated notionally to each electorate, and that depends upon the applications that are made. In the second round of funding, if that $50 000 is not spent as a result of two rounds of funding during a financial year, it is broken up into $25 000 each round, and it is then possible for other electorates (where the applications exceed other electorates) to go beyond the notional allowance of $50 000.

I will check the detail for the member for Light, but I say to the member for Light and other members that the Office for Recreation and Sport has gone out to a range of electorates, where we have found that applications do not provide the capacity for that money to be spent to better educate those electorates and to ensure that this notional allocation of $50 000 is provided to each electorate. We want to ensure—just as we wanted to ensure as we were going through the review process—that this money is spent and allocated as has been requested, so that each electorate gets that $50 000. However (and we would hope that this does not occur), if there are not enough applications per electorate, then sometimes we will have a situation where an electorate may not spend that $50 000 through the financial year. However, we would hope that all electorates get that notional allowance of $50 000 spent in its electorate.

GRIEVANCE DEBATE

HILLS HARVEST FESTIVAL

Mr GOLDSWORTHY (Kavel): I have pleasure in speaking to the house today about a number of electoral functions that I have had pleasure in attending. All my colleagues on this side of the house regularly attend many functions in our electorates. It is our duty as good local representatives to be part of our communities and to support initiatives that promote our respective districts. Last weekend, my wife, my children and I had the pleasure of attending the Hills Harvest Festival. For the benefit of the house I will expand on what this festival is.

Throughout the Hills districts approximately 20 wineries showcase their wines and the fine food for which the Hills district is renowned. My wife, my children and I attended this event at the Adelaide Hills Business and Tourism Centre at Lobethal, where on weekends the Heart of the Hills market is conducted. At that venue a number of wineries were showcasing their wines, and some lovely food was enjoyed. The Adelaide Hills region, which encompasses part of my electorate, is continuing to enhance its reputation as an excellent district that produces premium wine and food. Through a—

The Hon. M.J. Atkinson interjecting:

Mr GOLDSWORTHY: The Attorney-General says that he travelled through there only yesterday. He would have noted what a tremendous part of the state it is. Through a number of initiatives in the district, the Adelaide Hills Business and Tourism Association, chaired by the Hon. David Wotton, a very well-known, retired member of this place, does an outstanding job in promoting the hills district. There is also another organisation called Adelaide Hills Food which specifically looks to enhance and promote the food growing and producing capabilities of the Adelaide Hills. It was a tremendous two-day event. As I said, there would have been at least 20 wineries that held specific events within their premises to promote the Hills region as a premium food and wine district.

This weekend immediately passed, the member for Heysen, the Hon. Michelle Lensink in another place, and I had the pleasure of attending the Hills Harvest Dinner. It was held in an effort to raise funds to establish a facility in the Adelaide Hills region specifically for the disabled people within our community. I note that the member for Heysen, as the shadow minister for families and communities, was on the radio this morning talking about that particular dinner that we attended. It was an outstanding success and I imagine that, at an approximation, there would have been at least 120 people attending at $100 a ticket. It was an outstanding success in terms of fundraising for this much-needed facility for the disabled in our community.

It really is incumbent upon this government to look to improving the facilities that we have for the disabled in our relative communities. Unfortunately, the government is lacking in providing infrastructure needs for supported accommodation. We find that those families with members who are disabled are really very concerned about the future of their loved ones.

AUSTRALIAN DENTAL CONGRESS

Ms BEDFORD (Florey): Last Thursday evening, it was my honour to represent the Minister for Health at the opening

ceremony of the four-day 31st Australian Dental Congress, jointly hosted by the Australian Dental Association and the Australian Dental Industry Association. I was pleased that I had just been to the dentist myself, and I felt happy to smile at everyone in the room. The theme for the congress was 'Generations in dentistry', and this was particularly significant in light of the fact that the event's Local Organising Committee Chair, Dr Karin Alexander, is the daughter of another dentist. In 1954 her mother, Dr Vera Alexander, found herself in a course of six at university with another female student, Dr Dagmara Krumins, wife of our own Lieutenant-Governor, Mr Bruno Krumins AM, who officiated at the opening with a very informative and entertaining speech.

The Lieutenant-Governor elaborated on the theme of the three defined age groups: birth to 24, 25 to 55 and 56 years and beyond, bringing together the stages of diagnosis, treatment and the management of dental care for all generations. Prevention has been recognised by the dental profession as the cornerstone of health care, and the introduction of fluoride into the water supply was initiated around 50 years ago as a public health measure. Contentious at the time and still causing debate, some consider this measure one of the greatest public health initiatives.

South Australia, through the Adelaide University Dental School, works hard in the pursuit and maintenance of excellence in dental education and research. The private and public dental sectors work well here in this state and deliver services along with benefits from the $3 million recently made available by this state government, placing a particular focus on older people both at home and in nursing homes as part of the care. These people have not benefited from fluoride in their youth and have faced difficulties if their teeth or their dentures are not well looked after. It is not often thought about unless it is you, but without teeth it is almost impossible to participate in society as it is difficult to be healthy, talk and be understood, not to mention difficulties faced in the daily task of eating. Oral health care within communities is a focus particularly in places such as Port Augusta, Port Lincoln and the Limestone Coast. Improvements have been slower to emerge in indigenous communities.

Through the state annual congress, dentists are able to study treatments, trends and equipment available nationally and internationally. The Convention Centre hall was packed with exhibits from sponsors and industry suppliers. Some 900 dentists were present, and I am able to report that the gender balance has improved since Dr Krumins and Dr Alexander commenced their practices. Along with the estimated further 500 people from various parts of the dental sector, including dental technicians, another vital part of the profession, and 60 South Australian Dental Service staff, the congress was sure to be another resounding success for our state's convention industry.

The keynote speaker for the evening was South Australia's Chief Justice, John Doyle QC, AC who has always presented a great address. Prior to that, the ADA President Dr William O'Reilly addressed the assembly and presented awards to three life members, a meritorious service award and two awards of merit. An Australian Dental Journal Award for Excellence was also presented. Entertainment for the evening came from the Band of the South Australia Police which was absolutely fabulous, as usual. It accompanied the Primary Schools Music Festival State Choir—a group of children who performed extremely well—and performances by South Australian vocalists Diane Dixon and Callum Campbell.

The full program saw papers presented by international guests including Dr Richard Roblee from the USA and Dr Eric Setchell from the UK. I pass on my thanks to all those in attendance that evening, including the President of the ADA, Dr Bill O'Reilly, the chair of the local organising committee, Dr Karin Alexander, the Executive Director of the ADA (SA Branch), Robert Grima, and Dr Martin Dooland, Executive Director of the SA Dental Service, for making me very welcome on the night and ensuring that the congress started in such a successful and spectacular manner. I know the participants were also given a full program of social activities that allowed them to see many parts of our state. I am sure that everyone present will leave South Australia not only with a wider understanding of the current trends in dentistry but also with glowing reports to their family and friends of South Australia at its best with WOMADelaide on the weekend and other activities in the Barossa Valley as part of their program.

PORT RIVER, BRIDGES

Mr VENNING (Schubert): During question time today, I noted the answer from the Minister for Infrastructure in relation to the bridges. He often throws a taunt over to me about my position on the bridges. All I can say is that it has not changed. It is on the record—I will not back away from that. He can do what he likes with it, because I see that as the only decision. However, if the government's decision is contrary to that, get on and do it—build one or the other. The government—

The Hon. R.J. McEwen: What is your position?

Mr VENNING: My position is well known. I have already said it. It is a fixed bridge, if that is what you want on the record. Let's all get on with it. The minister today went on and on; obviously the government has been moving money around from budget to budget. This has been on the go now for nearly three years and on the minister's pad for two years. Here we are, budget after budget, and still no decision. The minister said today that we will have to wait for the road. I have visited the road. They will not be putting that road there until the buttresses of the bridge are built, and it will not take them any time at all. They have made very good progress with the road running down from the South Road extension. That is almost complete; so, the road is nothing to be waiting for. The bridge is going to take the time—far more time than the road.

The Public Works Committee is waiting with bated breath to deal with it, because we have not been raced off our feet on the Public Works Committee. I can say that, as a member of it, there has been very little in the way of public works at all over the whole three years. The only projects we have been doing are the leftovers from the previous government. When will they build their first major infrastructure, creating jobs and boosting the economy? The Public Works Committee sits regularly with little to do. As I said, I am on the committee and I must say I am disappointed at the lack of major public works only one year before the next state election. The Minister for Infrastructure really is the Minister for Nothing in this case.

I note that next Wednesday we will be assessing the dredging of the port. This is a move in the right direction—I am prepared to give the government that benefit of the doubt. This delay is causing concern and frustration amongst all

those who use the port and all those who export from South Australia. Whether they are wine or grain exporters, they are very concerned about the lack of action. Last week I went along to a farmers' forum which I had been invited to attend and which was held on my brother's property at Bute. When I got there I was shocked to see all these cars. I had expected about 50 people; well, there were 350 people at that meeting, and they fed and watered them all—a fantastic effort by all the local people, and it was a credit to them.

The meeting was called to air all the concerns the farmers are having. There are so many things out there that are worrying them in the very difficult financial climate we have at the moment, particularly with the high level of the dollar, the low commodity prices and the poor harvest we had in 2004-05. There was much confusion, of course, over the barley single desk issue—that is still being raised—and 10 members of a group of people called the Australian Grain Growers Association were there. It was an open forum and open debate, and all these things were aired there, but—

The Hon. R.J. McEwen: Put on the record what Costello said!

Mr VENNING: The national competition payments were raised, and I am confused about what will happen with that. The minister challenges me about the Hon. Peter Costello, and I am happy to say that I am confused as to what will happen.

The Premier gave the government's position here in South Australia—over the top of the minister, I might say—that the barley legislation will be scrapped, and it was. Now, we worry about that confusion. We also had the President of the Western Australian Farmers Federation there. The grain licensing authority is failing and they want it taken away immediately. That was one of the options we were going down, but I hope we do not do that. They were also saying that a report done by the government over there is not factual and is no good to them. Hopefully, a motion will be introduced into the Western Australian parliament this week or next to rescind the GLA. All these issues need to be clarified. There are so many issues out there that the farmers need some surety on. But these bridges are one of the banes of their lives, as well as the future of barley marketing.

TRADE DEFICIT

Mr O'BRIEN (Napier): Today I would like to raise my concerns about Australia's trade performance and the response of the federal government to this major economic problem. As most members of the house would be aware, Australia has just recorded one of its worst, if not the worst, current account deficits ever, and economists are warning that Australia is living well beyond its means. Figures just released from the Australian Bureau of Statistics reveal that the current account deficit rose $900 million to $15.2 billion in the December quarter. Furthermore, the deficit for the first six months of the 2004-05 financial year has hit a massive $29.4 billion.

This abysmal trade performance has been caused by a sharp fall in rural and manufacturing exports and Australia's insatiable desire for cheap consumer goods. In the December quarter rural goods exported fell 10 per cent with volumes down 7 per cent and prices down 3 per cent. Among imports, the largest increase was for household electrical items. Increases were also reported for transport equipment and leisure goods. Consequently, the current account deficit as a proportion of GDP has now risen to an alarming 6.5 per cent.

While this mammoth deficit is considered to be Australia's number one economic problem, the federal government is doing little to rectify the problem and is spending much of its resources trying to convince the public and the media that such deficits are not a serious concern and that we are going into this situation as a result of a strong economy. For example, last week on *The 7.30 Report*, the Prime Minister said:

> The current account deficit, to some degree, is an expression of business confidence in the future strength of the Australian economy.

I believe that the position propagated by the Howard government is causing serious harm to the wellbeing of the Australian and South Australian economy and the South Australian people.

I want to discuss some of the harms that can arise from sustaining ongoing current account deficits. Before I do this, I will refresh the memory of members of the house as to the meaning of the term 'current account'. The current account is the difference between the value of all goods and services we sell to other countries (exports) and the value of all goods and services we buy from other countries (imports), less net income and transfers paid abroad. Thus, a current account deficit occurs when Australia imports and borrows more from the rest of the world than it sells. Borrowing from the rest of the world permits a country to pay for the goods and services it is buying in excess of those it is selling. Consequently, persistently operating with a current account deficit means that a country is continually borrowing from the rest of the world.

Over time, if countries continue to run current account deficits, they become debtor nations. The level of Australia's debt has risen from very low levels in the 1970s to record high levels under the Howard Liberal government. Being a debtor nation is not always a bad thing, especially when the country is borrowing to invest. However, Australia's debt does not arise from investment but from a massive increase in the import of consumer goods. The current account deficit is being caused by the massive increase in the importation of consumer goods such as televisions, DVDs and leisure equipment, and most of this is coming from the new economic powerhouse, China.

It is easy to understand why borrowing to consume may lead to problems, while borrowing to invest does not. Simply put, if Australians borrow heavily from the rest of the world to pay for consumption activities, we will need to pay back that money, plus interest. As consumption goods usually have little or no financial return, such consumption can only lead to a further reduction in spending in order to repay loans and interest. Interest is therefore an extra burden that must be paid, and this reduces future consumption. Continued borrowing in this manner leads to future reductions in consumption and therefore diminishes future economic growth. Continued current account deficits can also lead to an increased vulnerability to external shocks. Simply put—

Time expired.

EMPLOYMENT, SKILLS SHORTAGE

Mr SCALZI (Hartley): I refer to an article in today's *Advertiser* entitled 'Blame parents for skills crisis, says PM', and I note that the state minister was quick to attack the Prime Minister. The article stated:

Labor leader Kim Beazley said the Federal Government had created an $833 million skills deficit because it had lagged state governments' spending on training since 1998. He also accused the Coalition of failing to fund enough university and TAFE places for 400 000 eligible Australians. . .

I was not surprised to hear Kim Beazley's and the state minister's comments, the philosophy being, when there is a problem, get quickly to your feet and attack the present government. The article continued:

It's a deep-seated cultural problem,' Mr Howard said yesterday as new figures revealed high dropout rates among apprentices, despite lucrative starting wages enjoyed by tradespeople.

'We went through a generation where parents discouraged their children from trades, and they said to them: "The only way you'll get ahead in life is to stay at school until Year 12 then go to university".'

As a secondary school teacher for 18 years, I can tell members that that is a problem in many cases. The shortages of trades is not only to do with lack of courses and funding but a culture which does not recognise that people can be fulfilled by working in the trades—and that is a problem.

The Prime Minister has rightly pointed out that this is one of the problems. When we look at today's press release by the Hon. Gary Hardgrave, at least we must commend the federal government's recognising that there is a crying need for a new emphasis on education in the technical area and to address the skills shortages other than the emphasis on universities. The federal government is providing funding and a model with the pilot technical schools to ensure that there is that flexibility and opportunity for young people. It is no use just talking about increasing the school leaving age to 16 and 17 without providing the flexibility. Let us not forget that education and TAFE is the responsibility of the state government—and there is a lot of work to be done.

I refer to an article in *The Advertiser* of Wednesday 15 December by James Barron, as follows:

As we approach the end of 2004, consider the following: there are more Australians training in the vocational education training (VET) system than ever before, yet at the same time our nation is facing a national skills shortage the like of which we have never seen.

It continues:

On one level, all this has delivered is an incredibly vibrant VET system which sees 1.7 million people involved annually, and a record 405 000 undertaking apprenticeships and traineeships. Two-thirds comprise 'non-traditional' apprenticeships-traineeships in many emerging industries, and the service. . .

This backs the Prime Minister's comment. The article further states:

On another level, this great success story now shares equal billing with the undisputed fact that Australia has a skills shortage in every traditional trade. All essential residential, commercial and industrial services are suffering—all the engineering trades, all the vehicle trades, all the construction trades, all the food trades, as well as electrical/electronics, printing, wood, hairdressing. . . However, I prefer to focus on the two issues that I believe have had more to do with the skills shortages than anything else—culture and attitude. Business in this country has for decades lacked a genuine training culture.

This article was written in December. The Prime Minister says that there is a problem with the culture of training—

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

Mr SCALZI: —and the opposition jumps—

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

Mr SCALZI: —to blame the federal government when it is providing the funds to ensure we have flexibility.

The DEPUTY SPEAKER: Order! The member will not speak over the chair.

Mr CAICA (Colton): Sir, well done; I mean, he has to be joking! Interestingly, I am also going to talk about the headline in today's *Australian*.

Ms Bedford: The same way?

Mr CAICA: No, not the same way. I usually wake up quite early every morning and wander down to get the paper, and today was no different. After the nanosecond it takes me to read *The Advertiser*, I then work on *The Australian* which takes a little longer.

The Hon. W.A. Matthew interjecting:

Mr CAICA: Well, perhaps maybe a little longer than a nanosecond, but not much longer. I was a little shocked to see the headline in today's paper 'Drop out and get a trade: PM'. I read with interest where John Howard has urged young people to consider quitting school at year 10 to pursue careers in traditional trades in response to the nation's growing shortage of skilled workers. The article goes on to say:

The Prime Minister said yesterday school leavers who learnt a trade often ended up much better off than if they had continued on with a university education.

I was more than a little angry at that headline. Whilst there is some fact in it, I think the correlation between 'drop out' and getting a trade is probably sending the message that you are dropping out to do something that is not as good as going to university. So I think the term 'drop out' was a bad heading. Of course, we want people to continue in education in any form—whether it be training for a trade or whatever profession they choose. We want people at school, at work or in the process of learning a skill to use throughout their life.

Also, I found it interesting that the article talked about year 10. Most people would be aware that a lot of the VET colleges, the pre-vocational courses and, indeed, the organisations that employ tradespeople are looking for year 11 as a minimum, so we want people to get additional skills before they go on to those trades. They need to know maths and a whole host of other skills that will enhance their learning. So, I was pretty disappointed with that article, and it is quite right that it is more than retention rates: it is providing young people with a foundation to maximise the available options. One of the options, of course, is to move into the trades.

But the two issues that I want to focus on in the three minutes that are left is the skills shortage—as if it is a new revelation. The Howard government has been in office for 10 years, and to a great extent—

An honourable member interjecting:

Mr CAICA: Nine years, and it will be in government for 10 years. But, to a great extent, if there is a skills shortage, it is because of the inability of the Howard government to identify what needs to be put in place to ensure that that skills shortage is addressed. Instead of putting millions of dollars of taxpayer funds into places such as Kings College or Geelong Grammar School—which, I am sure, provide some tradespeople for the working world, but generally not—there might have been some money going into supporting VET programs and pre-vocational courses, and providing enough money so that the guts does not need to be ripped out of TAFE. Also, it will be interesting to see what happens with the dismantling of ANTA. So I do not think that the Howard government has played its part in ensuring that the foundation is in place to ensure that the skills shortage can be and is addressed.

I think the biggest problem with our representative democracy is that decisions are made on the basis of electoral cycles, not for the longer term. Certainly, we have seen issues during the past couple of election campaigns such as the *Tampa* and refugees and, last time, interest rates, as opposed to investing in the skills we need to ensure that there is not a skills shortage. I do not know what John Howard has a grip on, but I do not think it is reality at this point in time. I ask him to get a grip on reality and look at long-term plans beyond the single aim of winning the next election to ensure that we do, indeed, have enough tradespeople and skilled personnel in the future.

The second point I wish to make is to highlight the fact that organisations—whether it be Hindmarsh Plumbing or Smith plumbers, or any of them—want year 11 or year 12 qualifications. My son James is considering becoming a tradesperson at the moment. He has looked at VET options and pre-vocational options, and he has spoken with companies and tradespersons. The reality is that we will continue to have a shortage of skilled personnel because every apprentice needs to be supervised, and supervised by a tradesperson. They need to be well taught, mentored and nurtured. Our shortage is in the area of skills so, naturally, there will be a shortage of apprentices because we do not have the people to take on apprentices. So we need long-term plans. Thousands of people are seeking the few vacancies that exist in the trades area. As I said, my son is one of them, along with many of his friends. There is competition for the positions that are available, and each year everyone does the best they can to ensure they prepare themselves with the skills necessary to maximise their opportunity of getting a particular job.

Time expired.

SELECT COMMITTEE ON THE JUVENILE JUSTICE SYSTEM

The Hon. R.B. SUCH (Fisher): I move:

That the time for bringing up the report of the committee be extended until Monday 30 May 2005.

Motion carried.

PHYSIOTHERAPY PRACTICE BILL

Adjourned debate on second reading.

(Continued from 14 February. Page 1550.)

Mr BROKENSHIRE (Mawson): This is—

The Hon. L. Stevens interjecting:

Mr BROKENSHIRE: I am sure the minister already knows that I am not the lead speaker when it comes to health and human services. As much as the minister may be disappointed, I know that the Hon. Dean Brown (the member for Finniss) does a magnificent and outstanding job in ensuring that there is vigorous opposition to the breakdown in the pledge card when it comes to better health services. This is an important bill. One of the things we need to do is be more proactive and preventive when it comes to health services. Of course, we all heard about the famous Menadue health report—although, I must admit, we have not heard about that in recent times; in fact, it has been months since we have heard the ramping up of how good the Menadue health report would be for South Australia.

Mrs GERAGHTY: Sir, I rise on a point of order.

The DEPUTY SPEAKER: Order! Is the level of contribution above the head of members?

Mrs GERAGHTY: No, sir. I fail to understand the relevance of the debate from the member for Mawson. It has nothing to do with this bill.

The DEPUTY SPEAKER: It is not unusual in this place for members' contributions not to be relevant. However, I ask the member for Mawson to come back to muscles and bones.

Mr BROKENSHIRE: Thank you very much for your guidance, sir. It is relevant, because physiotherapy is an area in which we can do a lot to prevent—

The Hon. L. Stevens: Primary health care—it is directly relevant, silly. Primary health care; Menadue.

Mr BROKENSHIRE: Yes, exactly. The minister talks about primary health care, and physiotherapy of course can often be about primary health care, as we are all aware. In fact, I would suggest that, often, if physiotherapy was more accessible to the members of the broader community, they would probably access it at the front end as opposed to what we often see now, where physiotherapy tends to be more at the back end, after people have gone through serious operations and have had adverse health matters due to longstanding injuries, and finally the physiotherapist comes in. I would strongly recommend that, within this debate and within the areas of proactive, community-based and preventive health care, people pay a lot more attention to the benefits of physiotherapy. If it were accessed earlier, it may prevent a lot more with respect to health costs and so on.

This bill replaces the existing act for the registration and regulation of physiotherapists. It largely follows a format that has been adopted for both doctors and nurses. However, there is a significant difference with respect to the composition of the board. I will not take away from our lead speaker; he is the experienced member on this side regarding these sorts of matters. I will let him point out where things are different and where the composition of the board may cause some concerns. But, overall (as is often the case with respect to providing better health care and an opportunity to improve anything), the opposition is supportive of the general thrust of this bill and, therefore, I am pleased to support it.

Mr O'BRIEN (Napier): I rise briefly to support the bill, which aims to protect the health and safety of the public by providing for the registration of physiotherapists and physiotherapy students and to regulate the provision of physiotherapy services. The physiotherapy bill replaces the Physiotherapists Act 1991 and is similar to the Medical Practice Act and the podiatry bill. The purpose of the bill is to maintain high standards of competence and conduct by people who provide physiotherapy services. Thus the bill will provide protection for consumers of physiotherapy services and it will also offer a fairer complaints resolution process. Accordingly, the bill seeks to achieve a balance between the interests of individual consumers, the public, individual physiotherapists, and physiotherapy service providers.

In drafting the bill, consultation was sought from the Physiotherapy Board of South Australia, consumer groups, and other relevant associations and registered boards. The vast bulk of the comments and consultation received in relation to the bill was supportive. Furthermore, both the University of South Australia (which provides physiotherapy

training within the state) and the Physiotherapists Association of South Australia support the bill.

The bill is consistent with the government's obligation under the National Competition Policy Agreement. The major thrust of national competition policy is to allow non-practitioners to own and operate practices. Thus the bill removes the ownership restrictions that exist in the current legislation and allows a physiotherapy service provider to be a person who is not a registered physiotherapist, thus allowing the person to provide physiotherapy through the instrumentality of a registered physiotherapist. The bill further includes measures to ensure that non-registered persons who own physiotherapy practices are accountable for the quality of physiotherapy services that they provide. The bill contains a requirement that physiotherapy service providers comply with codes of conduct, thereby making them accountable to the board by way of disciplinary action.

The bill (like the Medical Practice Act) also provides the mechanisms that deal with the medical fitness of registered persons and applicants for registration. Thus the bill requires that the medical fitness of the person be assessed by having regard to the person's ability to provide physiotherapy without endangering a patient's health or safety. This can include consideration of communicable diseases. The registration of students is a new requirement of the bill. This measure is supported by the University of South Australia, which is the only provider of education for physiotherapy students in South Australia. The requirement of student registration is beneficial because it ensures that South Australian physiotherapy students are subject to the same requirements in relation to professional standards and codes of conduct as are registered physiotherapist while working in a practice setting while they are gaining their clinical experience.

In summary, the bill provides for the protection of South Australian consumers by ensuring that only suitably qualified registered persons are permitted to carry out restricted therapy. However, the bill does allow physiotherapy services other than restricted therapy or prescribed physical therapy to be provided by other practitioners so long as they do not hold themselves out to be physiotherapists. Such measures therefore make physiotherapy practice within South Australia safer and more readily available for consumers. I commend the minister for the bill.

The Hon. DEAN BROWN (Deputy Leader of the Opposition): I support the bill in general, but I will move some amendments in committee. First, I would like to raise some general issues about physiotherapy in South Australia. There is a shortage of physiotherapists, particularly in the public sector, and there have been recent occasions of significant inability to get access to physiotherapy services.

I raised concerns about some of the issues around physiotherapy in this house last year. For instance, I raised the issue of the lack of suitable placements and funding for clinical placements for physiotherapy students during their training. As a result of that, the University of South Australia is finding it extremely difficult to be able to access enough clinical training positions in public hospitals. It indicates that there are not the funds within the public hospital system to allow those placements to occur when needed, particularly in country areas where some of the placements have been in the past.

It is particularly concerning that last year, 2004, there were 79 physiotherapy graduates from the University of South Australia and only 37 of the 79, well less than half, actually registered to operate as physiotherapists here in South Australia. Of that 37, I understand that one is running a band and another has gone off to study medicine, which really effectively leaves 35 students only having graduated last year going into the work force to operate as physiotherapists in South Australia.

Of the 42 who did not register, the majority apparently have gone interstate. When I asked why they had gone interstate I was told from within the profession that they have gone there because the salaries are much higher, particularly in the public hospital sector and because there is an appropriate career structure, which there is not in South Australia. As a result of this, we have a situation where there is a shortage of physiotherapists already in South Australia and it would appear that the shortage will get significantly worse because more than half the graduates from this state are not bothering to register in South Australia and many it would appear are going interstate to work, where they can get better salaries and a better career structure.

As a result, people who have major surgery, strokes and other treatments that require physiotherapy in South Australia are unable to access it through our public hospitals. In the metropolitan area I have had complaints from people who have had serious surgery and who find that they get one treatment of physiotherapy only, when in fact the surgeon has indicated that they should be on an ongoing treatment of physiotherapy to recover from their surgery. I have had cases of people who have been told of a four to six-week delay to get physiotherapy treatment. That is unsatisfactory because in many cases they need the physiotherapy treatment immediately. The longer the delay the more the muscles tend to atrophy and the more difficult it is for the person to regain the use of those muscles and regain their agility, muscular use and mobility that they had before.

As we consider the physiotherapy legislation, it is a significant issue that there is a shortage of physiotherapists in South Australia and that it is getting worse. I hear from country areas that they are being told that they are to cut back on physiotherapy services because funds are not available. So, it is not just a shortage of physiotherapists but also a shortage of funds to deliver those services. I come to some aspects of the bill, the first being the composition of the board, an issue we have dealt with previously in regard to the registration of health professionals in other acts such as podiatry and nurses, and it comes up again here.

This board consists of eight members, four of whom will be physiotherapists, with three being chosen at an election and one being selected from three physiotherapists to be nominated by the Council of the University of South Australia—the university doing the training in physiotherapy. One will be a legal practitioner, one will be a medical practitioner nominated by the minister, and two will be persons nominated by the minister who are not eligible for appointment 'under preceding provisions of this subsection', which means they are not physiotherapists. In other words, eight people will be on the board, four of whom will be physiotherapists—one of whom will be the chair—and four will not be physiotherapists.

For the same reasons I argued with podiatrists, and I argued and we agreed to with nurses, I believe an overall majority of members of the board should be physiotherapists, which means that there should be nine in total on the board, five of whom would be physiotherapists. If we are going to have consistency, as I know the government argued with the

Nurses Board, I believe we should apply exactly the same principle here. I intend to move an amendment to increase the number of board members from eight to nine; increase the number of physiotherapists from four to five; and increase the number of elected physiotherapists from three to four.

The minister will probably come back and say, 'But the chair has a casting vote.' It is the professionals, such as physiotherapists, who perhaps will find it difficult to attend meetings. The minister's answer that they can do so over a telephone is unsatisfactory. We want to ensure that a majority of the people present and voting on primary matters are physiotherapists, even if one of them has to go off at short notice to treat someone. I believe we need to have consistency across all the professional groups, and I will continue to move this amendment on each bill that is introduced to ensure that we do get consistency.

The minister sent the Australian Physiotherapy Association a letter last year, with a draft copy of the bill. On 1 September, the association sent a letter to the minister, outlining what changes its members would like to see with the draft bill. They have raised this matter with me. They are particularly concerned that the bill introduced into the parliament seems to have completely ignored all the relevant issues raised in the draft letter. They themselves are particularly concerned about this. I have a copy of that draft letter, written under the name of Mr R.W. Wyatt, who is the general manager of the association. It was sent to the minister's department. I share their concern. What is the point of setting out a draft bill and asking for comment if, when they send back their comment, it is totally ignored?

I would like to raise a number of points. I have now discussed these issues with the association. In relation to the registration of physiotherapy students, I believe that is something we are applying across the board; we did it with the doctors and I believe it is important that we do it here. I have argued the case why I would support that very strongly. It was something I proposed. I think it was initially opposed by the Labor Party when I put it into in the Medical Practice Bill, but I am glad that it has seen the light and supports it. These people will be training or practising on patients and, therefore, it is appropriate, with some consideration in terms of a concession on registration fees, they are registered, so there are guidelines and some overall control under which they can practise in clinical placements as physiotherapy students.

They also raised the issue of the registration of natural persons as physiotherapists. They raised with me the issue relating to clause 26(1), which provides:

> Subject to this act, a natural person is eligible for registration on the register of physiotherapists if the person, on application to the board, satisfies the board that he or she—
>
> (d) is, unless exempted by the board, insured or indemnified in a manner and to an extent approved by the board against civil liabilities that might be incurred by the person in connection with the provision of physiotherapy as a physiotherapist or proceedings under part 4 against the person;

I understand that, at present, there may be some exemptions under the insurance policies that might be applying. Even though they have taken out insurance it is very important that the insurance policy in fact covers all the treatment provided. I understand that, in some cases, the physiotherapists may have an insurance policy that says, 'Yes, you are fully covered except for treatment on the neck or on the spinal cord.' If that is the case, that needs to be looked into to make sure that there are no possible exemptions which may mean that the patient is not getting the medical insurance that they quite rightly need.

Another issue raised related to mutual recognition with respect to sporting teams. Many sporting teams that come to South Australia have with them a physiotherapist. Football and cricket teams do it and, I am sure, tennis teams do it. Those physiotherapists who are licensed to be able to operate in their home state are not licensed to provide a service in South Australia. If they are a visiting physiotherapist with a visiting team, they are required to take out registration in South Australia before they come here. I intend to move an amendment that will allow physiotherapists who are assigned to a team, a sports person, a dance group or any other individual and who are visiting with that individual or team (whatever the term might be, because it might be gymnasts) to be able to operate in South Australia without having specifically to register in South Australia only for that visit. This will become a significant issue, of course, with respect to the upcoming police and fire games.

It is a significant issue already with respect to national sporting competitions. It is time Australia recognised the fact that it is inappropriate to require these people to register in every state of Australia. In fact, they ought to be able to register in one state provided they are practising only on the basis of providing services to that visiting team and be able to use their existing registration during the period of their visit. I will be putting up that issue. Incidentally, I said that the letter sent to the department was written by Mr Wyatt. In fact, it was written by Ms Jo Bills (state President). It was an addendum to that letter written by Mr Wyatt.

Another issue raised related to the fact that board approval was required where a physiotherapist or physiotherapy student has not practised for five years. The issue here is what the word 'practise' means. Is it sufficient to say, therefore, that 'practise' includes the training of physiotherapy students if, in fact, the person does not have specific clients? I would hope that it is. In other words, someone who is obviously doing the training of physiotherapists, although they may not have had specific clients for a five-year period, ought to be able to argue that they have been effectively practising because they have been there demonstrating to students and witnessing students do their training on patients, even though they may not have their own specific patients themselves. These are just some of the issues that have been raised by the association concerning the draft. I would ask the minister to look at that issue and look at the other issues in the letter sent to her department on 1 September last year, to which there has been no response and to which no consideration has been given in the bill introduced into the parliament.

As I said, I support the bill. After all, it is along the models of legislation introduced by the previous government. It is part of having to review all these bills as part of national competition principles. Once again, I express my dissatisfaction with the delay in introducing this bill. There had been discussions with physiotherapists and a draft bill prepared, I think, when I was minister. It has been very slow: it has taken more than three years to get the legislation into the house. There was an attempt more than 12 months ago to bring in one bill to cover a whole group of professions. That was the government trying to do it the quick and easy way. It would have been extremely damaging for all those professions involved, because it did not take into account the differences between the professions.

Imagine having a podiatrist making judgment on a physiotherapist or a chiropractor making judgment on a

podiatrist in terms of clinical practice. It was absolutely inappropriate, the concept that you could bring together eight different groups and put them under one umbrella piece of legislation and have one overarching registration board. That highlights the lack of understanding that exists within this government as well as the lack of consultation, because this was put out without any consultation with the bodies involved and they were absolutely horrified when they found out about it. I am delighted they came and saw me. We got the issue raised and, lo and behold, the government dropped it very quickly once it became a significant political issue.

This government fails to do the consultation, so we do it for them. I sat down with all the groups involved on two occasions, and it was rather interesting to see that, as soon as it got to any consultation at all, the government dropped it before it even got there.

Members interjecting:

The Hon. DEAN BROWN: Go and talk to the groups. I have met them all. I met them all while the government still had its botched draft legislation out there to have one unified, overarching board. It was rather interesting because I said to them, 'You watch: we'll turn the heat up and the government will drop this very quickly.' And the government did drop it. Even before it got to the so-called first stage of consultation, the government said that the bill had been withdrawn. Now, some 17 months later, we see this and other similar bills introduced into parliament. That is how disorganised and slow the government is in terms of getting the legislation into the house.

The Hon. L. STEVENS (Minister for Health): I acknowledge the deputy leader's usual churlish response. It is always along the same lines, and we are getting quite used to it. It is almost humorous. I could not help laughing at some of his pompous assertions of how great he is. I also acknowledge the comments of my colleague the member for Napier and thank him for his interest in the bill. Even the member for Mawson made a better effort than the deputy leader.

However, putting that aside, this is a very important bill. As other members and I have mentioned, this is part of a set of health professional registration bills that need to be passed by the parliament in relation to reviews under national competition policy. I acknowledge the Physiotherapy Association for its help and preparedness to discuss issues. The advice from my officers is that, in fact, the bill, and points of concern of raised by the association, were discussed in the lead-up to the tabling of the bill. I am pleased that happened, because that is always the way I prefer to proceed. The deputy leader mentioned a number of issues in his contribution, and I may come back to those at a later stage when I have checked them, as, over time, I have learnt that it is always important to do so.

It is true that there is a shortage of physiotherapists in terms of their availability, particularly in country areas. This is happening across the board in relation to health professionals and is of great concern. I will check on the issue of why graduates do not stay here but go interstate in search of a better career structure and higher salaries, or because of lack of clinical placements (which is, of course, prior to graduation).

The Hon. Dean Brown interjecting:

The Hon. L. STEVENS: The deputy leader has had his say and, as always, I will be very pleased to check on his assertions, because often they are not correct. The deputy leader makes a point in relation to the composition of the board, and I note his amendments. I know that my officers have talked with the Physiotherapy Association about this matter. We will not support those amendments in this house, but we will look at them, as I have said we will in relation to the Podiatry Board. However, I will talk more about those amendments at the committee stage, when I think we can deal with most of the other issues raised. Certainly, I say once more that the—

The Hon. Dean Brown interjecting:

The Hon. L. STEVENS: Again, the deputy leader asserts that the letter was not answered. That is not what my officers say. There were discussions with the Physiotherapy Association; in fact, I think there was a telephone call this morning.

The Hon. Dean Brown interjecting:

The Hon. L. STEVENS: Perhaps the deputy leader tries to listen in on telephone calls and check on what people say on a day-by-day basis. But let me say that there have been ongoing discussions about this bill between my officers and the Physiotherapy Association, the latest of which was this morning. I think that is enough about the deputy leader's assertions—which are, again, false.

I close by saying that physiotherapists play a very important role as providers in our health system, particularly in relation to the rehabilitation and care of people recovering from acute care. They are also equally important at the other end of the scale in terms of primary health care. Of course, in relation to the comments made by the member for Mawson, primary health care and the move towards a more preventive approach is one of the most significant recommendations of the managerial report which the government has adopted and which it will implement. I will finish my remarks. I look forward to the committee stage, and we will look at the parts of the bill in detail.

Bill read a second time.

In committee.

Clauses 1 to 5 passed.

Clause 6.

The Hon. DEAN BROWN: I move:

Page 8, line 22—
Clause 6(1)—Delete '8' and substitute:
9

This issue deals with the composition of the board, and I explained it during my speech. This amendment increases the overall board numbers by one.

The Hon. L. STEVENS: The government has heard the deputy leader. We will not be supporting the amendment at this time, but we will talk further with the Physiotherapy Association, and we will look at it between the houses.

Amendment negatived.

The Hon. DEAN BROWN: I move:

Page 8, line 23—
Clause 6(1)(a)—Delete '4' and substitute:
5

This amendment increases the total number of physiotherapists from four to five. We come to the elected part next.

The Hon. L. STEVENS: The government does not support the amendment at this stage. We will talk with the Physiotherapy Association, and we will come back to it in the upper house.

Amendment negatived.

The Hon. DEAN BROWN: I move:

Page 8, line 24—
Clause 6(1)—delete '3' and substitute:
4

This amendment increases the number of physiotherapists who are elected from three to four, and this is an important part of making sure that we have a majority of physiotherapists on the board. I find it astounding that the minister was there and willing to support this as far as the nurses were concerned, but she is not willing to support it as far as the physiotherapists are concerned.

Why are physiotherapists second-class health professionals compared to the nurses? They undertake university training; I believe they have every right to have a majority of numbers on the board in the same way as the nurses did. I stress again that, with the Nurses Board, we have 11 people on the board, and six of those are nurses. Here, at this stage we have four physiotherapists and four non-physiotherapists. Even though the chair has a deliberative and casting vote, that is not the same as having an extra physiotherapist on the board so there is a clear majority on the board. I support this amendment very strongly, and I urge the committee to do so.

The Hon. L. STEVENS: The government will not support this amendment in the lower house. The same thing applies: we will talk with the Physiotherapy Association between now and the next chamber.

The Hon. DEAN BROWN: My simple question to the minister is: if the Australian Physiotherapy Association says yes, it would like what is proposed in the amendments put forward by the opposition, will she agree to them?

The Hon. L. STEVENS: That is a hypothetical question. I will leave that to our discussions, and the deputy leader will have to wait and see.

The Hon. DEAN BROWN: It is not a hypothetical question; it is a very valid question to put to the minister. She says that she is not going to adopt it now because she wants to go off and talk to the Australian Physiotherapy Association. I put the simple question to her: if the association says yes, it wants it, will she agree to it? That is a perfectly reasonable proposition to put to her. The association indicated that to me when I discussed it with it. This again shows the lack of consultation, because the minister has known that this issue is around. I introduced an earlier model of these amendments last week when we were due to debate the legislation on Thursday; then it was put off. There was ample opportunity to check with the association between Thursday and today. That has not occurred, so I again put the simple question: if the association says yes, it would like to have the numbers increased as proposed by this series of amendments, will the minister agree to it? Will she, therefore, support it in the upper house if the association says yes?

The Hon. L. STEVENS: I have undertaken to have discussions with the Physiotherapy Association and the board in the same way that I am undertaking to have discussions with the Podiatry Association and the Podiatry Board. The government wants consistency in its approach, so I am going to leave both matters until those discussions have occurred. Then, when we go through the matters in the upper house, there will be a consistent position. That is the government's position, and that is really all I have to say about it.

Amendment negatived; clause passed.

Clause 7.

The Hon. DEAN BROWN: I want to highlight something in dealing with board issues, because there are terms and conditions of the membership of the board. In its letter to the government on 1 September, the association raised the point that it would like to be able to nominate a representative to the board. So, when the minister talks to the association, I ask that she also raises that point with it because it would like to have a specific nomination. It could be that, instead of increasing your numbers of elected members, in fact, you have the extra physiotherapist being nominated by the Australian Physiotherapy Association as requested in its letter, which would be another way of overcoming the dilemma of not having to elect an extra one because you would have one appointed by the minister from a panel of three nominated by the Australian Physiotherapy Association.

The Hon. L. STEVENS: No; the government will not support that. We have certainly made that clear in discussions with the Australian Physiotherapy Association, the reason being, in all of these bills, except for the Medical Practice Act, the government's position was consistent. It was consistent in relation to the Medical Practice Act, but the outcome was different because the opposition changed its position in relation to the matter. However, the consistent position has been that the new boards would not have representatives of associations as such, but the professional board members (members of the profession on these boards) would come from election of all people in that profession. So, we will be sticking to that because that is the principle that was established by the previous government in the Nurses Act and the Dental Act, and we will keep that going through all the boards.

Clause passed.

Clauses 8 to 25 passed.

Clause 26.

The Hon. L. STEVENS: I noted that, in his second reading contribution, the deputy leader raised an issue in relation to clause 26(1)(d). I am not sure what he was getting at; if he would like to explore that further, this would be an opportunity.

The Hon. DEAN BROWN: The association raised clause 26(1)(d) in its letter. That was specifically raised in relation to those who are registered but not practising as to whether or not they should take out insurance, and that maybe those who wish to be registered but are not practising should not have to take out insurance. That was the point in the letter but, under the same clause, when the association discussed it with me, it raised the point that there is a problem that some of the policies offered by the insurance companies do not give adequate coverage and that there may be specific exclusions from those insurance policies. Therefore, a physiotherapist who, for registration purposes, is complying with the legislation in that an insurance policy is required by clause 26(1)(d) may find exclusions under that which it may be in terms of treatment of necks. There could be no way in which someone who is treated by a physiotherapist would know whether or not their insurance policy specifically excludes insurance for that physiotherapist dealing with that person's neck.

It is an issue which I think needs to be explored and, certainly, under this new act, we need to make sure that there is a comprehensive enough insurance policy that the sort of exclusion of certain treatments for physiotherapists as far as insurance is concerned which operates under the present act is not allowed to exist under the new act.

The Hon. L. STEVENS: I think the new clause is clear. Essentially, the nature and extent of the insurance is in the hands of the board. The clause simply says that a physiotherapist is eligible for registration if the person satisfies the board that he or she:

> (d) is, unless exempted by the board [and the board would have to have good reason for exempting them], insured or indemnified in a manner and to an extent approved by the

board against civil liabilities that might be incurred by the person in connection with the provision of physiotherapy as a physiotherapist or proceedings under Part 4 against the person;

So, the board can determine the type of insurance that is appropriate for a particular registered person as part of a condition of their registration; it can vary this requirement to suit the professional circumstances of that person. For example, a lecturer in physiotherapy may not require the equivalent insurance as a practitioner because they are not doing that work. It is expected that the board will give due regard to the potential seriousness of the financial risk to which a physiotherapist or physiotherapy service provider may be exposed in any consideration regarding exemptions and conditions, as well as to the implications for any compensation that might flow from that.

The Hon. DEAN BROWN: I guess I am highlighting the fact that there is an unsatisfactory practice out there at present where the insurance policy may not cover certain types of treatment by a physiotherapist. There is no way, in fact, that the board or the patient could know that at present, and I suspect that it has been going on. I am not suggesting that the board sat there and turned a blind eye to it: I suspect in some cases that it did not know about it, and I am highlighting the problem. I believe that, under the new bill, the board should have the power to make sure that that does not occur—provided, in fact, that it makes the right statements and puts down the right conditions.

I am highlighting a problem that has been drawn to my attention by physiotherapists—and quite rightly so—to make sure that future practice does require the board to insist that the insurance covers all areas of treatment, or there should be a very clear statement to the patients involved to say that, if it excludes the neck, this person has no right to practice on the neck and therefore the patient will not be covered by insurance in that case. I am just highlighting a concern that the profession has raised with me that I think needs to be covered.

The Hon. L. STEVENS: I do not believe there is a problem with what we have here, but I am happy to have another look at this between now and the other house. I would like the deputy leader to put it very clearly on the record because, from what he is saying, I still do not believe that there is a problem. I would appreciate it if he would do that and we will look at it between now and the other house.

The Hon. DEAN BROWN: I am highlighting the fact that I do not think it is a drafting problem: it is a practice problem that has occurred in the past and could occur in the future, unless the board is very clear about the basis on which it is requiring an insurance policy. I am sure that if the minister or the department wants more information they could talk to the association, which has had a discussion with me on the matter. I am sure it would pass on first-hand the very information I have passed on to the committee.

Clause passed.

Clauses 27 to 35 passed.

Clause 36.

The Hon. DEAN BROWN: I move:

Page 23, after line 3—after subclause (1) insert:

(1a) Subsection (1) does not apply to a person providing physiotherapy to another who is visiting this state to participate in an event or training if the physiotherapy is provided in connection with that participation and the person would be authorised to provide the physiotherapy under the law of another jurisdiction were the physiotherapy provided in that jurisdiction.

This amendment deals with the other point I raised during my speech, and this issue was raised with me by the Physiotherapy Association. In the letter sent to the department on 1 September last year, the association stated:

The current draft makes no allowance for mutual recognition of physiotherapists registered in other States and Territories of Australia. The SA Branch of the APA strongly recommends that such recognition be included in the Bill. Interstate physiotherapists, visiting SA on a very short term basis, with sports teams or similar, should have their interstate registration recognised in South Australia without the need for a separate SA registration. Similar arrangements should also apply to visiting physiotherapy lecturers/presenters for conferences and participants in practical physiotherapy courses and workshops. We understand that ACOPRA is close to reaching agreement between the States and hence believe provision should be made within the Bill at this time.

This amendment does exactly that. Clause 36(1) provides:

(1) A person must not—
(a) provide restricted therapy; or
(b) provide prescribed physical therapy for fee or reward, unless—
(c) the person is a qualified person; or
(d) the person provides that therapy through the instrumentality of a qualified person.

A penalty of up to $50 000 or six months' imprisonment applies for practising as a physiotherapist without due qualifications. I am proposing in my amendment a new subclause (1a) to follow which provides that, if a physiotherapist is registered and approved to operate in another state of Australia or, in fact, overseas, they ought to be able to provide that service here in South Australia in relation to that team or on that individual with whom they are visiting, but not in relation to any other member of the public who might turn up.

It is not an easy thing to define in legislation, and I have had a couple of discussions with parliamentary counsel on this issue. This is a second draft of the amendment, because I did not think the first draft quite captured it all; although it probably does at present. The one area I guess it still does not capture is in relation to those physiotherapists who are here as guest lecturers. In that case, they could be doing it for fee or reward within the state, but probably not. It certainly captures the case of a person providing the physiotherapy to another who is visiting this state to participate in an event or training if the physiotherapy is provided in connection with that participation and the person would be authorised to provide the physiotherapy under the law of another jurisdiction. We hope that this amendment will throw it wide enough open to capture at least the vast majority of the cases. It is not easy, though, because there are so many different issues that need to be looked at in trying to cover the exemption. However, I believe that this amendment covers the vast majority of them. I urge the government to support the amendment.

The Hon. L. STEVENS: The government does not support the amendment and I will explain why. We believe that this issue is more appropriately handled in regulations. Of course, it is not something that would just apply to physiotherapists: it would apply to other medical professionals in the same way—and we have already considered this issue to be consistently dealt with in the regulations of all the different registration bills. This clause is entitled 'Restrictions on provision of physiotherapy by unqualified persons'. It really is not appropriate to address this amendment under clause 36 because it is restrictions on provision of physiotherapy by an unqualified person. A visiting physiotherapist would be a qualified person whose registration would be

recognised under the mutual recognition agreement. This amendment should exempt them from the registration requirement, not the qualification requirement.

On the other hand, we agree that it is reasonable that persons visiting as part of a team or training event, or other circumstances, should not have to apply for registration in South Australia when they are already qualified to provide physiotherapy in the state or territory where they are registered. We believe that the better way to proceed is to do it through regulations, and the regulations will consider how the act will apply in relation to the provision of the restricted therapy and the other practices of physiotherapy as it applies to visiting physiotherapists, trainers and others where the application of the act may not be reasonable. This is considered to be a subordinate matter under the act and therefore should be dealt with under the regulations where the range of circumstances in relation to the application of the act may be responded to.

Obviously there is more flexibility in the regulations. If these are prescribed in the regulations, they can be more easily varied should these or other circumstances arise. I am advised that my departmental officers have already agreed with the physiotherapy board and the Physiotherapy Association that it will consult with them when drafting the regulations, as we will be doing with all the boards and associations in relation to the other bills as well. I am advised that both the physiotherapy board and the Physiotherapy Association support the drafting under the regulations of any exceptions to registration and/qualifications for visiting persons.

The Hon. DEAN BROWN: I must take up the point that the minister is inferring that I am suggesting that these people are not qualified in terms of the actual art of physiotherapy. This clause identifies what a qualified person is in relation to restricted physiotherapy or prescribed physical therapy; namely, a person authorised by or under this act or any other act to provide such a therapy. If a person does have the qualifications but is not registered under this act, then they are a so-called unqualified person, and that is why I think parliamentary counsel thought that this was the most appropriate clause to insert this amendment.

My amendment requires the person (and I stress this to the minister) to have the professional skills to be able to carry out physiotherapy. That is why it says 'the person would be authorised to provide the physiotherapy under the law of another jurisdiction were the physiotherapy provided in that jurisdiction'. This picks up the point that the person could be academically and professionally qualified but they are not qualified in terms of formal registration in South Australia and therefore they are not qualified as defined under this act.

Therefore, I believe it is appropriate that we deal with it as part of the act rather than by way of regulation. Ultimately, though, I just want to see it in there and operating. I think doing it by way of the regulations is a substandard way of dealing with this. I believe that parliament itself ought to deal with the issue and therefore it should be part of the act, and I ask the minister to reconsider that. If she would like to change the wording of this between the two houses, I would be happy to accept that as well. I am interested in the principle and I do not believe that a principle of this importance should be left to the government in Executive Council. I believe it should be left to this parliament, and this parliament has a fundamental right to ensure that, in fact, this shall apply. It is the only chance parliament will have of making sure it applies. If we let this opportunity pass today, there is no guarantee that the government will introduce appropriate regulations. It has not done so until now and there is no guarantee it will do so in the future, and we will continue to have the unsatisfactory practice we have had. I am saying that this is our last chance to ensure that this unsatisfactory practice is rectified, and it is the parliament which is the supreme body that should do that.

The Hon. L. STEVENS: I think the government's position remains as I stated it. The deputy leader himself when he was speaking earlier about his amendment said that he thought it covered most cases. He actually said 'most cases'. The point is we need to make allowance for all cases, and the government's position is that it is most appropriately done by way of regulation.

Amendment negatived; clause passed.

Clause 37.

The Hon. DEAN BROWN: There was the other point I raised, and it is an issue which the association raised with me. I would like an assurance that, if someone is a lecturer in physiotherapy or in the research area of physiotherapy and they do not have specific patients but are training others or doing research in terms of physiotherapy treatment, every five years they will not have to seek board approval to keep being registered. This relates to clause 37 and I think it is a significant issue. I raised it during my second reading contribution and I would like an answer from the minister as to how the board will exercise its powers and what is regarded as practice.

I am a little bit concerned about how they may try to define 'practice'. I do not think 'practice' is formally defined in clause 3 which deals with the interpretation of this act. I would like to know, therefore, whether 'in practice' means that as long as they are actively involved with patients without having a specific patient themselves, or, if they are involved in tuition or research, they are regarded as practising under section 37.

The Hon. L. STEVENS: Again, I may have to ask for clarification of what the deputy leader means. If a person is a lecturer and has been training people—I wonder whether the deputy leader is interested. If he is not, perhaps I will not bother.

The Hon. Dean Brown: Go on.

The Hon. L. STEVENS: Thank you. If a—

The Hon. Dean Brown interjecting:

The Hon. L. STEVENS: I am sincerely trying to answer the questions that the deputy leader is raising, and he is not being very helpful. It would be good if he would cooperate. If a lecturer, as part of their duties in teaching and training students, has been providing physiotherapy practices, presumably, the board has given them registration on that basis and they would continue to do so. As I have just been advised, if they have not been providing those services, it is important that the board ensures that they are doing so appropriately. Again, it goes back to the basic principle that the board is there to ensure the protection of the public in terms of the safe provision of services. That is the overriding role of the board, and we certainly would not want to dilute that in any way.

The Hon. DEAN BROWN: I think the minister has missed the point. The board will formally approve a person to be able to practise as a physiotherapist here in South Australia. But that person may, in fact, be a lecturer or a researcher and may not be treating patients as such. They can do that for five years. They can be registered, and they need not treat a patient as such, but they can be a lecturer and they could be supervising other physiotherapy students in the

manipulation of patients, or whatever, and they could be doing research on that. What this would require at the end of five years is for them to come back and potentially have to reapply for registration and prove their competency. I believe that that is not appropriate because, after all, they are there as potentially, if you like, a trainer of exceptional standards.

I understand the point here in terms of where a person goes off and does another job for five years: I am very supportive of requiring those people to come back and be retrained—there is no doubt about that and there is no question about it—in the same way as we do with nursing, and so on. This matter has been raised with me by the association (in fact, it is raised on the third page of that letter). If, in fact, there had been consultation with the association with respect to that letter, it may not have raised the matter with me. I want to be assured that, if these people—who may not be treating patients but who may be tutors, researchers, lecturers or others—have not treated a patient, they do not have to come back and apply and satisfy the board of their need to re-register at the end of five years.

The Hon. L. STEVENS: If they have not been treating patients and they now want to, they have to come back. I think it is clear. Clause 37(1) provides:

> A registered person who has not provided physiotherapy of the kind authorised by his or her registration—

in other words, they have not done what they are authorised to do on their registration—

> for a period of 5 years or more must not provide any such physiotherapy without first obtaining the approval of the board.

I think that is absolutely correct. We stand by this clause; it goes to public safety and quality of service.

The Hon. DEAN BROWN: I ask the minister to discuss this with the Australian Physiotherapy Association so that it can be satisfied on this issue. After all, it raised this matter with me in its letter of 1 September and it has had no response to this issue. It is looking for satisfaction in respect of this concern. I think it is important that this matter be raised and discussed with the association and that it be satisfied.

The Hon. L. STEVENS: My advice is that the deputy leader is quite wrong, that there have been a number of discussions with the Physiotherapy Association on this matter and that it is happy with the clauses as they stand.

Clause passed.

Remaining clauses (38 to 75) passed, schedules and long title passed.

Bill reported without amendment.

Bill read a third time and passed.

OATHS (ABOLITION OF PROCLAIMED MANAGERS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 24 November. Page 1060.)

Ms CHAPMAN (Bragg): When this bill was introduced by the Attorney-General on 24 November 2004, he did so with the opening statement that 'the bill is intended to accompany the Justices of the Peace Bill 2004'. Therefore, I am a little surprised that we have not seen on the *Notice Paper* the Justices of the Peace Bill, particularly as it appears that its contents provide a primary purpose for debate on the bill that is currently before us. I am surprised that we even need this bill. I thought that proclaimed managers, previously known as proclaimed bank managers, were an extinct species. I do not think that I have even seen one in the branch of a bank for a couple of decades. I cannot say that my own personal association with formally proclaimed bank managers and now proclaimed managers has been all easy.

In recognition of International Women's Day tomorrow I will share with the house one incident over 20 years ago now, when I appeared before a proclaimed manager to plead my case for a $5 000 overdraft facility to start a business. There was much interrogation of me and concern by the bank, principally because I was eight months pregnant at the time. There was much unease about whether the loan would be approved. I recall that I was so incensed and cross when the proclaimed manager finally said, somewhat exasperated, 'Well, what does your husband say about this?' that I said, 'What husband?'

Those days have passed. It is sad day that proclaimed managers operating in banks and having personal access to members of the public and clients of financial institutions, particularly banks, are now gone. I currently have a very good proclaimed bank adviser, Mr Stephen Pullen, and his assistant Ms Jaber, who provide a excellent service to me and, when you are one of those customers who usually owes a lot more to banks than one has invested instead in them, it is in the bank's interest to make sure we are looked after. Nevertheless, this is legislation effectively to relinquish the category of proclaimed managers for the purposes of administering certain responsibilities under the Oaths Act. For those proclaimed managers left out there, this bill will have the effect of no longer giving them the capacity to take declarations or attest to the execution of legal instruments.

The grounds for abolishing this provision, as I indicated, were, first, to take into account the proposed Justices of the Peace Bill, which would impose new forms of regulation on justices of the peace and, to quote the Attorney-General, it would be 'inappropriate to permit proclaimed bank managers to continue to have responsibility similar to the responsibility of justices of the peace'. That seems rather unusual, given that proclaimed managers have always had different responsibilities to justices of the peace. The only function of proclaimed managers was to take an oath or affidavit. Traditionally and historically justices of the peace have had a number of other responsibilities which, even if not commonly executed—

The Hon. M.J. Atkinson interjecting:

Ms CHAPMAN: The Attorney-General interjects to indicate that we will put them back. We are a little surprised that the Justices of the Peace Bill is not on the *Notice Paper* to be determined at the time of debating this bill, seeing they are supposed to be complementary of each other and a necessary consequence of the Justices of the Peace Bill. The second reason the Attorney-General says this is necessary is that responses received from banks to this proposal, in the few responses received, is that 'it was apparent that most banks did not recognise the risk of conflict of interest'. The second reading explanation does not tell us the basis upon which that comment is made and on what it relies. There seems to be no specific evidence as to the basis of that claim but, if it is true, it would provide some reason for disqualifying bank managers from this role.

Thirdly, it is also claimed by the Attorney-General that proclaimed bank managers or proclaimed managers (as they are now known) are not available after hours or to assist persons who are not customers of their bank. I suppose one has to ask the question: if they are available and they are providing some service to these people, then why remove that

role at all? Certainly, in my experience, in relation to approaching a manager for the purposes of undertaking this role, as a matter of course this service is not published by the bank. If this service is utilised, it is by customers of the bank. One does have to raise the question of their availability, given that one can hardly ring them on the telephone these days, let alone have access to them for the purposes of attesting a document.

Another aspect in relation to individuals in this category is that once they are disqualified they do have an opportunity to apply to become a justice of the peace, which means they could continue in the current role to which they are entitled as a proclaimed manager and, indeed, take on other responsibilities. It seems to me rather illogical for the Attorney-General to suggest they should apply to be justices of peace. If a conflict of interest is identified as a basis upon which they ought to be disqualified in the first place from carrying out this role, then what on earth would be the benefit of their applying to be a justice of the peace when that same conflict of interest would continue to apply?

Nevertheless, the government has presented this proposal, which is to be in tandem with the justice of the peace bill. We look forward to receiving that bill in the house. On the basis that that is the government's intention and that we have assurance from the financial institution industry that this is no longer something for which they are seeking their proclaimed managers to have responsibility and they have expressed no objection to the bill, the opposition supports the bill.

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

PARTNERSHIP (VENTURE CAPITAL FUNDS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 23 November. Page 992.)

Mr HAMILTON-SMITH (Waite): I indicate that the opposition will be supporting this bill, and commends the government for bringing it forward. As the house is aware, the Attorney-General introduced the bill in November 2004. Essentially, the bill provides for a new form of corporate entity—the incorporated limited partnership, which follows similar legislation in other states. This is the business structure preferred by international venture capital investors and will allow South Australian-based venture capital funds to access a new commonwealth taxation regime.

In 2002, members would be aware that the federal government enacted legislation aimed at attracting venture capital to Australia. The Venture Capital Act 2002 was so enacted, and amendments were made to the Income Tax Assessment Act 1936 to change the treatment of venture capital limited partnerships, Australian fund-to-funds and venture capital management partnerships allowing such entities to be taxed as flow-through entities in accordance with internationally recognised best practice for venture capital.

As a result of these changes, it has become necessary for the states to amend their partnership acts to take advantage of these changes. So far the house will be aware that Victoria, New South Wales, the ACT and Queensland have amended their legislation, and Western Australia is working on proposed new limited partnership legislation. I distributed the bill widely in mid December to stakeholders in the venture capital, innovation and information technology industries. I note that, although this bill has fallen to him, the Attorney has probably had lengthy discussions about it with the Treasurer who is responsible for the Venture Capital Board.

Also, he has probably spoken to his colleague the Minister for Science and Information Economy who is responsible for Playford Capital. From those discussions the Attorney might not be surprised to know that, although the responses that I received supported the bill, some respondents took the opportunity to comment to me on problems they perceived in the local venture capital industry, particularly involving the performance of Playford capital, what they perceived to be the poor packaging of business propositions and the lack of funds available in the investment community able to be directed to commercialised research.

The minister will be aware that the Venture Capital Board was set up by the government in October 2003, and the 2004-05 budget provided $10 million of funds for investment. So far, I understand that not a cent of this has been invested in the creation of a venture capital fund, but $1.5 million has been spent on administration costs for the board—although I hasten to add that that includes other benefits to the venture capital industry, particularly in the area of forums, networking, coordination and promotion, all of which have been most beneficial to stimulating the venture capital industry in the state.

I acknowledge, on behalf of the opposition, that all of that $1.5 million has not been spent purely on administration but, in fact, has delivered a dividend. In fact, I had the benefit of meeting with the Venture Capital Board. I commend Dr Sexton and the other members of the board (who I will not name; we all know who they are) for the outstanding job they are doing in getting things going, albeit without, in my view, the required amount of government energy and support. It is unlikely that the $10 million set aside to be invested will be invested before the financial year 2005-06.

The Venture Capital Board may choose not to invest any of the money if it cannot find a suitable proposition in which to invest. Playford Capital is also under-performing, in my view, and failed to maximise the federal government's funding from its Building On IT Strengths (BITS) program. Playford received $2.1 million of BITS funding while every other state incubator, I understand, received around $4.6 million. I am concerned that the reason for that may be because Playford asked to roll over $5 million it had failed to invest from its previous allocations.

This is an amendment bill and, therefore, is rather unwieldy. In fact, it is an interesting read. However, as this is the method adopted by all the other states, it is important for South Australia to be consistent rather than risk any perceived disincentive for investors. In that respect, I understand the government's predicament in bringing it forward in its current form. The main provisions in the bill include the insertion of a new section 1C into the act, which states that the general law of partnership does not apply to incorporated limited partnerships except as provided by the act.

An incorporated limited partnership will be a separate legal entity and, for the purposes of the Corporations Act 2001, a body corporate. Proposed section 51D provides for the registration of three types of partnerships as incorporated limited partnerships. They are a partnership that is registered or proposed to be registered under part 2 of the Venture Capital Act 2002, the commonwealth act, as a venture capital limited partnership or Australian Fund of Funds within the

meaning of that part, or a partnership that is or is proposed to be a venture capital management partnership within the meaning of section 94D(3) of the Income Tax Assessment Act 1936.

Proposed section 49 provides that, in order to be registered, an incorporated limited partnership must have at least one but no more than 20 general partners and at least one limited partner. A body corporate may be a partner. Proposed section 53 provides that application for registration as an incorporated limited partnership must be made to the Corporate Affairs Commission, a part of the Office of Consumer and Business Affairs. In order to qualify as either a venture capital limited partnership or an Australian Fund of Funds, an incorporated limited partnership will need to register with the commonwealth pooled development fund or board.

The general partners are responsible for the management of the partnership while limited partners are investors. The rights and duties between the partners must be set out in a written partnership agreement in accordance with proposed section 51B. Under proposed section 64A, a limited partner has no liability for the liabilities of the incorporated limited partnership or the general partners. The limitation on liabilities is balanced by a prohibition on their taking part in the management of the incorporated limited partnership. General partners are liable only for debts of the limited partnership that are unable to be satisfied by the limited partnership.

The Hon. M.J. Atkinson interjecting:

Mr HAMILTON-SMITH: The Attorney is interjecting. I gave him the courtesy of listening quietly while he spoke to the bill when he introduced it, and I ask him to return the courtesy. The issues I mentioned earlier in regard to the Venture Capital Board are of course relevant to this bill. This bill has been championed by the Venture Capital Board and is important to its work. Therefore, I get back to the issue of the delay in investing the $10 million that has been ascribed by the government for that purpose.

I recently had documents provided to me under FOI which are relevant to the bill and which, although heavily censored, included board documents that show that no formal review of the government's activities in the venture capital area had been completed, due to cabinet indecision.

The Hon. M.J. Atkinson: They said that, did they?

Mr HAMILTON-SMITH: It did, in fact, on page 4. Also that the relevant department had been in structural chaos with three major reorganisations and a reduction in size by almost two-thirds, and that the government delays in cabinet approval—

The Hon. M.J. Atkinson: Are you reading from a docket?

Mr HAMILTON-SMITH: No; I am summarising, in my own words, what is in it.

The Hon. M.J. ATKINSON: I rise on a point of order. The member for Waite claims to be reading from documents he has obtained under freedom of information. I ask him to table the paper from which he is reading so that we may see whether he has summarised it accurately to the house.

The ACTING SPEAKER (Ms Thompson): The minister refers to papers held by a private member. It is government documents that are required to be tabled. The member is not able to table the documents.

Mr HAMILTON-SMITH: Thank you for your protection, Madam Acting Speaker. If the Attorney would like to see me afterwards, I would be happy to show him the FOI document. There are concerns that delays in cabinet have held up the process of making this $10 million available. After all, it is 2005 and an election is looming. Following the EDB's recommendations, we were told that $10 million would be invested in venture capital, yet we now find that, at the cusp of 2006, nothing has been spent. A cynic would argue that it is a shame that both this bill and the $10 million are only now happening in the year leading up to an election when, in fact, both the bill and the money could have been promoting venture capital in this state a long time ago. Some might call it a form of modified pork-barrelling, and some might call it the necessary machinery of government unwinding over two or three years, but it is noteworthy that it has taken so long.

The annual report of the Venture Capital Board is also interesting reading. I am sure that the Attorney has perused it in great detail and, since he has an excellent memory, he could probably quote it to me paragraph by paragraph. Interestingly, on page 12 of the report, it states that the VCB seeks to establish at least one private equity fund of $20 million by July 2005. In my view, that target is unlikely to be met (I certainly hope that it is), but we will wait and see. Applications closed on 8 October 2004, with evaluation expected within five months, which was February this year. However, it is now March, and there has been no announcement at this point. As I mentioned earlier, the VCB may choose not to invest any money. These are all things the opposition awaits with bated breath. The South Australian private equity program guidelines also make interesting reading. Of course, a meeting was held for interested parties on 16 September 2004, and I am sure that the same parties that attended the meeting will read this bill and await it in anticipation.

There are some issues in relation to venture capital, some of which will be addressed by this bill. However, as I have mentioned, I think that it has been a case of festina lente (which, the Attorney, in his wisdom, knows is Latin for 'hasten slowly'). I certainly think that the government has hastened slowly with respect to supporting venture capital. Of course, the members of the VCB are doing an outstanding job, and I am sure that the board would like to have been in a position to move more quickly. However, it is really the government that has slowed the process. However, the bill before us will at least provide the legislative framework for interested parties to get going in regard to VC-based investments in this state.

I draw the house's attention to comments I made previously during budget estimates, in relation to announcements made by the opposition on 17 June, about the need for more energy from the government to ensure that the $10 million allocated to the VCB is put to work. In a media release on 3 July 2004, the government talked up its push to build venture capital in this state and about the state program and the options for bidding for the $10 million. However, I remind the house that here we are in March 2005, and still nothing has happened.

I also draw the house's attention to announcements made by the opposition and me on 19 August about Playford Capital, and I again remind the government that it is very easy to establish a process for which nobody can qualify. It is very easy to establish a process for applying for venture capital seed funding with criteria that no-one can meet, and certainly the success rate—

The Hon. M.J. Atkinson: No wonder you are talking now. They won't let you talk in question time any more.

Mr HAMILTON-SMITH: You should be very thankful for that, Attorney. The fact is that the money is there. The money needs to be put out there on the road so that companies that need it can get it and so they can go forward. It has been described to me by some stakeholders as, 'Like trying to squeeze blood out of a stone.' I think there is a need to loosen up or, if you like, make more liquid the amount of funding that is available through Playford Capital. Now, that is not for a moment to suggest that stringency, thoroughness and probity should not remain paramount; indeed, they should. However, the government may need to explore further ways in which it can stimulate venture capital and innovative companies and help them to commercialise their ideas other than the legislative measures that are provided for in this bill.

So, in closing, the opposition supports the measure, noting that it is a measure that is being proceeded with in unison around the country. I think that it will set up the right arrangements for innovative IP related companies to go forward and attract the sort of capital that they need to go to national and international markets, and we look forward to its swift passage.

Bill read a second time and taken through committee without amendment.

The Hon. M.J. ATKINSON (Attorney-General): I move:

That this bill be now read a third time.

Mr HAMILTON-SMITH (Waite): I am very pleased that this bill has come out of committee in the form that it went into committee. I am delighted that the Attorney sought to have it put into committee so that he could examine his bill in greater detail. As I mentioned, it is a very worthwhile piece of legislation. In fact, as it has come out of committee, I think there is some hope that it will actually enable innovative companies in the state now to go forward and get the sort of capital that they need to take their products to international markets. If there is one point I make to the government, it is that we need more of these bills; we need more of these bills that deal with science and innovation, and ways to commercialise the product of our human capital and our human talent.

A lot of industries in the state are under challenge from China and from competitors. What we do have which is bold and fantastic is a whole lot of smart people with brilliant ideas who can make a lot of money if they are properly handled, and have the right capital behind them. With this sort of legislation, I think we can go forward and start to transform this economy, so I thoroughly commend it to the house.

The Hon. M.J. ATKINSON (Attorney-General): Given the length and prolixity of the member for Waite's contribution on the second reading, I was lulled into believing that he would have to have some amendments at the committee stage; I was wrong.

Bill read a third time and passed.

ACTS INTERPRETATION (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 10 November. Page 860.)

Ms CHAPMAN (Bragg): This bill was introduced by the Attorney-General on 10 November 2004. I seem to refer to November a lot lately; it must have been a very busy month for the government to introduce legislation. A number of aspects of this bill are largely uncontroversial, but there are some matters which I propose to raise on behalf of the opposition which, I suppose, look towards the aspect of this bill that, if we are going to clean things up, then let us do it properly and get on with some serious amendments in order to make some attempt to improve the accountability of governments when we come to aspects such as subordinate legislation.

I place on the record the opposition's understanding in relation to the more uncontroversial aspects of this bill. The bill provides to extend the expressions such as audio-tape, videotape, book, paper and plan to include digitally stored data—it is obviously to accommodate a change of the times. The bill provides that a person who is under a legal obligation to produce a computer record must make it available in a form that can be understood. That is an interesting addition; I am not quite sure how that is necessarily going to be achieved or determined but, in any event, the object is good.

The bill provides to clarify the status of clauses and schedules, headings, marginal notes, dictionaries, examples, etc. It is designed to clarify the Governor's power to fix not only a day but also a time of the day for the commencement of acts or statutory instruments, and it allows for the variation of commencement proclamations—and that is important. As an active legal practitioner prior to entering this house, it was a matter which did not cause concern or controversy very often, but, when it did, it could cause some havoc; so I am pleased to see that.

The bill replaces section 69 of the act by clarifying that the power to make regulations, rules or by-laws includes the power to vary or revoke such regulations, rules or by-laws—that, we agree, is an important initiative. The bill is also designed to deal with several miscellaneous meanings and definitions: it extends the meaning of 'statutory instrument'; provides for a new section to assist in the interpretation of words and phrases that have meanings related to a defined word or phrase; clarifies the meaning of 'sitting days of parliament'; updates references to registered post and certified mail; and removes certain unnecessary phrases from section 44. Of course, some of these relate to updating to the modern time. We do not actually have anything called registered post anymore; we still have certified mail, but it is now certified as such and, for those of us who still use snail mail as a form of communication, it has been important to update some of that. These are all matters that the opposition supports.

As you near the end of the bill it proposes to amend section 10AA of the Subordinate Legislation Act which is set out in schedule 1 of the bill by providing that regulations come into force at a time specified therein. Section 10AA of the Subordinate Legislation Act presently provides that regulations come into operation four months after the date on which they are made or from such date as specified in the regulations. However, the section permits the responsible minister to issue a certificate that is 'necessary and appropriate' that the regulation comes into operation on an earlier date. There is no doubt that the exemption in section 10AA was intended to cover special circumstances, but there is also no doubt that ministers are issuing these certificates as a matter of course. It seems to be one of those things more in the breach than the observance. In recent years the annual report of the Legislative Review Committee has condemned ministerial overuse—indeed, misuse—of section 10AA.

The Hon. M.J. Atkinson: They condemned it when you were in office.

Ms CHAPMAN: The Attorney-General rudely interrupts at this point to try to produce the defence that, 'We might do it but some on your side have done it in the past.' That may be the case.

The Hon. M.J. Atkinson: I can assure you it is; more so.

Ms CHAPMAN: I was not here at that time, but it may be that that is something that has traversed a number of ministers of both governments since the introduction of that exemption, as is clearly identified by the Legislative Review Committee to be in a category of misuse. The purpose of delaying the commencement of regulations for four months is clearly to provide an opportunity for parliament to disallow them before they come into operation. Disallowance of regulations after commencement is invariably inconvenient, especially for citizens who may have to reorganise their affairs on the strength of regulations which cease to operate after only a short period. Moreover, most regulations which are disallowed are remade by government, which can create further confusion.

However, given that ministers of all political persuasions are invariably using the section 10AA exemption, as I have indicated and acknowledged, the section therefore is clearly not meeting its objective. There are a number of ways that we might deal with this: not at all, which is not acceptable; to repeal section 10AA, which may not be very useful at all; or to amend the section to make it more effective. Here is an opportunity which, in our view, the government could have taken to make it more effective and to require that where a minister is to grant this certification that, at the very least, it be on a standard of there being an exceptional circumstance and that we would therefore replace 'necessary and appropriate' which is currently all too easy to circumvent. So, that would be a way of dealing with that aspect and to impose on ministers—and I hope the Attorney-General will consider this between now and the other place—a requirement that the minister must certify that there are exceptional circumstances for the purposes of using this power which is clearly currently being misused. If he does not take such wise advice he may find that an amendment will be presented in another place which will take that up, although I hope the Attorney-General would appreciate the importance of sorting these things out as a government initiative when they have the opportunity. In this case, they will have that opportunity between the houses.

One of the other matters we raise for consideration by the government is that if we are opening up the subordinate legislation then we ought to consider some other aspects that will make the subordinate legislation power more effective and useful. That is, we ought to be considering that either house has the power to disallow the whole or part of any regulation. In this house we have already seen situations where it may not have been very convenient for the government to have some of its regulations disallowed—such as the fee increases, for example, which might be disallowed—but the rest of the regulations might come through. I can see some situations where that might make ministers rather uncomfortable—

The Hon. M.J. Atkinson: Yes, save you from further embarrassment.

Ms CHAPMAN: This situation, though, prevails in New South Wales, Victoria, Western Australia and Tasmania. So, rather than interject, I would be pleased if the Attorney would pick up his pen and actually make some notes on where it might be useful that we follow other states—as he has been so willing to do in other areas of legislation, to rush in here and rely upon the advance of other states to justify his actions. Perhaps he ought to give some serious consideration to that.

Another matter is that regulations, perhaps, should be able to be amended by resolution of both houses when passed within the time of the disallowance, as currently applies in Western Australia. Also, after disallowance, the same regulations—or regulations that are substantially the same—may not be remade for a period of six months except where the disallowing house resolves to approve the remaking. That is an important aspect, because time and time again—even in the short time I have been here in the parliament—regulations are disallowed and then, almost without a breath being taken, we have the same regulations being reintroduced and attempted to be put through. Again, we go through this rather ridiculous process of having to continue to challenge all of them again.

The Attorney-General might note with interest, as he is busily writing down these important amendments that are being suggested for consideration, that this is also part of the legislative regime that applies in federal parliament, in New South Wales, in Tasmania, in the Australian Capital Territory and the Northern Territory. So, again, we would not be unique if we were to take up the opportunity of considering that as a helpful and significant improvement to the subordinate legislation powers that are currently somewhat loosely described as being abused by ministers, when clearly the parliament says to the minister in the disallowance, 'This is not satisfactory. We cannot allow a portion of these regulations to go through. We cannot amend them by resolution of both houses. We have to reject the whole lot.' We have this farcical situation where the minister then reintroduces them and we start that process over and over again.

In opening up this legislation we have an opportunity to deal with the aspects which I have referred to and which are uncontroversial, when they could have provided some significant and useful reform in an area which would, I think, be appreciated by the parliament and which would certainly attract the favour of the opposition in supporting amendments to that effect. Perhaps the minister could give due consideration to these aspects between houses. If he does not, he is on notice that, having as best we could given him the opportunity to take it up, he may face those amendments and have the less pleasant task of having to accept those amendments when they come back from another place. The minister has an option here, and I hope he chooses wisely.

Mrs GERAGHTY (Torrens): I found it quite interesting to listen to the member for Bragg's comments. I have been a member of that committee on and off for a number of years, under a then Liberal government and now under a Labor government. For the record, I want to say that under the previous government very few regulations were disallowed, and it would be quite fair to say that was because the then Liberal government had control of the committee. I also want to say that 10AA(2)s were not uncommon under the previous government.

The Hon. M.J. Atkinson: In fact, they were de rigueur.

Mrs GERAGHTY: Yes. I think it is worth putting that on the record. The picture painted by the member for Bragg is quite different from what actually happened. Of course, the membership—

The Hon. M.J. Atkinson: Those of us who are old hands.

Mrs GERAGHTY: Yes. The membership of the Legislative Review Committee now is not government controlled. So, it is quite interesting to see how some members make decisions about some of the regulations. I think it is worth putting on the record that what is being claimed to be a unique situation is not all that unique.

Bill read a second time.

In committee.

Clauses 1 to 3 passed.

Clause 4.

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

Page 3, after line 2—
Before subclause (1) insert:
(a1) Section 4(1)—after definition of ADI insert:
AS or Australian standard or AS/NZS or Australian/New Zealand standard means a standard published by or under the authority of Standards Australia (alone or jointly with others);

Across the statute book there are many references to Australian standards either as enforced at a particular time or as enforced from time to time. The body that publishes or approves the publication of the standards has since 1988 used the trading name Standards Australia. In November 2004, the company changed its name to Standards Australia Limited. Amendment No. 1 will ensure that references in the statute book are updated as necessary. Amendment No. 2 will simplify future references to Australian standards. It will be sufficient to refer to a standard by its designation or title without reference to the publishing body.

Amendment carried.

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

Page 3, after line 17—
After subclause (2) insert:
(2a) Section 4(1)—after definition of sitting days insert:
Standards Association of Australia includes—
(a) Standards Australia International Limited; and
(b) Standards Australia Limited (ACN 087 326 690);
Standards Australia means—
(a) Standards Association of Australia; or
(b) Standards Australia International Limited; or
(c) Standards Australia Limited (ACN 087 326 690);

Amendment carried; clause as amended passed.

Clauses 5 to 10 passed.

Clause 11.

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

Page 5, line 24—
New section 19(1)(c)—delete 'forms' and substitute:
does not form

The amendment connects a drafting error in clause 8 of the bill. A note does not usually form part of an act, hence an example within a note should not form part of an act. As the bill is currently worded, an example within a note would form part of an act.

Amendment carried; clause as amended passed.

New clause 11A.

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

After clause 11 insert:
11A—Amendment of section 25—Variation of forms
(1) Section 25—delete 'prescribed by' and substitute:
prescribed or approved under
(2) Section 25 delete 'prescribed forms' and substitute:
prescribed or approved

Section 25 of the Acts Interpretation Act currently provides that 'whenever forms are prescribed by an act, forms to the same effect are sufficient provided that deviations from the prescribed forms are not calculated to mislead.' This provision may be interpreted as applying only to forms set out in regulations. This amendment ensures that the provision extends to any form approved under an act. This will include the many forms approved by ministers and other persons.

New clause inserted.

Remaining clauses (12 to 16), schedule and title passed.

Bill reported with amendments.

Bill read a third time and passed.

MATTER OF PRIVILEGE

The SPEAKER: On 2 March—last week, in fact—the member for Wright rose and raised a matter which related to privilege with respect to the remarks made to the house by the member for Mawson. There were three substantive points, and the member for Wright set out an argument based on those three substantive points, to be found in *Hansard* of that day. In the interests of expediency, whilst it would have been my preference to have dealt with them by quoting them and then stating my remarks about them, they are points made by the honourable member for Wright and I direct honourable members' attention to them.

With respect to the first point, it seems to me that there is no great incongruity with the statement made that on 12 October 2000 the South Australian Ambulance Service executive met and the minutes of that meeting indicate that the previous day, 11 October 2000, the then minister met with Mr Pickering. At that meeting the minister asked that SAAS look into a possible ambulance station at McLaren Vale. That, to my mind, is not at odds with 'I simply asked the CEO whether or not he was happy with the response times of the ambulance service in that area'.

In the second instance, on page 34 of the Auditor-General's Report, the Auditor-General says, 'The formal written offer of the Adelaide Bank was sent to the sponsorship committee on 26 June' and so on, down to the remarks concluding 'business was not discussed at SAAS board meetings'. That was a submission made by Mr Pickering. That particular passage is not necessarily talking about the same meeting or the same approval.

Further, in relation to the third point, the honourable member for Wright believes that the Auditor-General in his report on page six makes a remark which is damning of the position of the member for Mawson. I do not find the same view of it. There were preliminary remarks in the Auditor-General's Report, and the auditor's opinion about the particular approval to redirect funds is not necessarily at odds with point three. The honourable member for Mawson seemed to be referring to a decision to establish the station. One needs to look elsewhere in the Auditor-General's Report for that. Time at the moment does not allow me to go there.

On page 9 of the Auditor-General's Report he states (and it is quoted by the honourable member) that it is not at issue with regard to the member's speech. The Auditor-General states:

> On 16 August a formal ceremony for handing over the sponsorship cheque was held at the Adelaide Airport, attended by the minister and the managing director of the Adelaide Bank and others.

That is not at issue with regard to the member's speech made on 13 May.

The Hon. M.J. ATKINSON (Attorney-General): I move:

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

The SPEAKER: In the course of interrupting my remarks, I will accept the motion. Is it seconded?

Honourable members: Yes, sir.

Motion carried.

The SPEAKER: The chair continues, then, to make the point that the Auditor-General, in his report on page 36, states (as did the member for Wright):

> It was the minister's adviser, Ms Moncrieff, who actually sought the advice from within the justice department as to whether the funds from the Adelaide Bank could be redirected and used as part of the recurrent funding for the then proposed McLaren Vale ambulance station.

Whilst that relates to point 2, I do not see that it necessarily has an effect.

Equally, having briefly dealt with those matters in what I regard as cursory fashion, spending less time on my reasons than would otherwise have been the case, a point of order was raised by the member for Stuart at the conclusion of the member for Wright's inquiry as to whether privilege had been breached. In simple terms, the member for Stuart and other honourable members may be mistaken in believing that the possible breach of privilege arose in consequence of what the minister had said while the minister was a minister. Even if that were the case in another instance, it is not the case in this instance. The remarks made by the member for Mawson, of which the member for Wright complained in raising the question of privilege, were made in a grievance debate in May in this parliament and in this session of the parliament. So, it is about the remarks the member made in 2002, not about his actions as minister.

I trust I make clear that, even if it had been about remarks made by the member for Mawson when the member was minister, the very fact that an election had intervened would not mean that the issue of privilege was dead. The remarks were made in the grievance debate, which does not lead to a substantive decision of the house. So, the question the chair must ask itself is: do those remarks mislead the house in a way that would subvert the capacity of the house to deal with the matter effectively? It strikes me that that is unlikely to be the case. Even though a member should not mislead the house, deliberately or unwittingly, in any debate, any misleading in those circumstances to which I have just referred can hardly be held to have interfered with or obstructed the house in going about its business, for reasons I will come to. Without dealing with the three issues in the fashion in which I might otherwise have chosen to do so—those three issues raised by the member for Wright in the detail—it is important to note, in relation to the third point, that the Auditor-General at least three times emphasises that decisions were made independently of the former minister.

It equally strikes me that, in consequence of the Auditor-General's Report, the better way for the house to deal with it is to debate the Auditor-General's Report rather than to seek to debate whether the member for Mawson has misled the house. That, in consequence of the debate, may determine the opinion of the house about what the member for Mawson did that he might not have done or should not have done, in the opinion of other honourable members, and how that might have impacted on the public interest in the course of his actions.

On the face of it, at first glance, the member for Wright's case seems to suggest that there should be a privileges committee. However, on more careful analysis I find that there are not sufficient grounds upon which to report to the house that, prima facie, there is the need for further investigation as to what happened and who was involved in doing it. That is clear enough from the Auditor-General's Report. It is therefore not my decision to report a belief to the house that a privileges committee ought to be formed. I remind all honourable members that that does not mean that a privileges committee cannot be established if it is the will of the majority of members to do so. I find in making that remark one other point that is worth putting on the record. If the honourable minister would be kind enough to observe the standing orders and stay in the chamber while the chair is speaking.

The Hon. P.F. Conlon interjecting:

The SPEAKER: I did not notice the member for Davenport leaving the chamber. That is the kind of thing to which I have drawn the member for Davenport's attention on previous occasions. All in all, whilst honourable members may doubt the good sense of the political decisions that were made by the member for Mawson, the Auditor-General has found that the process followed is not one that needs to be the subject of an adverse report in this place other than by a motion to do it outright. The investigation made by the Auditor-General probably alleviates the necessity for the house to otherwise go about the business of establishing a privileges committee.

Whilst I understand the member for Wright and those others who may have sympathy for the view that she put to the chamber that it was only upon receipt of the Auditor-General's Report that she believed a case could be made, nonetheless, in the process of receiving it, the house has the solution to that question, as I see it. I thank the house for its attention, and I trust that a full debate of the report will be the way through which the house will resolve it. I say as a final aside simply this: the house is not this building; it is not the bricks and mortar of which this chamber is constructed; it is the collective will of the majority of members—if not every member present—in their collegiate determination and vote. That is what the house is about.

ADJOURNMENT

At 6.09 p.m. the house adjourned until Tuesday 8 March at 2 p.m.