LEGISLATIVE COUNCIL

Thursday 16 August 1990

The PRESIDENT (Hon. G.L. Bruce) took the Chair at 2.15 p.m. and read prayers.

PETITION: SELF-DEFENCE

Petitions signed by 4 185 residents of South Australia concerning the right of citizens to defend themselves on their own property, and praying that this Council will support legislation allowing that action taken by a person at home in self-defence or in the apprehension of an intruder is exempt from prosecution for assault, were presented by the Hons. I. Gilfillan, K.T. Griffin and J.C. Irwin.

Petitions received.

MINISTERIAL STATEMENT: ADELAIDE REMAND CENTRE

The Hon. ANNE LEVY (Minister of Local Government): I seek leave to table a ministerial statement from the Minister of Correctional Services in the other place on the Adelaide Remand Centre.

Leave granted.

QUESTIONS

COUNCIL MEETINGS

The Hon. J.C. IRWIN: I seek leave to make an explanation before asking the Minister of Local Government a question about voting at council meetings.

Leave granted.

The Hon. J.C. IRWIN: Last Thursday in this Chamber I raised the question of voting at council meetings and, specifically, the matter of confusion relating to the number of members required for a majority at a council meeting. In reply to my question the Minister quoted from 'unambiguous' Crown Law advice which she stated was as follows:

> The Mayor or presiding member must be taken into account when determining the number of votes required to constitute a majority, notwithstanding that the Mayor does not possess a deliberative vote. Thus, where 12 members attend including the Mayor, seven members form a majority.

The Minister went on to repeat that the Crown Solicitor's opinion on this matter is quite unambiguous. She also stated that this was the second time the matter had been raised and, after the last, a June 1982 Local Government Department bulletin 'explaining the reasons behind the Crown Law advice', in the Minister's words, was issued to all councils, explaining the situation which had arisen at a 1981 council meeting. The Minister went on, somewhat crossly I thought, to say that most councils would have kept the notice; however, if there were any queries 'we shall be very happy to reissue the bulletin so that the current legal position is made clear to all councils'.

I believe that the Minister should issue the bulletin again to councils and, better still, take a close look at it herself, for she does not understand what she is saying. I have a copy of the bulletin issued by the Department of Local Government in June 1982, and it says on page 7:

> An ordinary motion of council does not require an 'absolute majority' (as that term is defined in section 5 of the Local Government Act) nor the 'majority' referred to in clause 64 of the by-law. Accordingly, the question should be determined by a simple majority of members present having a deliberative vote. In so far as the Mayor's right to vote is restricted to 'an equality of votes' situation, we do not believe he/she should be included in the calculations of members for a simple majority.
>
> For the reasons stated in this letter council's motion of the 15 October 1981 was in favour of the proposal. A total of 11 members, in addition to the Mayor, were present and the majority required was six. The majority was achieved.

Rather than provide the unambiguous advice to all councils since 1982, as the Minister self-righteously suggested last week, this bulletin issued by the Local Government Department appears to contradict Crown Law advice. The Minister is confused. Is it any wonder councils and electors are confused?

In sometimes hotly contested and emotional council decisions, including planning applications, it is not good enough that a known ambiguity could lead to expensive court proceedings made worse by people having to accept decisions because they cannot afford a court battle. My questions to the Minister are as follows:

1. Will she admit that the advice she gave to the Chamber last week is at odds with departmental opinion issued to councils in the June 1982 bulletin?

2. If so, will she clear up the ambiguity so that all councils are quite clear about what constitutes a majority in council voting?

The Hon. ANNE LEVY: It is very interesting in matters such as this that one gets conflicting legal opinions. Ask two lawyers and you get two different sets of advice. I can only say that, as a Minister of the Crown, I rely on the advice of the Crown Solicitor. I accept his advice as being the legal situation unless and until it is proven to be otherwise.

The Hon. R.I. Lucas interjecting:

The PRESIDENT: Order! The Minister has the floor.

Members interjecting:

The PRESIDENT: Order!

The Hon. ANNE LEVY: If members do not want to listen, Mr President, I am quite happy to sit down. As I was saying, as a Minister of the Crown, I rely on the advice of the Crown Solicitor, and I am sure it would be accepted that this is the normal procedure and, particularly as a non-lawyer, it would be quite inappropriate for me to do otherwise. If there is any question of confusion, I am happy to ask the Crown Law Department to prepare a circular which can be issued for all councils, though I would certainly wish to peruse any matter which they—

Members interjecting:

The PRESIDENT: Order! The honourable Minister.

The Hon. ANNE LEVY: I would certainly wish to peruse any document which they produced to ensure that it was readily comprehensible to people without a legal background.

SUPREME COURT

The Hon. R.I. LUCAS: My questions are to the Attorney-General. In view of the impending vacancy on the Supreme Court bench, due to the planned retirement in December of Justice Jacobs, has the Attorney-General had any discussions about, or given consideration to, the possibility of filling that vacancy himself? If not, can the Attorney-General confirm that he proposes to serve out his full term in the Legislative Council?

The Hon. C.J. SUMNER: The answer is 'No'.

CRIMINAL LAW REFORM

The Hon. K.T. GRIFFIN: I seek leave to make a statement prior to asking the Attorney-General a question about criminal law reform.

Leave granted.

The Hon. K.T. GRIFFIN: In his ministerial statement on Tuesday, outlining a review of criminal law in South Australia, the Attorney-General referred to Mr Matthew Goode of the Adelaide Law School as the person undertaking that review. Soon after that ministerial statement was made I issued a public release which indicated broad support for the initiative for review and possible reform of the criminal law. According to the ministerial statement, any submissions on the discussion papers released so far are to be made to Mr Goode. No date was specified in the ministerial statement, but the *Advertiser* in its editorial this morning says that the due date is 1 October 1990, so I presume the *Advertiser* got that date from the Attorney-General or his staff.

The *Advertiser* criticises that date, and I must say I agree because it gives only six weeks for anyone who wishes to consider the discussion papers to reach a considered view and to make a submission. It seems to me that that is an impossible task to set anyone in the community on issues as complex as those covered by the discussion papers. As I say, I have made no criticism of the initiative but, listening to the ministerial statement and subsequently re-reading it, it does leave a number of matters up in the air.

It does give the impression that the Government has not really thought through how it will tackle the whole process over the long period that this will take, and not just the beginning of it. For example, when Mr Goode gets the submissions on the discussion papers released so far, what does he do with them? Does he have the task of making recommendations to the Attorney-General? Is a more widely-experienced group of persons, whether from the legal field or from a wider range of interests, to be established to consider the papers and submissions just as the Mitchell committee did 20 years ago? How are the other areas of the criminal law to be addressed, and in what order and by whom?

If Mr Goode alone is to be the person to undertake this work, is he full-time or part-time and, even if full-time, is it good sense to have only one person, an academic, make the recommendations? If Mr Goode is part-time, what time frames for his work have been set? I make no reflections on Mr Goode's ability, but I do question whether, in a task of the size set by the Attorney-General, only one person should be given—and can cope with—the responsibility of tackling it.

I suggested that not only an academic but also a lawyer from the Crown side, a lawyer from the defence side, and someone with judicial experience—perhaps a judge, or a retired judge—without, of course, that being an exclusive list, on the basis that persons with a wide range of experience ought to make the recommendations. This morning's *Advertiser* even took that list to task and suggested that it ought to be wider, and I have difficulty with a wider representation.

There are a number of questions here, but my specific questions to the Attorney-General are as follows:

1. Is only Mr Goode going to make the recommendations for reform of the criminal law?

2. Is he to be full-time or part-time engaged on the task, and, in each event, what timetable has he been set for fulfilling the task?

3. What priorities have been set for the review of the criminal law and, as I have already indicated, within what time frames?

4. A more immediate question is whether 1 October 1990 is a serious date by which submissions have to be made to Mr Goode.

The Hon. C.J. SUMNER: Mr Goode is, and has been since the beginning of this year, full-time in the Attorney-General's Department as a policy officer, and he will remain in that position until the end of next year, when his contract will expire. During that time, he will be occupied principally on the tasks which I outlined yesterday. Mr Goode is not a one-person committee; he is a policy officer, a legal consultant, in the Attorney-General's Department who will be responsible for the preparation of legislation which I will present to this Parliament.

It will be my responsibility to make the recommendations to the Parliament for the reform of the criminal law after the process of discussion papers and the receipt of submissions from members of the public, and other interested parties including the judiciary and the Law Society. And, after the consideration of those submissions, final conclusions will be reached by the Government and legislation introduced.

Members opposite will then be able to consider whether or not they agree with those recommendations. We are not dealing with a situation that requires yet another committee. The Mitchell committee conducted a very thorough review of criminal law in the mid-1970s, and its reports are well known. In addition, a number of other reform initiatives in the criminal law area are going on elsewhere in Australia and overseas. The Federal criminal law is being reviewed by a committee chaired by the former Chief Justice of the High Court, Sir Harry Gibbs, and a report will follow.

Various other aspects of the criminal law are being examined in other States of Australia and overseas. As I said in my ministerial statement on Tuesday, in the United Kingdom consideration is being given to the codification of the criminal law, as well as in Canada, and I mentioned the situation in the United States. So, we are not moving on this matter without any background or without any other jurisdictions looking at reform of the criminal law.

The fact of the matter is that, in my view, in Australia we have a somewhat bizarre situation with respect to law reform where, apart from, I think South Australia and Tasmania now, at least at one stage every State and the Commonwealth Government had their own law reform commission or committee, and half the time they were doing work that was overlapping. It was really just a monstrous waste of resources. I do not think that there is any point in getting into that trap with the proposal that we have for reforming the criminal law in this case. There is a good basis for it in the Mitchell committee, that is, the areas that have not already been touched. As I pointed out on Tuesday, a considerable number of areas have already been dealt with. Other reports in the common law jurisdictions deal with reform of the criminal law.

In the final analysis, it is a matter for Parliament to decide whether the law should be changed. The process I have set up is one of using Mr Goode's undoubted expertise, his discussion paper, the receipt of comments, perhaps even, if it is felt necessary, the production of a Bill in a draft form, or a report in the form of a White Paper, if it is felt to be necessary, and then, ultimately, legislation. So, there will be ample time for public discussion prior to the final formulation of the recommendations.

The timetable generally is that the discussion papers I have just mentioned have been released, and I would hope

that, by the end of the year, legislation dealing with those matters could be introduced. However, whether or not that will be so will depend on the length of the consultation process. After these issues have been dealt with, other priorities will be set and, as I said, at the moment, Mr Goode is engaged at least until the end of 1991.

In relation to the date of 1 October, obviously the Government would like responses to these matters as soon as possible. It is not that many of the issues that are discussed in the discussion papers have not been around for some time. For instance, the issue of committals has been the subject of seminars interstate, discussion papers and legislation in New South Wales. Reform of the committal system is not a new issue, and I anticipate that there could be some responses within that time. Obviously, if people request further time to consider the issues, that will be granted. As the honourable member mentioned, no specific time was set down by me in the ministerial statement for the receipt of submissions, and I am not sure about where the date of 1 October came from, but obviously we would like a response as soon as possible. It is also important that the discussion process be as complete as possible and, if that cannot be completed by 1 October, obviously we will allow additional time for comment.

The Hon. K.T. GRIFFIN: As a supplementary question: is there not a risk that, because Mr Goode is a full-time consultant with the Attorney-General's office, the process of reform will be compromised, that his proposals to the Attorney-General will not necessarily see the light of day and that the recommendations that are put forward will be governmental rather than being those of any person who is independent of governmental views?

The Hon. C.J. SUMNER: There is no risk in it; this is highly desirable. The honourable member seems to have some quaint notion that the Government is not responsible for presenting Bills to the Parliament for the reform of the law.

The Hon. K.T. Griffin interjecting:

The Hon. C.J. SUMNER: Well, that is the position, and as the representative of the Government I intend to take responsibility for the Bills—

The Hon. K.T. Griffin: You are compromising the law reform process all the way through.

The Hon. C.J. SUMNER: I am not compromising it; that is absolute rubbish.

The Hon. K.T. Griffin: You do.

The Hon. C.J. SUMNER: The honourable member really does not know what he is talking about.

The Hon. K.T. Griffin: You don't.

The Hon. C.J. SUMNER: I certainly do, about the process of getting a change in this area. People are not slow to come forward with their comments. If they disagree with what the Government is doing, they will make their submissions to the Government and, obviously, they will then be entitled to make them public if they wish. I do not say that this will be a confidential process; it will be an open and public process, but in the final analysis—

The Hon. K.T. Griffin: Will you release all the submissions that are made to Mr Goode?

The Hon. C.J. SUMNER: I do not have any problems with that in this particular area, but that will be determined in the consultation process. In the final analysis, the Government will have to make up its mind whether it will present proposals for law reform. In any event, we have done this with the Mitchell committee; we have not accepted all of that committee's recommendations, and those large reports are still available as a basis for continuing reform in this area.

There is no suggestion or risk that the law reform process will be compromised. Indeed, it will be enhanced and speeded up by the process I have outlined of having a person on the payroll of the Attorney-General's Department, such as Mr Goode, who is an acknowledged expert in criminal law and who is concerned principally with this area of law reform. Comments will be made. If people are not happy with the ultimate recommendations that the Government introduces, they can make their views known and, ultimately, members opposite can make their views known.

MINISTERIAL STATEMENT: STIRLING BUSHFIRES

The Hon. C.J. SUMNER (Attorney-General): I seek leave to make a statement.

Leave granted.

The Hon. C.J. SUMNER: Yesterday, in support of a motion to establish a select committee of the Legislative Council in relation to the 1980 Stirling bushfires and the settlements that have been made, the Liberal Party spokesmen, the Hon. K.T. Griffin and the Hon. J.F. Stefani, sought to suggest that there had been an improper, hasty, and secretive process entered into by the Government in order to settle the claims of those who lost property in the bushfires. In concluding his speech, Mr Stefani accused the Government of dishonesty and of buying an election. He also accused the Premier of not disclosing information relevant to the settlement of the claims. None of this is true. The Opposition has chosen to ignore information already on the public record as to the method of settling the claims and the role adopted by the Government at various stages during the lengthy and litigious process. It also appears to have ignored successive decisions of the Supreme Court and the costs that were involved in the litigation. For the benefits of the Opposition and for the public record, I seek leave to table (again) a copy of the report prepared by the investigator appointed by the Minister of Local Government (Hon. Anne Levy).

Leave granted.

The Hon. C.J. SUMNER: This report was tabled in the Legislative Council on Thursday 7 August 1990 and contains at pages 6-10 a brief description of the Government's role in this matter. I commend it to all members to read. I also seek leave to table a letter to the Editor of the *Advertiser* written by the Crown Solicitor (Mr B.M. Selway) on 14 June 1990, which was printed in that paper the following day.

Leave granted.

The Hon. C.J. SUMNER: I urge members to note the concluding paragraph of that letter which deals with the appointment of, and the role adopted by, Mr Mullighan, QC, now a Justice of the Supreme Court of South Australia, in seeking—with the agreement of all parties—to find a solution to the claims being made against the Stirling council. I quote:

> The considerable efforts of Mr Mullighan, QC, enabled this long case to be settled. Previous attempts by the Government to arrange a settlement of the case had been unsuccessful. The settlement reached was commercially sensible and appropriate. This was the advice of Mr Mullighan, QC. I agreed with that advice. The trial judge congratulated the parties on reaching a sensible and appropriate settlement.

I also seek leave to table two letters written to the Minister of Local Government (Hon. Anne Levy) by the then Chairman of the District Council of Stirling (Mr M.J. Pierce). The letters are dated 7 June 1989 and 19 July 1989 following

the appointment of Mr Mullighan, QC, to resolve the claims and other outstanding issues.

Leave granted.

The Hon. C.J. SUMNER: On 7 June 1989, Mr Pierce said:

> At the outset, may I express both my and council's sincere appreciation of particularly your efforts, and those of the State Government, in working with council to achieve a reasonable solution to the assessment of claims in this matter.

And further:

> I am particularly pleased that the matter has now been placed within a framework where an expeditious resolution can be optimistically contemplated. The State Government is most deserving of commendation for fundamentally assisting in this stage being reached.

A few weeks later, on 19 July 1989, Mr Pierce said:

> It is extremely gratifying to observe that substantial progress is finally being made in the bushfire saga. Please accept my personal thanks and those of my council for your considerable efforts which have assisted in this facilitation. I trust that the cooperative spirit that has been engendered can be sustained to the conclusion of this matter.

This puts at odds much of the innuendo and insinuation made yesterday by Messrs Griffin and Stefani. Finally, I seek leave to table the opinions of Mr Mullighan, QC, in relation to the settlement of the claims, and I also seek leave for it to be authorised to be published.

Leave granted.

The Hon. C.J. SUMNER: There are four quite separate opinions dealing with different issues and different litigants. They lay to rest much of the ill-informed and unprofessional comment that was made in the Legislative Council yesterday. In tabling these opinions I might suggest to members of the Opposition and to the media that they be extremely careful in what they say and where they say it.

This dispute has been a long, difficult, costly and time-consuming one for all those involved. Any objective and comprehensive reading of the documents I have tabled would lead to the conclusion that a select committee is unnecessary and the criticism of the Government action is unwarranted. Obviously, when the debate on this matter is resumed next week, there will be a more detailed response from the Government to the matters raised yesterday.

TRYPTOPHAN

The Hon. M.S. FELEPPA: I seek leave to make a brief explanation before asking the Minister of Local Government, representing the Minister of Health in another place, a question on the subject of the drug tryptophan.

Leave granted.

The Hon. M.S. FELEPPA: On 4 April this year, it was reported in the *News* that a health food supplement, tryptophan, which is in tablet form and sold by chemist shops, had been withdrawn from sale in the United States. It was reported that the food supplement was the cause of illness in 1 400 patients in the United States, of whom 19 died. The food supplement has been marketed for 15 years but it is only in the past nine months that links between tryptophan and illness have been discovered.

It has been established, as reported in the *News* of 9 August 1990, that:

> The recent outbreak of a potentially fatal disease linked to the dietary supplement L-tryptophan probably came about from an impurity introduced by a change of production, a report has found.

The article of the same day concluded:

> Doctors tracked down the specific batches responsible and concluded that changes in the way they were made, including less filtering of possible toxic contaminants, were the most likely causes.

Many local chemists have been informed about the problems associated with tryptophan and all items containing the substance have been returned to the supplier for credit. However, since the food supplement, correctly prepared, has been marketed without ill-effect—excepting this one faulty batch—for many years, and since it is still in demand in chemist shops, will the Minister indicate whether he is aware of the problems with tryptophan and, if so, will the Minister consult with his Federal counterpart to have the safety of products containing the substance tested so that it can be returned to the marketplace?

The Hon. ANNE LEVY: I will refer that question to my colleague in another place and bring back a reply. I thought at first that the honourable member was talking about tryptophan, which I always understood to be an essential amino acid, but I gather this is a related although not identical product to that to which he is referring.

COUNTRY RAIL SERVICES

The Hon. I. GILFILLAN: I seek leave to make an explanation before asking the Minister of Local Government, representing the Minister of Transport, a question about Australian National's reduction of country passenger services.

Leave granted.

The Hon. I. GILFILLAN: It has come to my attention that tomorrow may well be the last time the passenger train service to Mount Gambier will run. I remind members that my colleague the Hon. Mike Elliott has raised this issue before in previous questions in this place. Australian National has in recent months undertaken a deliberate campaign of winding down services and facilities on all intrastate passenger services in South Australia.

Australian National is fast appearing to be a transport traitor to South Australia. Not only is the Mount Gambier service poised to disappear from our timetables, but similar methods are being employed on the Whyalla and Broken Hill services. The pattern appears to be the same each time: AN removes food and catering facilities, then begins unpredictable and irregular cancellations, forcing passengers to seek other means of transport which eventually makes the service unable to meet cost recovery requirements imposed by AN.

The Hon. Diana Laidlaw: By the Federal Government.

The Hon. I. GILFILLAN: Yes. Indeed, it is an imposition by the Federal Government but, from discussions I have had with AN, my indication is that it has accepted it willingly. It has shown no sign of resenting this imposition by the Federal Government, so I take them on board as allies in this spurious and totally irresponsible attitude to passenger services in South Australia.

The Hon. CAROLYN PICKLES: On a point of order, the honourable member has put personal comment in his explanation.

The PRESIDENT: I was not listening closely, but I expect the honourable member to monitor what he says. If he is making any personal comment, I would ask him to refrain.

The Hon. I. GILFILLAN: I am sorry that you were not listening, Mr President, but I take the point. The story in Mount Gambier is familiar. The food service on the train was removed, making the long trip to Adelaide uncomfortable for those who did not take their own food with them, and then the service was cancelled on Mondays, the heaviest time of passenger use, allegedly because of track maintenance. Following that, AN began an irregular process of late

cancellation of services, throwing passengers into total confusion and disarray. People were shuttled to and fro on buses, and in one case made the trip to Adelaide by taxi! Now the service appears to be on the verge of being scrapped.

Today's edition of the *Border Watch* carries the banner headline 'End for rail' and states '... The Mount Gambier to Adelaide Blue Lake rail service will effectively cease to operate after tomorrow.' AN has sent an instruction to its managers in Mount Gambier informing them to ask a local bus company to operate the passenger service to Adelaide indefinitely, but it has failed to inform the Australian Railways Union of its plans—and I have had that confirmed by John Crossing of the ARU—

The Hon. Diana Laidlaw: Has it informed the State Government?

The Hon. I. GILFILLAN: That may be well worth asking. It has failed to inform the Australian Railways Union of its plans, something that will directly affect the livelihood of at least 30 rail workers in the State's South-East. Now a similar line of action is taking place on the Whyalla service with the Budd cars, one of which is in such a state of disrepair that it cannot be used on the line.

At the same time AN is removing food services from the train and, in addition, it has allowed the running down of rolling stock to such an extent that on the service to Broken Hill the Bluebirds cannot be guaranteed as operational. Buses have been used on a number of occasions to transport passengers from Broken Hill because of the poor condition of rolling stock, so it seems the intention of AN in South Australia is clear. I ask the Minister:

1. Will he guarantee that passengers travelling between Mount Gambier and Adelaide will not be disadvantaged by the loss of passenger rail services?

2. Does the Minister agree that proper promotion of services, replacement of 40-year-old rolling stock, reliable timetabling and the return of food services would significantly increase passenger demand for intrastate rail, as has occurred in Queensland and Western Australia?

3. Will the Minister make a commitment to the people of South Australia to convene an urgent meeting between all interested groups, including AN, the STA, unions and passenger and political representatives to discuss future services before allowing the cessation of services to go to arbitration?

4. Will the Minister state publicly that, if all attempts fail to keep the Mount Gambier passenger service open, the STA will take control of, and maintain, a passenger service to and from Adelaide to Mount Gambier?

5. In the light of the threats to rail passenger services to Whyalla and Broken Hill, will the Minister, who I assume is aware that both services are simply extensions to the old Pirie and Peterborough services covered under the Transfer Agreement Act, give an undertaking that no more facilities or services be cut until proper consultation has taken place with all interested parties?

The Hon. ANNE LEVY: I will refer those questions to my colleague in another place and bring back a reply.

WESTSIDE BICYCLE PROJECT

The Hon. DIANA LAIDLAW: I seek leave to make a brief explanation before asking the Minister of Local Government, representing the Minister of Transport, a question about the Westside bicycle project.

Leave granted.

The Hon. DIANA LAIDLAW: In May the Minister announced the Westside bicycle project, a $400 000 cycleway from Burbridge Road to Glenelg. In relation to this project, I was interested to note the comments by representatives of the Cyclist Protection Association at a State bicycle seminar late last month. The project was labelled as a waste of money as the proposed cycleway, using a disused railway track, runs parallel to, and simply duplicates, quiet streets that are suitable for bicycle riding both for commuters and recreational cyclists.

Speakers considered the project to be politically motivated and not one that was a high priority for cyclists. It was stated that, by spending big sums of money, the Government wanted to look as if it was doing something for cyclists. A speaker representing the Cyclist Protection Association said, 'The Government is spending big but not wisely.'

During subsequent discussions with representatives of that association, I have ascertained that cyclists want and need action from the Government to address the difficulties that they encounter at major intersections, including pedestrian/cyclist crossings with push button operated lights, plus median strips that act as refuges in the middle of the road. I am advised that none of these issues have been addressed in the plans for the Westside bicycle project, or are under active consideration by the Department of Road Transport for other major intersections in the Adelaide metropolitan area. I ask the Minister:

1. Why has the Government decided to give priority to the $400 000 Westside bicycle project on the grounds of providing greater safety for commuter, local and recreational cyclists, and ignored safety issues identified as a priority by cyclists themselves?

2. Prior to announcing the Westside bicycle project, what consultation was held with the Cyclist Protection Association and representatives of other cyclist organisations in South Australia?

3. Does the Minister consider that cyclists are represented in sufficient numbers on the State Bicycle Committee or that the committee is overburdened with public servants with no practical experience of cycling?

4. If so, what plans, if any, does he have to reconstitute the committee to ensure that the views of cyclists are well representative on the State Bicycle Committee?

The Hon. ANNE LEVY: I will refer that question to my colleague in another place and bring back a reply.

TELEPHONE BOOK

The Hon. L.H. DAVIS: I seek leave to make an explanation before asking the Attorney-General, representing on this day the Minister for the Aged, a question about the telephone book.

Leave granted.

The Hon. L.H. DAVIS: The 1990 telephone book has been recently released. On page 31 there is a heading: Community Help Reference. There is a minefield of information on page 31, including accommodation emergencies, youth, disabled, drug and alcohol problems, family and personal services, health, general information, and so on. However, the print is excruciatingly small and extraordinarily difficult to read. Put in a nutshell, it is an optometrist's dream. Thirteen per cent of South Australia's population is over the age of 65.

The Hon. R.J. Ritson: That is beyond the ability of 45-year-olds.

The Hon. L.H. DAVIS: Right. My colleague the Hon. Dr Ritson, who has squinted trying to read page 31, says that he believes it is beyond the ability even of people over 45

years. Mr President, as you would understand, 13 per cent of South Australia's population is over 65 years of age and page 31 certainly would not be easily read by them. Indeed, it could also be quite confusing. In Vancouver recently I noticed that the Vancouver phone book had an age page, in bold type with helpful information for the ageing population set out in a most easy to follow format.

In South Australia there is a large number of Government agencies—Federal, State, local—religious, charitable and community organisations giving assistance to the ageing. It would seem most sensible to consolidate this information and present it in one page in bold type under the heading: The Age Page. I think that it would be an excellent idea for incorporation into the 1991 phone book, not only in Adelaide but throughout Australia. Would the Attorney-General be happy to see a bipartisan approach to Telecom about whether an age page can be incorporated in future telephone books?

The Hon. C.J. SUMNER: I will refer the question to the responsible Minister and bring back a reply.

NET FISHING

The Hon. M.J. ELLIOTT: I seek leave to make an explanation before asking the Minister of Local Government, today representing the Minister of Fisheries, a question about net fishing.

Leave granted.

The Hon. M.J. ELLIOTT: The Fisheries Department released a marine scale fisheries Green Paper in January this year. One of its recommendations was a review of current netting closures, that is, of areas where net fishing for marine scale fish is currently banned. This move has been met with fierce opposition from groups who believe net fishing, rather than being extended—which appears to be the proposal in the Green Paper—should be banned totally. An action group has been formed comprised of professional and recreational fishing groups, tourism groups and environmental groups.

Netting of marine scale fish is being opposed for three main reasons. Ecologically, it puts great strain on the fish stocks of the area under netting. Net fishermen have the capacity to wipe out entire schools of fish each time the net is cast. In fact, I have had reports of spotter planes being used to find schools of snapper, and an entire school was taken out with one cast of a net.

Nets catch and kill both fingerlings and adults of the target species and any other fish that happen to be in the way of the net. This indiscriminate killing is putting the future viability of many fisheries into doubt. Overfishing is also a problem caused by the use of nets. I have been told that in May, up to 500 kilograms of tommy ruffs were dumped in the Port Lincoln dump. Quite simply, net fishermen had caught more than they could sell so the excess was dumped.

Many fisheries in South Australia are already suffering from over-exploitation and continuing netting could push them beyond any retrievable point. Professional line fishermen argue that they have the ability to be more selective in what they catch, able to discriminate by both species and size to some extent. They argue that, on the grounds of sustainability of the fishery, line fishing is far superior to net fishing. Economically, net fishing is having a detrimental effect on the livelihood of professional line fishermen and in some areas, on tourism.

The volumes of fish able to be caught in nets at times exceed what the market normally bears. The price is then forced down. Because of the sheer volume of fish they are selling, the consequences of lower prices on net fishermen are not as drastic as they are for line fishermen, who on the whole catch less. Section 20 of the Fisheries Act 1982 requires the Minister to have, as an objective, the equitable distribution of the living resources of South Australian waters. By allowing uncontrolled net fishing it is claimed that this obligation is not being fulfilled. Section 20 also requires the Minister, through proper conservation and management measures, to ensure that the living resources of the waters to which the Act applies are not endangered or over-exploited. Evidence on the effects of net fishing would suggest, though, that many fisheries are endangered and being over-exploited.

Recreational fishing is a big tourist draw-card for many areas of South Australia. I have seen statistics prepared by the Eyre Peninsula Tourism Association which found that 57.5 per cent of all visitors to the area gave fishing as the key activity sought. The association is concerned that, if over-exploitation reduces fish stocks in the area, the future livelihood of the tourist industry would be threatened. It is worth noting that tourism is the third largest industry on Eyre Peninsula. It is worth $45 million a year. The total fishing industry, the second largest industry, is worth $70 million. Of course, the bulk of that money comes via tuna and prawns. The marine scale fishery for the whole of the State is worth only $19 million. The tourism industry, which is much larger than the marine scale fishery, is being put at risk.

The EPTA has added its voice to a new lobby group calling for the banning of net fishing. Several large public meetings have been held on Eyre Peninsula, attended by several hundred people, over 90 per cent of whom voted in favour of a ban on net fishing.

The Hon. T.G. Roberts interjecting:

The Hon. M.J. ELLIOTT: We are not hearing that from everybody down there, I can guarantee that. My questions to the Minister are:

1. Is the Minister satisfied that the objectives of section 20 of the Fisheries Act, as referred to by me, are consistent with continued net fishing in the marine scale fishery?

2. Does the Minister concede the ability of net fishing to have a profoundly negative effect on the major tourist industry, to severely threaten some fish species and detrimentally affect the economic well-being of professional line fishermen?

3. What consideration has the Government given to a complete ban on net fishing in South Australia in the marine scale fishery?

The Hon. ANNE LEVY: I will refer that question to my colleague in another place and get the Minister of Tourism to bring back a reply.

ARTS DEPARTMENT

The Hon. DIANA LAIDLAW: My question is to the Minister for the Arts ad relates to the Department for the Arts. Further to a question I asked last week on the arts budget 1990-91 and the material I tabled during my Address in Reply speech, can the Minister confirm advice I have received that all staff within the Department for the Arts have been put through an inquisition in an effort to discover who may have sent sensitive and confidential papers to me anonymously? Officers have complained to me about both the relevance and time spent on the exercise. Also, can she confirm that she required the Director of the department, Mr Amadio, to meet with her at her office at Parliament

House at 1 p.m. last Thursday and that Mr Amadio apparently spent some three hours there?

The Hon. Anne Levy: That I asked him to meet with me at 1 o'clock—

The Hon. DIANA LAIDLAW: The advice that I received is that Mr Amadio attended your office at 1 p.m. last Thursday to discuss the matters raised and that he did not return to his office for some three hours after this meeting with the Minister on these matters.

Members interjecting:

The PRESIDENT: Order! There is too much audible conversation in the Chamber.

The Hon. ANNE LEVY: To answer the last part first, according to my diary I had an appointment with officers of the Department for the Arts at 3.30 in my room last Thursday, which was certainly kept and which had been in my diary for a long time. I obviously was in the House from 2.15 to 3.15, or later than 3.15, and I am not aware of Mr Amadio having been in the building before my appointment.

Members interjecting:

The PRESIDENT: Order!

The Hon. ANNE LEVY: I am certainly not aware of Mr Amadio or any of the other officers having been here prior to the appointment which had been organised a long time before.

Mr Amadio arranged for a Government investigator to undertake an investigation within the Department for the Arts. This is a normal procedure when the stealing of documents has been detected, the implication being that someone has breached their trust as a public servant. As I say, it is normal procedure for the head of a department to have an investigation of such matters.

The Hon. DIANA LAIDLAW: As a supplementary question, has the Minister received the investigator's report, and is she prepared to table it now, or when she receives it?

The Hon. ANNE LEVY: No, I have not received any report. It was not requested by me: it was requested by the head of the department.

The Hon. DIANA LAIDLAW: As a further supplementary question, has the Director of the department received the Chairman—

The Hon. ANNE LEVY: On a point of order, Mr President: you have ruled previously that only one supplementary question is permissible.

The Hon. R.I. Lucas: That is not the case.

The Hon. ANNE LEVY: I did not say 'Standing Orders'. I said, 'You have ruled previously, Mr President, that only one supplementary question can be asked.'

Members interjecting:

The Hon. ANNE LEVY: You can stand up and ask a question.

The PRESIDENT: I consider one supplementary question enough at this stage. If I have ruled that way previously, I am prepared to stand by that ruling.

NATIONAL CRIME AUTHORITY

The Hon. R.I. LUCAS: I believe that the Attorney-General has an answer to questions I asked on 11 April and 9 August this year in relation to the National Crime Authority.

The Hon. C.J. SUMNER: I am now in receipt of information which I sought from the Commonwealth Director of Public Prosecutions regarding charges against Mr Stephen Wright and Mr Clemente Fornarino. The information I have received is as follows.

The prosecution of these persons arose out of a major investigation into serious drug offences by the National Crime Authority. The charges laid against these persons were of more limited scope. Stephen Robert Wright was charged with an offence against section 11 of the Statutory Declarations Act 1959, that he made a false statement in a statutory declaration as a witness to that statutory declaration.

After further consideration of this charge, and prior to the hearing of the matter, the charge was discontinued. This course was taken after determining that the better legal interpretation of the section was that it was directed to false statements by a declarant, and not a witness to a declaration. Accordingly, this charge was inappropriate, and was withdrawn.

Clemente Fornarino was charged in relation to an alleged false statement in a statutory declaration. The charge was against section 5 and section 29B of the Crimes Act 1914. This charge alleged that he was knowingly concerned in an offence by Rocco Sergi of endeavouring to impose upon the Commonwealth by an untrue representation with a view to obtaining a benefit or advantage. Prior to the hearing of the charge the charge was withdrawn as there was insufficient admissible evidence available to establish to the requisite degree that the statement was indeed false. These decisions were made in accordance with the prosecution policy of the Commonwealth.

JUSTICE INFORMATION SYSTEM

The Hon. K.T. GRIFFIN: I understand that the Attorney-General has an answer to a question I asked on 7 August 1990 with respect to the Justice Information System.

The Hon. C.J. SUMNER: In response to the honourable member's question on the Justice Information System, I provide the following details:

1. The Motor Registration Division computer installed at JIS still provides back-up to the main computer, which has not experienced any failures since installation. The changeover was authorised by the Commissioner of Police, who is Chair of the JIS board of management.

2. and 3. I received a report on Monday, 23 July 1990, after the change over on 21 July. There are no delays expected with the implementation of the system, nor will the JIS be responsible for any additional costs. The two computers will be exchanged back to their original locations later this month, with the Motor Registration Division absorbing costs.

ARTS DEPARTMENT

The Hon. DIANA LAIDLAW: I seek leave to make a brief explanation before asking the Minister for the Arts a question about the Department for the Arts.

Leave granted.

The Hon. DIANA LAIDLAW: While I suspect that it is not in my interests to pursue this subject because the documents I have been receiving, and have tabled, have been of benefit to me, and to benefit the public's access to information. Nevertheless, I ask the Minister whether she is aware whether the Director of the Department for the Arts has received the report from the investigators looking at possible leaks within the department. If not, when is it anticipated such a report will be provided, and is it customary in such circumstances to advise Parliament of the contents of such reports?

The Hon. ANNE LEVY: Answering the last part of the question first, I have no idea. I am not aware whether the Director has received any report. I have not had any conversation with him on this or any other matter. I am looking at my diary to try to see when my next appointment is with the Director, but I do not have it in there. I would expect that I will see him next at our normal weekly meeting some time next week.

The Hon. Diana Laidlaw: You will not make a telephone call?

The Hon. ANNE LEVY: I have not made any inquiries. I see no reason to make inquiries of him before my weekly meeting with him.

ENFIELD COUNCIL

The Hon. J.C. IRWIN: I seek leave to make a brief explanation before asking the Minister of Local Government a question about the Enfield council.

Leave granted.

The Hon. J.C. IRWIN: On 26 May this year there was a by-election for a council vacancy in the City of Enfield. The successful candidate may have breached the Local Government Act by using a confidential electoral roll to lobby selected residents. The candidate, who went on to become an elected member, wrote to selected residents as follows:

> Thank you for voting at the council elections held on 5 May 1989. Your vote was important. I request you again register your vote for this ballot.

The candidate, the now councillor, is reported to have said he did not know he was acting illegally. Section 124 (2) of the Act provides in relation to election material:

> Except as provided by other provisions of this Act, voting material will not be available for public inspection.

The matter could have been taken to the Court of Disputed Returns, but the defeated candidate chose not to take that course. The Mayor of Enfield said the breach had given the new councillor an unfair advantage, but it was a mistake and investigating the breach was not council's problem. Section 79 of the Local Government Act provides in regard to conduct of council officers:

> An officer or employee of a council must not use confidential information gained by virtue of the officer's or employee's position as such for the purpose of securing a private benefit for the officer or employee personally or for some other person.
> Penalty: $5 000 or imprisonment one year.

So, I suggest to the Minister that it is council's problem. The questions are:

1. Has she allowed the matter to be swept under the carpet?

2. As Minister responsible for the Local Government Act, what action has she taken to ensure that the City of Enfield faces up to its responsibility under the Act? I mean not a Court of Disputed Returns but the identified breaches of section 79 and its penalties.

3. Where a returning officer is at fault, is the Minister or officers investigating how in a Court of Disputed Returns the council should be the only respondent?

The Hon. ANNE LEVY: I did not quite catch the last part of the question, but this matter was drawn to my attention some time ago. I think that, in the circumstances, it would be best if I took the question on notice and brought back a complete report to the honourable member rather than perhaps giving prejudicial information by recalling facts from some months ago.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.
(Continued from 15 August. Page 308.)

The Hon. PETER DUNN: I thank His Excellency the Governor, Sir Donald Dunstan, for opening the Second Session of the Forty-Seventh Parliament and wish him well in what I understand will be his retirement. He and Lady Dunstan have served South Australia extremely well, and I think that they deserve some enjoyment in their life of retirement. I presume that Sir Donald intends to do that, although he may wish to do something else.

The Hon. Diana Laidlaw: Maybe he'll play more golf.

The Hon. PETER DUNN: Perhaps he will play more golf, which I know he enjoys, and Lady Dunstan may pursue whatever interest she likes. I wish them well in the future, and I will be interested to see who will replace Sir Donald.

Today, I wish to spend a small amount of time talking about primary production in South Australia and what seems to be its future in this State. The predictions made by a number of people are, indeed, very glum. I suggest that, if people on wages and people like us had to take the cuts that it appears South Australian primary producers will undergo during this coming year, we would certainly cry loud and clear.

It is interesting to note that, when I attended the Eyre Peninsula field days earlier this week, there was a marvellous display of primary production and what is available to the primary producer. The field day is a window for primary producers; it is a place where they can view modern technology. This year certainly saw an emphasis being placed on land care and on management on the farm, as well as on businesses relating to primary production. As a consequence, computers become a very important part of farm management and a large number of people displayed these computers.

Normally, that technology is not available to the farmer at his doorstep and quite often is not normally available even in his local town. A field day of this sort is one way of allowing people who have the expertise and the technology to bring it to these areas and to display it to the farmer. For those reasons, I congratulate the people who spend hundreds of voluntary hours in conducting the field day which, I think, is a great advantage to those who want to use that technology.

Unfortunately, the weather was a little inclement and it was very wet and windy. However, rain does only good in South Australia—we rarely get enough of it, which leads me to my next point. The year 1989 was a very good year in South Australia. We had record productions in cereals and wool, and near record production in meat and other commodities. Those results brought an enormous amount of money into this State, and that ultimately raises our standard of living and allows us to live in a manner to which we have become accustomed. However, the future of South Australian primary production is indeed grim and the Australian Bureau of Agricultural Research Economics (ABARE) in Canberra does not predict a very bright future for the coming year.

On a local basis, the State Bank of South Australia employs its own economists, one of whom, Mr Mike Krause, made some predictions for the coming year. If those predictions are correct, we are in for a very lean time in South Australia right across the board. He predicts that only one commodity will perhaps increase in value, and that should introduce a little more money into the State. However, the value of every other commodity seems to be falling. I will cite the

main products that Mr Krause mentions in his report. As a market overview, he says that world wheat prices have decreased by $US47 per tonne since December 1989. When one considers that the value was only about $160 per tonne initially, that is a decrease in value of nearly one-third since December 1989.

This situation has been brought about by the very good production and the excellent season in the Northern Hemisphere. I must admit that I did observe some enormous crops in England when I was there a month or so ago. In fact, one property had a yield of 48 bags to the acre, or nearly 10 tonnes to the hectare, which is unheard of in South Australia. Our production last year was a record, but our average yield was about 1.5 tonnes per hectare. I believe that the enormous quantities of wheat being grown is causing the English and European markets to become awash with wheat. English farmers are growing wheat virtually from Lands End to 30 miles north of Aberdeen, so an enormous amount of wheat is being grown throughout the world.

That wheat is not of very high quality and does not contain very high levels of protein, but it supplements stock feed. Our wheats are not used for that purpose. Traditionally, South Australia has grown very high quality wheats, and it was pleasing to note the emphasis on quality and clean wheats at the Cleve field day. These wheats are easily marketable throughout the world.

I believe that credit must be given to our wheat breeders, particularly Roseworthy Agricultural College and the Waite Agricultural Research Institute for the tremendous job they have done in producing high protein, high quality milling wheats for the South Australian farmer to grow so that he can sell that wheat readily on the world market.

The report by Mike Krause goes on to state that State wool prices will decrease by 32 per cent this coming season due to the lower floor price plan and the higher wool tax. That prediction is very disturbing because, traditionally, wool has been our biggest income earner in this State and, if its value decreases by 32 per cent, or the return to the farmer drops by 32 per cent, many producers will face a dangerous situation as far as viability is concerned. I hope that the rest of the community realises the impact of that drop. I hope also that they do not look upon farmers as whingers because of that 32 per cent decrease. I suggest that, if anyone else had received that sort of salary decrease, it would be considered an outrage. However, it is a fact that the price of wool will decrease by that amount, and I may talk about this topic a little later.

The Australian dollar has had a significant effect on returns to South Australian primary producers and, although this is not a matter over which this State has much control, it does have a bearing. As the Premier, Mr Bannon, is the President of the Australian Labor Party, I would have thought that he had some influence on the Federal Treasurer, Mr Keating. However, I do not know whether anybody has any influence over Treasurer Keating. I think he is somewhat like an Exocet missile; he goes off unrestrained in any direction.

It is interesting to note that, because today the Australian dollar is valued at 78c, it is a bit difficult for our export commodities to be sold on the world market. In fact, it is suggested in this rural report by Mr Krause that the Australian dollar should be valued at about 67c, that is, about 10c or 11c less than it is now. He makes some assumptions about what would happen if the Australian dollar dropped to that level.

The report refers also to Mr Reg French, a well-known agricultural scientist who has been employed by the Department of Agriculture for some time making predictions and forecasts about production in this State. He has been very accurate in his predictions over a number of years. Last year his predictions were very accurate; in fact, they were 98 per cent correct. He predicts this year a drop in production of 20 to 30 per cent—and that is alarming. I know Mr French very well. He boarded with my family for a number of years in his early and formative days when he first joined the Department of Agriculture and I place great store on what he says. If Mr French says there will be a drop, that is likely to be the case—there will be a 20 or 30 per cent drop in average yields throughout the State this year.

This will be brought about by the fact that the State had a very late start to the season, although at this stage it has picked up considerably. We have had some very wet weather which will help the situation come the spring when the land starts to dry off. I hope that we have a good spring so that the State will benefit from the production that may arise from the extra yields that can occur when we have a good season or, at least, a good finish to it. I hope that Mr French is wrong in his prediction because South Australia needs every cent that it can get from primary production, which is still the State's biggest export income earner.

If the Australian dollar stays at 78c, we are likely to see a drop in wool production of about 38 per cent (as against the present drop of 30 per cent) or, in round figures, 40 per cent. If the Australia dollar drops to 70c, the prediction of a drop of about 30 to 32 per cent will be accurate. In real terms, this will mean a drop in income to farmers and wool producers in this State of $50 million. In my opinion, that is a considerable sum of money that the State will forgo if the Australian dollar does not fall to between 67c and 70c.

I wish to table a chart of the estimated change in the State's gross farm income. This is the bottom line. If we add up the figures for the three major fund-producing sections of primary industry—wheat, barley and wool—we see that last year total production amounted to $1.287 million, whereas the estimate for this year, even if the Australian dollar drops to 70c in comparison with the US dollar, will be only $823 million, that is, a drop of over 30 per cent across the board. This chart indicates that wheat will drop from bringing the State $473 million to bringing in $240 million (50 per cent); barley will drop from $200 million to $138 million; and wool will drop from $614 million to $421 million. So, overall there will be a drop of between 30 and 50 per cent in those three commodities. I seek leave to have this chart inserted in *Hansard* without my reading it.

Leave granted.

Estimated change in the State's Gross Farm Income for 1990-91

	Production	Farmer price	Gross Farmer Income	Percentage change from 1989-90
1989-90	$A/$US 0.79			
Wheat	2.7mt	$175/t	$473m	
Barley	1.7mt	$120/t	$200m	
Wool	130m kg	484c/kg	$614m	
		Total	$1.287m	
Estimate 1990-91		$A/$US 0.70		
Wheat	1.6mt	$150/t	$240m	−49%
Barley	1mt	$138/t	$138m	−31%
Wool	123m kg	342c/kg	$421m	−31%
		Total	$823m	−38%

The Hon. PETER DUNN: I will go quickly through some of the other commodities, having dealt with wool and wheat. The situation with barley is interesting because it might increase in value slightly this year. The estimated improvement of $18 per tonne is one bright hope on the horizon.

If it increases in value slightly it will offset some of the losses in production of many of the wheatgrowers, because most wheatgrowers in this State grow a little barley as well.

It is estimated that the income from dairy production will reduce by 10 or 15 per cent, and in the spring a slight easing in the price of beef cattle is expected. They are two of the major products. As far as the citrus industry is concerned, it has been commented that the price of fresh fruit at the present stage of the season is poorer than expected. I now turn to one of the staple commodities, the potato. It has been said that the price of potatoes is at a lower level than 1989. So, all in all, primary production in this State has dropped alarmingly by a minimum of 30 per cent and, in some commodities, by as much as 50 per cent. This will have a marked effect on the income of the State.

The Premier has predicted that the income of farmers will be lower, but I think his predictions are based on other matters and the drop in income will not be effected in this State until late in the year. A drop in income in primary industry will bring about a weaker rural community. We have seen an enormous weakening in the rural community over the past few years, and it has reached the stage where the Government appears to want to withdraw what are considered to be essential services in the country, such as education, transport and health services. About 18 months to two years ago, we saw an attempt to downgrade some health services, particularly in Laura, Blyth and Tailem Bend. However, those communities rallied and demonstrated a need for basic health services. The Government bowed to that pressure and the hospitals were retained in those towns.

However, in 1990 another effort was made to downgrade the Elliston hospital, which is situated in a smaller or more remote area. Already the Elliston hospital is suffering from the fact that it is sharing a Director of Nursing. It has also been suggested that it should share its Executive Officer and that its budget is far too high and should be reduced. The present budget of the Elliston hospital is about $711 000. If that figure were divided by the 1 300 or 1 400 residents in that area, the budget would average out to about $700 per head.

However, the Health Commission has suggested that perhaps $320 per head is sufficient to supply medical services to the people in that area. That is a dramatic decrease, equivalent to the decrease in the income of primary producers. However, if that sort of money were withdrawn, it would mean that there would not be a health service of any sort in the area. At $320 per person, there would be a total income of $400 000 with which to run the hospital. Even the smallest hospital in this State, and Elliston is one of the smallest, needs about $750 000 a year to be able to operate, using a minimal staff of one or two registered nurses, a couple of enrolled nurses and other ancillary staff. If funding is reduced by the degree suggested by the Health Commission, there will not be a hospital.

It is unfortunate that the Health Commission has chosen the Elliston hospital because it is the most remote hospital in the State. It is probably 100 miles or 130 kilometres to the Streaky Bay hospital and the Cummins hospital, and about 170 kilometres to the Port Lincoln hospital, which is a regional hospital. I will speak more about regional hospitals later. I am disappointed that the Health Commission has chosen to make an example of the Elliston hospital because it is the least able to defend itself. I guess that is why it has been picked. These people need more assistance than people in the city because they do not have the facilities that are available in the city.

There is an ambulance system but it is slower to react, purely because of distance. Therefore, there needs to be intervention when an accident or something similar happens. Medical help is really necessary within an hour. If Elliston loses its hospital, it will take from two to five hours because the roads in the area are not in good condition. The Central Eyre Hospital, which is based in Wudinna, is the closest to Elliston but, at the moment, the road is not even open because it is so wet that it has become impassable. These problems are not envisaged by people who live in the city.

An excellent service is provided by the Flying Doctor and the St John Ambulance, but there are restrictions on that. The airstrip at Elliston is 10 miles out of town. In addition, it is a unidirectional runway (it has only one runway), and it does not have pilot activated lighting. If there is a night evacuation, flares must be used, and that is not always suitable. It is adequate but it could be better. It could also be closer to the town and have a cross-strip to enable more efficient and quicker evacuations when necessary. Elliston has a number of evacuations mainly because of the large number of abalone divers in the area. On occasions, abalone divers suffer from the bends and have to be evacuated quickly.

The Health Commission has been derelict in its provision of services to the Elliston people. It is a popular fishing spot for Whyalla and Adelaide people. It has a sheltered bay and is popular with people with young families, so there are problems with children. I suggest that it is necessary to have a hospital at Elliston. Another important factor is that Elliston has a doctor who is willing, and wants, to stay in the area. That doctor is skilled in all the requirements of remote hospital work and he is very much admired by the local community. While he stays, I believe that the Health Commission should do everything in its power to provide the hospital and the community with the infrastructure that is required for a good health service.

The Health Commission has indicated to a number of hospitals on Eyre Peninsula that they ought to share Executive Officers and Directors of Nursing. I understand that hospitals in the Murray-Mallee share Executive Officers and that they are shared between the Port Lincoln and Cummins hospitals. I can understand it, but I do not believe that it is in the best interests of the hospitals. However, the sharing of Directors of Nursing is another matter, and I do not believe that it is acceptable under any terms. The Director of Nursing—the Matron—is crucial to the running of a hospital, particularly when an accident has occurred and a number of people are admitted at once. I ask members to picture what is happening on Eyre Peninsula.

The Elliston hospital shares its Director of Nursing with the Central Eyre Hospital at Wudinna. The distance between the towns is a little over 130 kilometres of dirt road. The Director of Nursing travels between the two centres during her official hours on duty and spends more than 60 per cent of her time travelling. The hospital at Wudinna is on Highway 1 and it is reasonable to assume that the Director of Nursing is required there when a large number of people travelling in a bus, for example, are involved in an accident on that highway. An alternative sealed highway runs through Elliston from Port Lincoln to Ceduna, and the Director is often required there because of road accidents. The doctor needs her assistance, particularly when an accident occurs. I suggest that the sharing of Directors of Nursing under those conditions is not acceptable and I ask the Health Commission to make every effort to make funds and personnel available to fill those positions.

A lot has been said recently about the politics of attracting doctors to country areas and a seminar on that subject will be run in September. It is just like any other commodity. It can be provided, and provided rapidly, if people really want it to happen. Since the mid-1950s, when there was a change in the education system of doctors, it has been harder to attract doctors to country areas. Medicine has become more specialised and doctors are unsure of their ability to provide a service in country areas, where just about everything happens.

Above all, incentives must be provided because living in the country is different. In many cases, the doctor's wife does not want to go to the country and, if they have children of secondary school age, they prefer to be in the city where they have access to the best schools, although the schooling in many country areas is quite good. It may be that the Health Commission has to pay a little more for the services that doctors provide in country areas. After all, the State Transport Authority, which country people use very rarely, runs at a big loss.

So, the $150 million that poured down the drain for the STA has little effect on country people, who would like to reap just a little of that loss for their hospitals, above all else. Perhaps the system of bonding could be reintroduced. We saw that in the education system some years ago. If someone is given an education early in his career and is bonded by the Health Commission to work for two, three or four years in the country, maybe that would encourage people to come to the country. Perhaps there ought to be more relief for doctors in the country.

One of the problems I hear when talking to doctors is that they cannot get away for a good holiday, either because it is so expensive to get someone else in or because there is no-one available to come and take over. Perhaps there needs to be a relief. I hope that the Health Commission addresses that point. The Health Commission talks a lot about it, but I have never seen it actually come up with any positive steps to offset the lack of those people in the country.

Perhaps the universities could assist by tailoring courses a little more towards people who are going into the country, who have to deal with those things that happen during accidents. If we go back to WorkCover for a second, we will see that the rates for WorkCover in the country have gone up alarmingly, because there are more accidents in the country. People are doing things with big machinery; you are lifting and carrying; you are travelling; and all the things that happen out in the country are very different from sitting in an office pushing a pen or using a typewriter, so there will always be a greater risk of accidents.

Doctors in the country, therefore, need to be trained to handle those situations. For instance, they need to be able to handle resuscitation and trauma, and of course they need to be able to handle obstetrics. This crazy situation which has occurred where the Health Commission seems to want doctors who do not deliver more than 30 children a year to be deregistered is just plain silly.

Mothers want to have their babies in country areas. There may be a higher risk, but there is a higher risk in anything you do in the country. If you live on a station in the outback the risks are higher, but most people go there knowing that. The people in the Elliston area do not. They have been there for many years: they have had a health service, and to have it withdrawn is not acceptable to them or to me. I ask the Health Commission to address that problem to ensure that funds are kept up for the Elliston hospital.

Yesterday I was informed that the budget has been approved for a maximum amount, although it was implied that it may be cut at the end of the year. I find that very difficult to understand. How can people budget on that basis when they are told that a certain sum is their maximum budget, there is no increase on last year and there appears to be no increase for the cost of living index? They are told that it cannot be increased—although it can be decreased. I have no doubt that those people will work within those limits and within that budget, and will make it work pretty well. I know the people who live in the area and I know that they have a great resolve to keep the fabric of their community alive and well.

The other thing that is disturbing is the fact that some schools are closing. I can understand why they are closing—the numbers are just not there. We see the decision to close at the end of this year a small school on Lower Eyre Peninsula called Mount Hill, and there was the suggestion that the Wharminda school would close. That school has 21 children, a number which is estimated to rise to 29 by the end of the year. I believe that there has been a review of the Wharminda school, and that it will possibly remain open under those conditions.

However, it suggests that there is something wrong with our State when we have all these facilities—the schools and the capital expenditure—yet we have to close the schools because the salaries of teachers are very high. I note that the teachers are endeavouring to raise them even higher. Perhaps State Governments will have to look at decentralising. I have brought this up in most of the Address in Reply speeches that I have made.

I think that we ought to be endeavouring to get some people into the country, so that what is provided there is not as expensive on a *per capita* basis. We have schools with large capital outlays that are not full, for instance, in Port Lincoln, Whyalla, area schools in Kimba, Wudinna, Cleve and Cowell and other places on Eyre Peninsula, let alone those further north in Coober Pedy, Woomera and so on.

I suggest that industries and agencies could be shifted to those areas. The prime example, in my opinion, is the rather foolish decision of the Fisheries Department to put its marine research laboratory in Adelaide. For the life of me, I cannot understand why that has happened. I asked the department why it chose West Beach for the marine laboratory, and the answer was 'It is closer to the universities where a considerable amount of the research work is done.' But that does not seem to occur in other countries.

Other countries put their marine research laboratories or other laboratories where the product is being caught or manufactured. I suggest that this marine research laboratory should have gone to Port Lincoln, because that is the biggest fishing village in Australia. It is the area where most of the fish in this State are caught, and I should have thought that it would be an excellent place for the marine research laboratory.

A number of people could have gone there; their children could have gone to school there, and they could have assisted in all the things a town of that size needs. It can provide a lot of the facilities such as health and schooling, although transport is a little different. Port Lincoln is a long way by road although not that far by air, and it is a very pleasant place in which to live. The decision to site the marine research laboratory at West Beach is a foolish one, and I do not think the Government thought about shifting it to Port Lincoln, although it should have done.

Other things could be shifted away from the city. We are the most urban State in the Commonwealth: we have more people in the city and fewer in the country than any other State and, because of that, we tend to suffer. It might be thought that it is cheaper to provide facilities in this city,

but when I look at the STA and at some of the other provisions, I really wonder. I wonder, particularly, when we look at lifestyle. I suggest that some of the larger country towns have an excellent lifestyle and provide a marvellous area in which to live, to raise children and, perhaps, to spend one's retirement.

The Government has a few things to sort out shortly. It has to look after health in the country areas; it has to be aware that country people should not be dismissed, because they are the biggest generators of wealth and they have raised the standard of living for all the citizens of this State, more so than 90 per cent of the people in this city. Yet, they are paid scant regard when it comes to requiring the basic essentials for a good, alive community.

I warn the Government that there will be a very low income from primary production this year unless there is a dramatic change in the weather patterns in order to obtain a reasonable production again this year. After a record production last year, there will naturally be a drop, but I think that the drop this year will be greater than ever, due to overseas forces over which we have very little control, such as good seasons in the northern hemisphere and a drop in our production.

That is not to mention the Iraq situation at the moment. If that develops any further we could find ourselves in a very difficult situation, particularly as the Federal Government has failed to honour its promise to ensure the grain that is going into that country. It appears that wheat growers will receive only about 80 per cent of the income that they would normally expect to derive from normal sales to that country. So, the State is going to lose on income and everyone's standard of living will drop a little. I suggest that the Government ought to be aware of that and with that in mind should not be so harsh on those people who are trying to generate income and wealth for this State.

The Hon. K.T. GRIFFIN: I support the motion on the Address in Reply and I thank the Governor for the speech with which he opened this session of Parliament. I confirm my loyalty to Her Majesty the Queen and want to place on record my appreciation, along with other members, of the service which has been given to South Australia by the Governor, Sir Donald Dunstan, and Lady Dunstan, during their period of service in that office in South Australia.

They have undertaken their task with style, dignity and sensitivity. They have been warmly appreciated by all South Australians they have met and on their retirement they will be missed by many South Australians. I want to extend, as other members have, my best wishes to them both on their retirement from Government House.

On this particular occasion, I want to address two issues. The first is one that I have addressed in the Address in Reply debate on previous occasions, and that is the issue of companies and securities. This has been a long saga; it still has some distance to go, and as yet it is by no means through the maze of legalities which have been addressed by Ministers and which ultimately will have to run the gauntlet of action in this and other Parliaments throughout the nation.

I have said on previous occasions, and I will repeat again, that the Commonwealth really started the run on the National Companies and Securities Commission and on the cooperative scheme. We saw Mr Bowen, the then Attorney-General federally, take unilateral and precipitant action to legislate to take over the whole area of the law relating to companies and securities. He did it without consultation; he did it in a mood of confrontation, in a way which was designed to ensure that the Commonwealth had absolute control, not just in relation to the regulation of companies and securities, but also in relation to the many social questions which could be affected by having that control.

I think not too many people realised that, for the Commonwealth to have that power, it would give it much wider responsibilities and opportunities in the Australian community than just dealing with companies and securities. It had the potential to compel companies to comply in certain environmental matters which might have been promulgated at the Commonwealth level but not necessarily attractive at the State level. It could legislate and compel companies to comply with social standards, standards which would ordinarily be outside the power of the Commonwealth to effect. The power, if it got into the hands of the Commonwealth, would be wide ranging.

So, Mr Bowen acted precipitately and confronted the States with a *fait accompli*. However, the High Court, to its credit, found that the Commonwealth on the issue of incorporation did not have the necessary constitutional power. As the Attorney-General said in answer to a question which I raised last week, that, in itself, brought the Commonwealth back to the negotiating table. However, the need for negotiation was really precipitated by the Commonwealth, because the Commonwealth, in the years since the National Companies and Securities Commission and the cooperative scheme was established, some 10 years ago, has starved the NCSC of funds, even though the States on a number of occasions were prepared to increase their own contributions to the commission.

I think the National Companies and Securities Commission had a budget of $7 million. The Commonwealth contributed half of that. Mr Hartnell, the former Commonwealth public servant, who is now the Chairman of the Australian Securities Commission and the National Companies and Securities Commission, an advocate for the Commonwealth position and a clear intruder in the public arena into policy matters, recently called for an increase in Commonwealth funding to enable both commissions to be able to undertake necessary investigations and subsequent prosecutions for alleged breaches of company law.

It is also interesting to note that the Commonwealth was only too willing to provide a very substantial budget to Mr Hartnell and the Australian Securities Commission running into hundreds of millions of dollars in the first year, and it allowed it to establish quite luxurious office accommodation in Sydney, which was in contrast to the rather modest and shoestring budget of the National Companies and Securities Commission.

It was the Commonwealth that would not cooperate in other ways with the cooperative scheme. It denigrated the scheme, it undermined it, it promoted the view that overseas governments and companies were discontented with the Australian system of regulation, and distorted the view of overseas commerce and industry for the purposes of winning the local public debate on who should control this area of the law. I have made it clear, and the Attorney-General has too, that, in principle, there was nothing wrong with the cooperative scheme. There may have been a need for some finetuning of it. In terms of law, it was uniform throughout Australia. Its administration, through the policy directions of the NCSC, was, generally speaking, uniform, but there were minor hiccups which could have been easily addressed had the Commonwealth entered into the negotiations in a spirit of goodwill rather than with a desire to take it over.

We are now confronted, of course, with a new scheme. It is interesting to note that, from the public discussion of the new scheme and the answer that the Attorney-General

gave to me last week in answer to a question, the mechanism which the Ministers proposed to adopt to bring this new scheme into operation is exactly the same mechanism as applies to the cooperative scheme: that is, Federal, State and Northern Territory legislation with, subsequently, the Commonwealth legislating, and that law being automatically triggered to come into operation in the States as State law.

So, it rather puzzles me that the Commonwealth, instead of doing what it sought to do with its legislation and the unilateral takeover of the law relating to companies and securities, has now backed off in favour of what is in effect a cooperative scheme. However, in the context of that cooperative scheme, power has been ceded by the States and the Northern Territory to the Commonwealth so that ultimately, regardless of the peripheral issues of a ministerial council and the rights attaching to that, the Commonwealth controls a substantial body of the law affecting the companies, securities and futures industry in Australia.

Last week I raised with the Attorney-General a question in relation to the way in which the new scheme was to operate and when it was likely to come into operation. I indicated that, while some of the proceedings have been dribbled out into the public arena, it was my view that not all the issues addressed by the Ministers had yet seen the light of day. The Attorney-General responded last week, on 8 August, as follows:

> The details have been made public. Certainly, I have spoken about them publicly. If the honourable member wants details of it, I am happy to provide him with them as regards the speeches that I have made about it.

Later in the course of his reply he stated:

> The heads of agreement were drawn up at that meeting and were agreed to by all Ministers present.

He refers to the meeting held in Alice Springs about five or six weeks ago. The Attorney-General went on to state:

> However, of course, those heads of agreement will have to be ratified by the individual State Cabinets, and then legislation and another formal agreement will have to be drafted, because it was crucial—as, indeed, it was crucial to my proposal in November 1988—that the current legislative device that underpins the cooperative scheme should continue so that there will be no continuing constitutional uncertainty about this area in future. The cooperative scheme legislative device, which means that the Commonwealth legislation passed through the ACT is picked up automatically in the States, has stood the test of time during the past 10 years and, therefore, seems beyond constitution challenge.

Prior to that, and before this session of Parliament commenced, I wrote to the Attorney-General seeking the appropriate documentation relating to the heads of agreement, but the response that I received was that I was not permitted to have the heads of agreement and that they were in fact confidential. I am not aware that anywhere in Australia those heads of agreement have been made public, and it seems that they form the basis for the compromise that has been reached and ought to be made available publicly. I have been led to believe that there are a lot more things in the heads of agreement than have currently been released, and it is important that we see them.

The law relating to companies, securities and futures has an impact on most Australians either directly or indirectly, and radical changes ought to be out in the public arena for consideration. Radical changes such as are in the Commonwealth and States' arrangement negotiated in Alice Springs must be considered at an early stage by the public. That requires, in my view, a copy of those heads of agreement to be made available publicly. The Attorney-General said that Governments have to ratify the heads of agreement and enter into a comprehensive formal agreement before legislation comes into all Parliaments. I submit that that should not prevent the release of those heads of agreement for public consideration now.

The Attorney-General also stated that Parliament may have to sit late in December to pass legislation. It is unrealistic for the Attorney-General to believe that this legislation can just crash through Parliament without proper scrutiny and without adequate time to consider it and to consider all issues which might impinge upon it in order to ensure proper consultation with all those likely to be affected by such legislation—business and professional communities in particular. The Bannon Government is a minority Government. It cannot guarantee that any legislation will get through. I have indicated, in relation to the companies and securities legislation, that we will certainly give no guarantees of support for it. For the Democrats it is a matter of concern upon which, fortunately, they have kept an open mind.

It is deplorable that the public, in my view, in the context of that important change in the law, should now be denied access to agreements by Ministers. The heads of agreement are secret and confidential. I cannot understand why they cannot be released publicly. One can only suspect that they contain something sensitive or of a controversial nature and that they should be kept from the public for as long as possible in order to minimise debate arising from them.

The form which the companies and securities law is likely to take, after the Parliaments of Australia and the States have considered it leads, me to the next issue, namely, the restructuring of Commonwealth and State powers as proposed for consideration by the Prime Minister several weeks ago. It is relevant to that because we have a precedent for what the Prime Minister is possibly proposing, that is, unilateral action by the Commonwealth to restructure those powers. So far as the Federal Constitution is concerned, it cannot be done without a referendum. We know that referenda largely fail to gain popular support or the support of a sufficient number of States.

The fact is that Mr Bowen, the then Federal Attorney-General, in relation to companies and securities, sought unilaterally to alter the relationship between the States and the Commonwealth. If that is an indication of how it is to proceed on the basis of Mr Hawke's recent announcement, I do not see much likelihood of success in restructuring Commonwealth and State powers. The Prime Minister's statement, if genuine, reflected a major about-face for the present Commonwealth Government. One can only speculate that he was seeking to defuse some other issue that prompted him to make a statement which was touted as being a major constitutional statement but which in the end was something of a fizzer. He is pretty good at grand statements but, when one comes to examine the content, one can see that they are largely superficial and waffle.

When the Commonwealth does act one sees, generally speaking, that it is more inclined to assume power than to yield power; that it is more inclined to impose even greater burdens upon the States than relieve the States of financial burdens in particular; and that it is reluctant to take the sort of medicine itself that it prescribes for the States in relation to both income and expenditure. The Prime Minister has proposed that there will be a special Premiers Conference in October this year to try to address some of the issues of constitutional restructuring.

The Prime Minister has identified a couple of areas where maybe some administrative changes can be made to clarify the responsibility of the States *vis-a-vis* the Commonwealth. However, I would suggest that, unless he comes to that conference with a genuine intention of proposing change which is two way rather than one way, we will not see much significant advance on administrative change between the States and the Commonwealth. He has promised also a constitutional convention next year to celebrate the cente-

nary of the commencement of constitutional conventions leading to Federation in 1901. That all sounds a bit gimmicky; one can only speculate as to what might be achieved at a one-off constitutional convention of this sort.

The Prime Minister gave no details as to how it was to be constituted, whether it was to be hand-picked by the Commonwealth, or whether it was to be truly representative of the States, the Territories, and the Commonwealth, as well as local government. He gave no indication as to the agenda. He gave no indication as to who was to do the preparatory work in developing whatever papers there may be for that, except, of course, that he put a former Governor-General in charge of a committee to have some responsibility for the planning.

I think one needs to reflect that in 1986, after constitutional conventions had been revived in the late 1970s and during the early 1980s, the Commonwealth Government withdrew from those constitutional conventions which were an important forum for debate on issues of constitutional change. He pulled out of it; other States withdrew. To his credit, the Premier of Victoria, Mr Cain, wished to continue with discussions at such constitutional conventions, but the Commonwealth and several States, including South Australia, withdrew from that forum. I think one needs to recognise that those constitutional conventions comprised representatives elected by the people and chosen by the Parliaments of the States, the Commonwealth and the Territories, with elected representatives from local government. So, the people who were there had some appreciation of the political realities of constitutional reform.

Instead of that representative body, the Prime Minister established his own Constitutional Commission, providing it with a generous budget—I think it was about $10 million. It was directed to provide a format for reform of the Australian Constitution for the bicentennial year, and it comprised persons all picked by the Commonwealth, all unrepresentative, who did not necessarily have any sensitivity to the political issues as well as the legal and constitutional issues which had to be addressed. We saw a wealth of discussion papers and reports come from that Constitutional Commission, but nothing which so far has been the subject of even minor constitutional change. I think it was a waste of money. It was a grandstanding effort by the Prime Minister, and it did not achieve any genuine move towards changes in the Australian constitution or in the realtionships between the States and the Commonwealth.

The other point I want to make about this is that there has been a trend over the years for more and more power to be accumulated by Canberra at the expense of the States. Such a statement might attract the criticism that being a State member of Parliament I am jealously seeking to guard the powers of the State, and one might be forgiven for reaching that conclusion, because there is some element of truth in that.

In addition to that, I would like to suggest that the States are closer to the action. The Commonwealth Government operates through its policy-making bureaucrats essentially based in Canberra. It is, like all national capitals which have been developed as national capitals, somewhat divorced from the real world. One only has to experience the atmosphere when one goes to Canberra for conferences to understand that the members of Parliament on all sides of politics do seem to lose some sense of reality when they get to the rarified atmosphere of Canberra.

But it is even more important for States such as South Australia, Western Australia, Tasmania and Queensland because the bulk of the power in Canberra is exercised by those bureaucrats and those members of Parliament who come from the two most populous States on the eastern seaboard, New South Wales and Victoria. They have the political clout. It is in those States that Governments are won or lost. Quite naturally, a greater deal of political emphasis is placed on the activities of Governments and in those States and the Commonwealth Government. Notwithstanding that, one has to recognise that over the years the States by and large have been much more efficient in providing services such as health, education and housing and that it has not needed the large bureaucracy which has developed in Canberra in those areas in particular to improve the service.

In fact, what has happened is that a significant amount of bureaucratic red tape has developed as a result of the Commonwealth wishing to have a very heavy hand in what happens in the administration of health, education and housing services in the States. So, there is a large amount of duplication there which could be avoided by the Commonwealth dismantling a very significant amount of its service delivery structure and its monitoring structure in favour of the States.

In the area of education, one needs only to reflect back a year or so when the capital grants and recurrent grants structure for grants to independent schools was very largely administered at the Commonwealth level. Now there has been some relaxation of the bureaucracy, but until recently the Commonwealth had to approve every grant and receive periodic reports monitoring the projects on which Commonwealth funds were being expended by independent schools. There was something of a stranglehold on the Administration which, in my view, could have been better handled at the State level, with the Commonwealth relaxing the hold which it had over both the States and the independent school system so far as funding was concerned.

That is one area; health is another; and housing is another. I refer even to mines and energy, where there is now significant bureaucracy in Canberra, when very largely the work on the ground could effectively be done at State level. We have seen also a greater move towards tied grants. This is, of course, related to those areas that I have just addressed, where the Commonwealth sets out not just the parameters for the grants but also the administrative and accountability requirements, not to the States but to the Commonwealth. Of course, when the tied grants cease to be tied grants, out of the generosity of their hearts the Canberra bureaucrats remove the ties. They become absorbed in the general purpose allocations to the States, and the States are placed under even greater pressure to provide the service and to do so without commensurate financial reimbursement by the Commonwealth.

So, the States are being screwed down more and more by the Commonwealth and, if Mr Hawke is serious about his proposal for restructuring of at least administration between the States and the Commonwealth, he has to realise that it is a two-way project and not, as it has been until very recently, a Commonwealth dominated agenda. It must not be window dressing. It must reflect the true spirit of federalism and not be an undercover activity seeking to impose even more centralism. It should give to the administrative bodies closest to the people greater responsibility to administer schemes, to make policy decisions, to apply funds as they believe it is important to apply them in providing services, and, of course, to ensure adequate accountability by the States.

The Opposition has indicated that it is prepared to participate in a genuine consideration of some restructuring, but so far we are very much in the dark as to what is to be proposed and who is setting the agenda both for the Pre-

miers Conference and for the Centenary Constitutional Convention. My only hope is that it will not, as I say, be Commonwealth dominated.

Of course, any process of constitutional change is gradual and must be ongoing. Whilst there may be criticisms of past efforts at getting constitutional change, one has to accept that any constitutional change must be a gradual process. Whilst there may be controversy, that controversy has to be kept to a minimum. In the context of our Federal Constitution, there must be real emphasis upon the federal nature of our system and not a move, which so many people find to be suspicious, of power to Canberra. With those remarks, I support the motion.

The Hon. C.J. SUMNER (Attorney-General): I thank members for their contribution to this debate and seek leave to conclude my remarks later.

Leave granted; debate adjourned.

FENCES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 7 August. Page 36.)

The Hon. K.T. GRIFFIN: The Opposition supports this Bill, which was introduced in the closing stages of the previous session, so there was inadequate time to deal with it. It is a relatively straightforward Bill which seeks to bring into line the jurisdictional limits of the Fences Act with those of the Local and District Criminal Court. Those limits are currently out of line, but this Bill brings them back into line, and that is an appropriate change.

This Bill also picks up a proposal that, where there is an appeal against an order made under the Fencing Act, the appeal judge is able to make any variation in the amount of the award to take into consideration any increase in the cost of the particular fence over the period of the appeal until the work is undertaken. Again, that is quite a sensible and flexible approach. The Opposition has no difficulty with that or the other provision and supports the second reading.

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

CENTRE HALL DOORS

The House of Assembly intimated that it had passed a resolution that it was still of the view that the Centre Hall doors should be opened to the voters and taxpayers of South Australia as soon as practicable in order that visiting members of the public could come into their building through the major entrance, which was incorporated in the original design, and that, for security purposes, the two Houses should jointly cooperate in staffing the Centre Hall using existing resources.

ADJOURNMENT

At 4.33 p.m. the Council adjourned until Tuesday 21 August at 2.15 p.m.