LEGISLATIVE COUNCIL

Thursday 23 August 1990

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

PETITION: ASH WEDNESDAY BUSHFIRES

A petition signed by 912 residents of South Australia concerning the events leading up to and after the Ash Wednesday bushfires of 1980 and praying that the Council establish a select committee to inquire into matters relating to the 1980 Ash Wednesday bushfires was presented by the Hon. R.I. Lucas.

Petition received.

PETITIONS: SELF-DEFENCE

Petitions signed by 4 243 residents of South Australia concerning the right of citizens to defend themselves on their own property, and praying that the Council 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 and Diana Laidlaw.

Petitions received.

PETITION: FREEDOM OF INFORMATION BILL

A petition signed by 23 residents of South Australia concerning the Freedom of Information Bill and praying that the Council amend it so that the release of documents under this Bill are retrospective and are not limited to the date of the commencement of the Freedom of Information Act was presented by the Hon. K.T. Griffin.

Petition received.

PAPERS TABLED

The following papers were laid on the table:

By the Attorney-General (Hon. C.J. Sumner)—

South Australian Government Financing Authority—Report, 1989-90.

Remuneration Tribunal: Reports Relating to Determinations No. 2 and 3 of 1990.

QUESTIONS

GAMBLING

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation before asking the Attorney-General a question about Government responsibility in relation to gambling.

Leave granted.

The Hon. K.T. GRIFFIN: Today's *Advertiser* carries a story on a report published by the Australian Institute of Criminology. The report by the senior criminologist at the institute, Dr Paul Wilson, says:

> Australian Governments have failed in their social responsibilities and have given limited consideration to treatment programs and counselling services for compulsive gamblers.

The story in the *Advertiser* draws attention to the extent of illegal as well as legal gambling and the increase across Australia of illegal gambling. Referring to Dr Wilson's views, the report says:

> Greater control also was needed to reduce the social casualties caused by compulsive gambling. He is advocating stricter legislation to reduce illegal gambling, such as starting price (SP) bookmaking and illegal gambling houses . . .
>
> In the report Dr Wilson says the need for regular and routine monitoring of gambling is critical, both to eradicate gambling organised and monopolised by criminals and to reduce the social casualties that arise.

The Government's decision to press for video poker machines in the casino is, I think everyone would acknowledge, a rather startling new direction for gambling in South Australia, and I will have more to say on that when debating the motion to disallow the regulations. However, it does not appear that that Government's decision resulted from any desire to reduce the social casualties of gambling and does not appear to have been the product of any Government research into the effects of gambling on the community.

In 1983, when dealing with the Casino Bill, the Government promised research on the effects of gambling but that commitment has not been honoured and little, if any, support is given to meeting the social consequences of gambling by a Government which is deriving revenue in excess of $100 million a year from operations such as the casino, the Lotteries Commission, and the TAB.

At the time of the debate on the prospect of establishing a casino, the parliamentary select committee also expressed concern about the vulnerability of some patrons to compulsive gambling and it, too, recommended support for a national inquiry into the social and economic consequences of gambling. It recommended that if that inquiry did not proceed then action ought to be taken by the Treasurer, Mr Bannon, and the Minister of Community Welfare. My questions to the Attorney-General are:

1. In the light of the report of the Institute of Criminology drawing attention to the problems associated with gambling, and in the light of the proposal to increase the range of gambling opportunities in the casino, will the Attorney-General say when the Government will honour its 1983 promise, or will it remain a broken promise?

2. What support, if any, does the Government propose to deal with the social consequences of gambling in South Australia?

The Hon. C.J. SUMNER: I will examine the matters to which the honourable member has referred and, in particular, examine whether or not there was a firm commitment from the Government to research the effects of gambling on the community and, having done that, will reply to the honourable member. I would imagine that this is a matter that will need to be examined by the Premier and possibly the Deputy Premier as Minister of Health and, accordingly, I will refer the questions to them to assess the extent of the Government's commitments in this area and provide a response to the honourable member's second question.

ROAD USE CHARGES

The Hon. DIANA LAIDLAW: I seek leave to make an explanation before asking the Minister of Local Government, representing the Minister of Transport, a question about the report on road use charges.

Leave granted.

The Hon. DIANA LAIDLAW: Road transport companies in South Australia, their representative organisations, plus the RAA have all forecast diabolical economic consequences for South Australian consumers, motorists, transport operators and our economy at large if the Hawke Government

insists upon implementing the recommendations of the interstate commission report released in May entitled 'Road Use Charges and Vehicle Registrations—a National Scheme'. The report aims to achieve a national registration and road use charging scheme, based on the 'user pays' principle by:

1. abolishing a State's right to levy registration fees and fuel franchise fees;

2. placing an additional levy of 4c a litre on petrol to compensate for the loss of revenue from existing registration fees;

3. establishing under Federal legislation a new form of road tax for commercial vehicles based on mass and distance travelled; and

4. returning to the States and Territories for road expenditure purposes, according to an economic criteria, all revenues collected from the proposed mass/distance fee.

Notwithstanding the dire consequences forecast for South Australia if these recommendations are implemented, I understand that the South Australian Government was one of only two State and Territory Governments that did not bother to respond to the report by the closing date for submissions on 6 July last.

I suggest that this failure by the State Government takes on an extra dimension since the Federal Cabinet agreed last week to support in principle the recommendations of the ISC report. I ask the Minister of Transport the following questions:

1. Why did the Bannon Government fail to make a submission on the interstate commission report last month, knowing that the Federal Government would be determining its view on the major recommendations of the report prior to the delivery of the Federal budget on Tuesday this week?

2. Has the Government considered the potential loss to South Australia of road funds and the inevitable deterioration of our road system if the report's recommendations on registration and fuel levies are adopted and, if so, what is the assessment of loss?

3. Has the Government considered in detail the report's recommendations regarding mass/distance charges to be applied to operators of long distance transport and, if so, what is the assessment of the impact?

4. Does the Minister accept that the proposed mass/distance charges will lead to a loss of road transport services to regional and for distant communities in South Australia?

5. Has he or his department received from road industry organisations in South Australia alternatives to the recommendations of the ISC report, and does he accept that such alternatives would achieve similar road user-pay schemes without the calamitous community effect envisaged if the ISC recommendations are implemented?

6. Will he be recommending, at next month's ATAC meeting of Federal, State and Territory Transport Ministers the adoption of the ISC recommendations in the current or in an amended form?

The Hon. ANNE LEVY: I am sure that the Minister of Transport will always act in the best interests of South Australia. I will refer that question to the Minister in another place and bring back a reply.

RETAIL INDUSTRY

The Hon. L.H. DAVIS: I seek leave to make a brief explanation before asking the Minister of Small Business a question about the retail industry.

Leave granted.

The Hon. L.H. DAVIS: I have had recent discussions with the Executive Director of the Retail Traders Association, Mr Peter Anderson, particularly with regard to the operating costs in the South Australian retail industry and, in particular, supermarkets. Supermarkets in South Australia represent approximately 30 per cent of both retail sales activity and employment. The association has kindly provided me with details of increases in operating costs in supermarkets for the 20-month period January 1989 to August 1990.

The increase in industrial costs for supermarkets during this 20-month period are as follows: wages, up 17.3 per cent; wage oncosts, which include annual leave, leave loading, long service leave, and sick leave in line with wage movements, up 17.3 per cent; occupational superannuation is now 3 per cent; the WorkCover levy increased from 2.8 per cent to 3.3 per cent in July 1989, and from 3.3 per cent to 4.2 per cent in July 1990, which is up 50 per cent; the training guarantee which has been introduced, 1 per cent; and payroll taxes. Of course, we await the mercy of the budget shortly. Non-industrial costs include an average increase of 18 per cent in land tax.

The ferocity and steepness of those charges should be compared with the increase in supermarket retail sales in South Australia in that period January 1989 to August 1990, which have increased only 8.85 per cent. The increase in the South Australian inflation rate in that period January 1989 to August 1990 is but 11.04 per cent. So, it can be seen that there is a grave—in fact, an alarming—discrepancy between the actual increase in sales in supermarkets (8.85 per cent in that 20-month period) and the enormous increase in the costs associated with the operations of the supermarket in that same period. In many cases, as I have outlined, the costs have at least been double the increase in supermarket retail sales.

Each of the categories of cost increase which I have identified in a percentage form can be traced back either to State Government policy, WorkCover, payroll tax, land tax, or to Federal Government policy supported by the State Government—wage costs, wage oncosts, occupational superannuation, and training guarantee.

The retail industry views with concern and alarm the state of small business, in particular, focusing on those details that I have just revealed to the Minister of Small Business—those of the supermarket industry. It shows an industry in crisis; an industry which obviously is going backwards; and an industry which, quite clearly, is shrinking its profit margins as economic times get tougher. My questions to the Minister are simple: what does she make of these figures? Do they give her cause for alarm?

The Hon. BARBARA WIESE: It is a well-known fact that, in the current economic downturn, the retail industries within Australia are suffering perhaps as much as or more than most sectors. This is perhaps particularly the case in a State like South Australia, where it just so happens that we have more retail outlets per capita than any other State in Australia except Tasmania. At the same time, less disposable income is available to people per capita than exists in other parts of Australia, so there is already a bit of a problem with the equation.

One of the problems in the retail sector generally in this State (and it is probably true for other parts of Australia as well) is that very often, before people enter into retail businesses, they fail to do the appropriate research to discover whether or not there is in fact a market for the products they are selling, and whether or not there is already a sufficient number of outlets of whatever type of product it might be that they are providing—

The Hon. L.H. Davis interjecting:

The Hon. BARBARA WIESE:—to enable them in fact to eke out a reasonable living. The same, I might say, applies to supermarkets as to any other retail outlet. Unless there is a market for the range of products, there is very little point in establishing a business of that kind, any more than there is a point in establishing a pet food shop, for instance, if there happens to be 15 in the street already. So, it is of some concern to me that the Hon. Mr Davis and many members opposite choose not to look at other factors when they are measuring the success or otherwise of certain business interests within this State.

The point I am making is that, generally speaking, these matters are much more complicated than the Hon. Mr Davis would have us believe. If he expects that the State Government in some way should take responsibility for movements in wages and salaries, perhaps he does not understand the industrial system that exists within this country. That is not a matter over which State Governments have any control. It is an industrial issue and is sorted out in the appropriate industrial forums.

Since it has been in power, this Government has attempted to bring about an economic climate which will enable businesses to flourish. However, we cannot take responsibility for people who make inappropriate decisions for investment in particular retail outlets where there may not be sufficient business to support the enterprise. In fact, if he spent time talking with some of the organisations that represent small businesses, the Hon. Mr Davis would find that they would not expect Governments to prop up enterprises that are not economically viable.

The points that the honourable member asked me to comment on are more complex than he would have us believe. Many factors decide the success or failure of enterprises, and all I can say on behalf of the Government is that the steps we take as a Government are designed in general terms to assist business enterprises in this State and to ensure that, to the extent to which it is within our power as a State Government, we create the circumstances in which small businesses can not only survive but flourish. The aspects over which we have no control will have to be dealt with through normal market forces, and I am sure the honourable member supports that.

URANIUM DEMONSTRATION

The Hon. I. GILFILLAN: I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister of Emergency Services, a question relating to an injury sustained at a demonstration at Port Adelaide.

Leave granted.

The Hon. I. GILFILLAN: In the early hours of Wednesday 8 August, there was a small demonstration at Port Adelaide against the export of uranium yellowcake from Roxby Downs. Since the export of yellowcake from Port Adelaide commenced, there have been regular, small and well behaved demonstrations of opposition to that event. As usual, there was a police presence. At an early stage of the protest, a woman stood watching an approaching truck as it neared the warehouse entrance.

As could be seen from television pictures of the incident, the protester was standing to one side of the truck's path. Without warning, she was approached from behind by a police officer and thrown to the ground. The woman in question is 47 years old and a mother of three. She suffered a broken arm upon contact with the ground. I ask the Minister: has there been an inquiry into this incident? If so, will the Minister make the findings available to Parliament? If not, does the Minister agree that the incident should be investigated and will he instruct that an investigation take place? If he will not so instruct, why not?

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

GOVERNMENT LAND RATING

The Hon. J.C. IRWIN: I seek leave to make a brief explanation before asking the Minister of Local Government a question relating to rating of Government land.

Leave granted.

The Hon. J.C. IRWIN: The Minister would be well aware of discussions that have taken place over a very long period regarding the payment of council rates by the Woods and Forests Department. A number of councils in the Mid North, Barossa Valley and South-East have an interest in this matter. The Gumeracha council recently vented its anger by resigning from the Local Government Association because various committees comprising Government departments and local governments have made no progress over the past few years. However, I was pleased to read in today's *Advertiser* that Gumeracha council has now come back into the local government fold.

Progress is impeded by the argument getting bogged down and sidetracked by trying to calculate the value of cross-charging and the proposition that one tier of government does not or should not tax another. This is a bit old hat now as Governments increasingly move to compete with the private sector. Even the State Bank pays a tax equivalent to the South Australian Government. With respect to those who are trying to manufacture all sorts of reasons why Government profit enterprises should not pay rates, the calculation of cross-charges has nothing to do with the argument at all.

It evades the principle on a case-by-case basis. The proposition is very simple: if the Woods and Forests Department is growing timber for profit, and competing with the private sector, both should pay local government rates, not just the private sector. Does the Minister agree that the commercial arm of the Department of Woods and Forests has an unfair advantage in the marketplace by not paying land rates, and will the Minister defend and promote the local government position instead of hiding behind endless interdepartmental committees?

The Hon. ANNE LEVY: Perhaps I should first point out to the honourable member that I am not the representative of local government. I am a Minister—

Members interjecting:

The PRESIDENT: Order!

The Hon. ANNE LEVY: Quite clearly, I am a Minister of the State Government with the responsibility for local government, but in no way does that give me the qualification to speak for local government. Local government—

The Hon. L.H. Davis: We've noticed that in the past.

The PRESIDENT: Order!

The Hon. ANNE LEVY: It would be quite inappropriate for me to do so. The Local Government Association, the properly constituted body, consisting of local government, is the correct body to speak for local government. I make quite clear, in relation to the last part of the honourable member's question, that I do not hold this position with the responsibility of speaking for local government. It would be quite inappropriate for a member of the State Government to do so; the correct people to do that—

The Hon. L.H. Davis interjecting:

The PRESIDENT: Order! The Hon. Mr Davis will come to order.

The Hon. ANNE LEVY: It would be quite inappropriate and insulting for me even to pretend to do so, given that the Local Government Association is the body constituted by local government and has the power and authority—

Members interjecting:

The PRESIDENT: Order! The honourable Minister has the floor.

The Hon. ANNE LEVY: As I keep trying to say, the Local Government Association is the body constituted by local government to speak on its behalf, and I hope the Hon. Mr Irwin will understand that.

The Hon. J.F. Stefani: You need to support local government, though.

The PRESIDENT: Order! The point has been made several times in interjection and the answer has been given several times. I request members to let the Minister get on with the answer.

The Hon. J.C. Irwin: It was not even relevant to the question.

The Hon. ANNE LEVY: It was very relevant to the Hon. Mr Irwin's comment.

The PRESIDENT: Order! The honourable Minister will address the Chair.

The Hon. ANNE LEVY: The Hon. Mr Irwin spoke about the rating of Government land and indicated that, in his view, the argument was getting bogged down in the question of cross-charging. It seems to me that it is not a question of its being bogged down; it is relevant indeed to the question of cross-charging between governments. Despite the sarcastic comments made by the Hon. Mr Irwin, it is a long-standing tradition throughout the English speaking world that governments do not charge each other. If the Hon. Mr Irwin or various councils want to change that tradition, it is as well that the whole matter be looked at very carefully. If we are to depart from such a tradition, we certainly need to examine its implications, as they will be far-reaching. For instance, there is the whole range of payroll tax; there is the whole question of land tax; there are many matters in which local government and the State Government treat each other quite differently from the way in which they treat the non-public sector.

We can certainly say that local government, along with the State Government, forms part of the public sector in this State, and financial arrangements between parts of the public sector need to be looked at as a whole and treated quite separately from relations between either tier of government and the private sector. I am aware of the particular complaint to which the honourable member refers. As it relates to the Woods and Forests Department, it is being handled very competently by the Minister of Forests.

Members interjecting:

The PRESIDENT: Order! The honourable Minister.

The Hon. ANNE LEVY: But, it does impact on the wider question of financial relations between tiers of government, and that certainly is a matter that is being considered and discussed, as the honourable member mentioned. I, for one, hope that these discussions will be able to be finalised in the not too distant future.

ENGINEERING STUDENTS

The Hon. R.I. LUCAS: I seek leave to make an explanation before asking the Minister of Local Government, representing the Minister of Employment and Further Education, a question about engineering students.

Leave granted.

The Hon. R.I. LUCAS: I refer to a recent article in the magazine *Engineers Australia* entitled 'No Joy in Statistics'. The article quotes figures from the Department of Employment, Education and Training (DEET) on engineering students. During the period 1980-89, as a share of total higher education student population, engineering student numbers varied between 7 per cent and 8 per cent. The DEET figures also show that, while the number of higher degree students from overseas rose significantly during the period 1980-89, Australian numbers have fallen.

The Institution of Engineers Australia's Education Director, Mr Cyril Streatfield, is quoted as follows:

> It is hard to see how we can ever achieve the target of 92 000 to 95 000 professional engineers in Australia by the year 2000 as recommended by Sir Bruce William [in the Williams report 1988] if we continue at this rate.

Incidentally, this figure of 95 000 engineers was considered essential for an industrialised nation of Australia's size.

Streatfield went on to express concern about the lack of information in the DEET report on drop-out rates for engineering students. Streatfield said this rate was known to be as high as 50 per cent—or one in every two students—in some courses. He concluded that this was a major problem and illustrated it by pointing out that in 1988 total enrolments were 31 000 (spread over a four-year degree program) while completions in that year were only about 5 000.

These figures are clearly disturbing and make a mockery of the Federal Government's overall 'clever country' strategy. Despite the aim of the Federal Education Minister, Mr Dawkins, to increase the proportion of engineering graduates in universities, these figures show the number of graduates has remained virtually static for a decade. To highlight the widening chasm, Australia produces only about one-third of the engineering graduates of our major trading partner, Japan. My questions to the Minister are:

1. Does the Minister share the concern of the Institution of Engineers Australia about the numbers of graduates in engineering and the high drop-out rate of students in this field?

2. If so, what steps will the Bannon Government take to counter the poor enrolment numbers in engineering, and what steps will the Government take to make that field of study more attractive to students contemplating higher education?

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

ACUTREAT

The Hon. BARBARA WIESE: In response to a request by the Hon. Dr Ritson yesterday, I seek leave to have a reply to a question about Acutreat which he asked during the last session of Parliament incorporated in *Hansard* without my reading it.

Leave granted.

The answers have been prepared following liaison between officers of the South Australian Health Commission and the Department of Public and Consumer Affairs.

1. The device's booklet states that Acutreat operates from a 9 volt battery and produces an adjustable output of 0-150 peak volts (without load) operating at 100 micro-amps during the 'point' location function. The pulse frequency is 2.5 Hz, the pulse repetition rate is 60 Hz and the pulse width 300 micro-seconds. When applied to the skin, in treatment mode, the resistance of the skin reduces the micro-current still further to 34 micro-amps.

2. The manufacturers of Acutreat are aware of concerns with the design of some high-current electromagnetic devices which are possibly able to interfere with other electronic medical equipment. Acutreat is designed to operate on an extremely low current and is unable to interfere with cardiac pacemakers, etc. Acutreat has been designed in close consultation with medical acupuncturists to ensure patient safety as well as efficacy. To ensure affected patients do not use Acutreat without their medical adviser's knowledge, a special warning to cardiac pacemaker wearers is included in the use booklet at page 19.

3. Like many similar devices, no clinical trial data is available at present to prove the value of Acutreat in medical treatment. Some trials are in progress of Acutreat in the United States and United Kingdom at recognised hospitals engaged in pain management. Results should be available within six months.

The handbook of treatment lists a wide range of conditions for which Acutreat is recommended, as follows: pain; respiratory diseases; cardiovascular diseases; gastrointestinal diseases; renal diseases; reproductive system diseases; neurological diseases; skin diseases; and other discomforts.

The manufacturers can only provide evidence confirming the device's popularity and acceptability amongst medical practitioners and acupuncturists. Also, the claims made for the device have been checked for advertising purposes and passed by the Media Council.

Further, applications for registration of the device have been well accepted in America by the Food and Drug Administration. It should also be noted that there are many other similar devices on the market here and overseas. As a class, they would not survive unless a significant number of purchasers obtained benefits.

4. The device probably costs around $150 each unit. A mark up of $80 gross profit before tax and other overheads would not be excessive.

5. At this stage, I am advised that there does not appear to be enough data of such urgency as to require a public warning against the use of Acutreat. The device manufacturers have made application to the Commonwealth Department of Community Services and Health for registration of Acutreat on the Australian Register of Therapeutic Devices under the Commonwealth Therapeutic Goods Act. During this process the device will be closely examined for safety and efficacy. If it is judged to be unsafe, its continued sale will be prohibited.

The Department of Public and Consumer Affairs, Office of Fair Trading, has also had the device tested by the Regency College of TAFE to determine the accuracy of the specifications listed in the instruction book. Significant variations from specification data have been found, but the South Australian Health Commission has advised that the device would still not present any impairment to health.

It is intended to pursue the apparent discrepancies in listed specifications with the manufacturer, Tridoc Pty Ltd, with a view to ensuring that accurate information is provided to consumers.

FAIR CREDIT REPORTING

The Hon. J.C. BURDETT: I seek leave to make an explanation before asking the Minister of Consumer Affairs a question about fair credit reporting.

Leave granted.

The Hon. J.C. BURDETT: I refer to an article in yesterday's *News* (page 14) entitled 'Data on debtors', which states:

Debt collectors believe there soon will be 'total knowledge' about all individuals. They also envisage the Government allowing financiers to build enormous data banks which would include confidential tax file number information.

Strangely enough, there were even more bizarre statements in the periodical which was quoted in the *News* as being the periodical on which this article was based—that is, *The Mercantile Agent*. The issue quoted was Volume 25, No. 8, August 1990, and I will read from that:

If we consider debt collection, I anticipate that there will be enormous changes in the next 25 years. In fact, I expect debt collection as we know it to totally disappear. This will be a legacy of the cashless society that is in the process of emerging.

Tomorrow's credit grantor will be extending credit in a perfect market with total knowledge of the debtor, in contrast to today's credit grantor who attempts to learn as much as possible from a wide variety of disparate databases and never quite manages to eliminate the risk of extending credit to an unworthy debtor.

The credit grantor of the future will have access to all the debtor's information. This will be made available through linked databases in the manner of George Orwell's '1984'. In addition debtors will make all credit transactions using 'Smart Credit Cards', which won't be cards at all but genetically engineered implants which will capture all data transactions from cradle to grave.

Super CRAA files based on positive credit reporting and linked to the Government's tax file number will ensure that credit decisions will be made, based on total knowledge. This will tend to reduce the incidence of overcommitment—

I imagine it would. The article continues—

Imagine all your credit transactions being known. There will be no such thing as cash except in museums, consequently there will be no method of conducting an unrecorded transaction . . . Real time transactional logging of events, will mean that every inquirer about your status, will know as much about you as you do, micro-seconds after any change. So, whether you've just bought a newspaper or a house, or lost your job, an inquirer with a right to know, will have access to such information in evaluating your access to further credit.

During my recent absence I read the Minister's reply to a question relating to the Federal privacy legislation. My questions today are:

1. Is the Minister aware of these apparently deadly serious predictions to which I have just referred?

2. Will the provisions of the Fair Trading Act relating to fair credit reporting be retained?

3. Will privacy of credit reporting, except in regard to people with a right to know, be retained?

4. Will the confidentiality of the tax file number be retained?

The Hon. BARBARA WIESE: Unfortunately, I have not had drawn to my attention the dire predictions that are contained in the report from which the honourable member read. I trust that I will not have to deal with some of those issues during my time as Minister of Consumer Affairs. However, at this time it is not the Government's intention to change the provisions that are contained in our current legislation in South Australia.

As I understand it, both industry and consumer groups in South Australia have been satisfied in general terms with the way in which our legislation has been framed and the way these things have been dealt with. However, of course, the terms of our legislation would certainly be threatened by the proposals that were outlined for the Commonwealth Government's proposed amendments to the privacy legislation at the national level, and submissions on those matters have been made not only by this State but also by other States of Australia which see some grave dangers in relation to privacy of consumers in some of the proposals that were outlined in that legislation.

I would hope that, before the legislation is finalised, proper consultation with State Governments will take place and that we might convince the Federal Government that legislation along the lines of that which exists in this State, in particular, would be an appropriate way for them to go. Until we know the outcome of that proposed consultation,

I am not in a position to take the matter further. However, I would certainly be arguing very strongly that the situation in South Australia under our current legislation with respect to the matters to which the honourable member has referred, and other questions, is adequate and provides an appropriate framework within which industry can operate. I hope that I will be in a position to convince the Federal Government that that is so.

MOUNT GAMBIER HOSPITAL

The Hon. T.G. ROBERTS: I seek leave to make an explanation before asking the Minister of Tourism, representing the Minister of Health, a question about the proposed siting of the Mount Gambier Hospital.

Leave granted.

The Hon. T.G. ROBERTS: The editorial in the *Border Watch* of Tuesday 21 August, the local paper in Mount Gambier, stated:

> The South-East said 'No' to a new jail. The Government says it will still be built. The people of Mount Gambier, with South-East support, want their rail passenger service retained. The Government blames its Federal counterpart and AN about the service loss, all the while smugly aware the passenger train is finished. The Government will grab a section of Corriedale Park for a new hospital, despite dramatic and fierce opposition from the city council and, therefore, the residents it represents.

The assessments made by the editorial have made assumptions which, to my knowledge, are inaccurate. The seriousness of the accusations against the Government, I think, in this case, warrants a response. The information the Government tries to relay to people in the South-East comes from either the printed media or the electronic media. Unfortunately, we just have not been able to get the accurate position relayed to the people in the South-East as to how the negotiations are going on two out of those three matters.

The train is a Federal matter and people have been negotiating and dealing with that. The proposal for the hospital siting and the present siting are matters for two other State Government departments and they have had difficulty in getting their position relayed to the general population. In fact, the television station conducted a poll just recently on the hospital site and the people of Mount Gambier were split on their choice of sites, and there is a view that the present hospital should be maintained.

That does not, in my mind, say that the people are opposed to a new hospital or a new hospital site. Given, on the information that I have, that the observations made are wrong, could the Minister for Health relay to me an answer on the question of the site, which is Corriedale Park? I understand that there are still negotiations going on between the council and the Government over the siting. Will the Minister say whether a final decision has been made on the acquisition of Corriedale Park?

The Hon. BARBARA WIESE: I will refer the honourable member's question to my colleague in another place and bring back a reply.

SAGRIC REVIEW

The Hon. PETER DUNN: I seek leave to make an explanation before asking the Minister of Tourism, representing the Minister of Agriculture, a question about the Sagric review.

Leave granted.

The Hon. PETER DUNN: In today's *Stock Journal* there is a small article, obviously a press release from the department, headed 'Sagric Review Important Step', which states:

> A major commodity planning review will be undertaken by the South Australian Department of Agriculture by the end of the year to focus research, extension and policy development for the next decade. The review, one of the most extensive in recent years, will look at 17 major commodities such as wheat, coarse grains, wool, vegetables, citrus, beef and lamb. In addition, it will assess portfolios such as farm management, rural assistance, water and soil conservation and land management . . . The draft plans would then be discussed by industry bodies, namely the United Farmers and Stockowners and the Advisory Board of Agriculture, who would have a chance to add their ideas.

Because of the reference to farm management and land management, I think they ought to add that to an education sector. In a recent pamphlet from the Isolated Children's and Parents Association an article headed 'Farmers face education void' states:

> Sydney: Farmers are disadvantaged by the Australian tertiary education system, a submission to the Federal Government says:
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> The New South Wales Farmers Association paper on education in the rural sector finds that farmers have extremely poor education levels.
>
> It calls on the Government to provide more funding for students from isolated areas or allow them greater tax deductions.
>
> Only 34 per cent of Australian farmers manage to complete more than four years of secondary education. That percentage compares with 50 per cent in New Zealand and 90 per cent in Europe.
>
> The submission, prepared for the Federal Government's Review into Agriculture and Related Education, says that country people are excluded from Austudy because of the assets test on properties.
>
> Research economist Mr Ian Robinson said many farmers' sons and daughters were unable to afford tertiary education because the family farm and surrounds were included in the assets test.

As the Federal budget this week lowered the assets requirement, that situation would obviously be worse, so my questions to the Minister are:

1. As farm management is referred to in the Minister's request for a review, during the review of Sagric operations, will the Minister ask those industry bodies assisting the review, that is, the United Farmers and Stockowners and the Advisory Board of Agriculture, to look at education standards of South Australian farmers?

2. Should the figures show a disadvantage to farmers' offspring, will Sagric and the State Labor Government lobby the education system and the Federal Government so that a standard of quality applies?

The Hon. BARBARA WIESE: I will refer the honourable member's questions to my colleague in another place and bring back a reply.

ALCOHOL ADVERTISING

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 alcohol advertising on buses.

Leave granted.

The Hon. DIANA LAIDLAW: The State Transit Authority in New South Wales resolved this week that it would ban alcohol advertising on buses, which is an issue that has concerned the Greiner Government somewhat on an annual basis. The STA in that State receives $750 000 per annum from alcohol advertising on buses. I understand that a compromise has been reached and in the coming year only 25 per cent of the bus fleet will be compelled not to advertise alcoholic products. I note, however, that most of the STA buses in this State do carry some form of advertising for a whole variety of brands of alcoholic products. I therefore ask the Minister whether he will advise the Council of the amount that the STA gains each year from accepting advertisements featuring alcoholic products and what amount of money is generated overall from advertising. Has the STA

considered the issue of banning the advertising of alcohol on its buses and would the Minister endorse such a ban?

The Hon. ANNE LEVY: I am happy to refer that question to my colleague in another place, although I would remind the honourable member that South Australia is known very largely as the wine State, and I trust that she is also putting that question to her colleagues who represent wine growing areas of this State.

The Hon. DIANA LAIDLAW: I seek leave to make a personal explanation.

Leave granted.

The Hon. DIANA LAIDLAW: I believe that the Minister who just replied to my question (which she will refer to the appropriate Minister) inferred that I was recommending banning alcohol advertising. I would like to make it clear that that is not the case: I am seeking to learn the policy of the STA and I would not be in favour of such a move. However, there seemed to be an inference and I would like to clear that up.

RURAL EDUCATION

The Hon. R.I. LUCAS: I seek leave to make an explanation before asking the Minister of Local Government, representing the Minister of Education, a question about rural education services.

Leave granted.

The Hon. R.I. LUCAS: During the past few months I and other members, and I suppose also the Minister of Education, have had considerable correspondence from residents of the Mid North of South Australia who have been justifiably concerned about plans to reorganise senior education institutions in that part of the State. The reorganisation, which is contained in an Education Department discussion paper, concerns the Mid North communities of Peterborough, Jamestown, Orroroo, Booleroo Centre and Gladstone and the secondary schools in those five towns.

Of most concern is one of the options that proposes that an area school be established at Gladstone and that year 11 and 12 secondary students travel to Jamestown to receive face-to-face education at the Jamestown school. This came as a complete surprise to people living in Gladstone, as they claimed there was no consultation about this option before it was outlined in the discussion paper. A consistent theme in most of the letters received by my office on this matter is that parents do not want their children to travel to school for longer periods than at present. Indeed, many students are already travelling for excessive periods on school buses, some of them for up to an hour in the morning and up to an hour in the evening and, under some of the options that were discussed at an earlier stage during the rationalisation, it was possible that some students would have to spend two hours on the bus in the morning and two hours on the bus in the evening, and, in some cases, students would have been relatively young.

The parents of Gladstone school students are proud of their local school's history, its achievements and academic standards, and they believe that these can be best served by maintaining existing face-to-face education levels at their school. At the same time, they are realistic and understand that, with the broadening of curriculum at the senior secondary level following the introduction of the South Australian certificate of education in the next couple of years, the prospect of their school's matching education standards elsewhere in the State depends on their expanding the curriculum available to students.

Most people to whom I have spoken in the region agree that the extension of curriculum can best be economically achieved by open access education. However, they do not believe that any expansion of open access education should be achieved by reducing the existing levels of face-to-face lessons already in place at their schools.

A recent media report indicates that a senior officer from the Education Department may be having second thoughts about reducing Gladstone's senior secondary education facilities. The department's Western Area Director, Dr Keith Were, is quoted in the *News* as saying that, after a flood of submissions from the community, he had decided to alter his recommendations to the Director-General and the Minister about Gladstone.

Dr Were said that, where the whole community is totally opposed, it would not be sensible to proceed. I hope that the *News* report is correct, because to date I have not seen any official statement from the department or the Minister, and the residents in the region are still quite concerned about the future of their schools and the future of education in their school community. My questions to the Minister are:

1. Will the Minister confirm that the Education Department has abandoned plans to develop an area school at Gladstone and thus will force year 11 and 12 students to travel to Jamestown?

2. Is Dr Were's stated explanation that 'where the whole community is totally opposed it would not be sensible to proceed' an indication of the Government's approach to all school rationalisation programs throughout the State?

3. Will the Minister guarantee that any changes to schools in the Mid North will ensure the continuation of existing levels of face-to-face education and that any changes to curriculum are only made by open access programs which are acceptable to the five communities?

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

BUDGET PAPERS

The Hon. C.J. SUMNER (Attorney-General): I seek leave to table the 1990-91 budget papers.

Leave granted.

COUNCIL MEETINGS

The Hon. J.C. IRWIN: I understand that the Minister of Local Government has an answer to a question I asked on 16 August regarding council meetings.

The Hon. ANNE LEVY: The issue of majority of voting at council meetings was previously raised with the Department of Local Government in 1982. In responding to the honourable member on 9 August, I did not wish to imply that the circumstances in 1982 were identical to those in 1990, although the circumstances described in the 1982 bulletin are similar to those of the current case and explain the background to the current Crown Law advice. The departmental opinion in the 1982 bulletin preceded the 1984 amendments to the Local Government Act when the current section 60 applying to this matter was introduced.

The difference of opinion between the advice of the Crown Solicitor and the Burnside City Council's solicitors illustrates the difficulty that can arise from the interpretation of this complex legislation. The request for legal advice from the Crown Solicitor was the first step in clarifying this matter. I will make sure that discussions are held with the

Local Government Association to ensure that the questions of principle relating to the voting powers of the Mayor are clear and then, if necessary, will take steps to ensure that no future ambiguity remains in the wording of the relevant section of the Act.

ENFIELD COUNCIL

The Hon. J.C. IRWIN: I understand that the Minister of Local Government has an answer to a question I asked on 16 August about the Enfield council.

The Hon. ANNE LEVY: I seek leave to have the reply inserted in *Hansard* without my reading it.

Leave granted.

The Hon. ANNE LEVY: The Department of Local Government was approached in mid-June 1990 by one of the unsuccessful candidates in the city of Enfield by-election. In spite of the fact that he indicated that he had little desire to petition the Court of Disputed Returns, he was given information concerning the nature of the court and what was involved in the action.

As honourable members will be aware, the Court of Disputed Returns may make a finding that an alleged offence has been committed and determine whether that offence affected the election to an extent that the election should be declared void or that some other candidate should be declared elected. It is a civil not a criminal proceeding. However, where the court finds that an illegal practice has occurred, that finding is reported to me and consideration is given to whether or not anyone should be subsequently prosecuted in relation to the illegal practice. In this case, neither of the unsuccessful candidates nor any elector took the matter to the Court of Disputed Returns (such action would now be out of time).

I do not know what the court's decision would have been, but I cannot take it for granted that the election would have been voided. It may have been necessary to prove that dishonesty was involved, or that the sending of letters canvassing votes to persons who had voted previously, influenced the result of the election by, for example, unfairly influencing people to vote for the successful candidate when they would not have done so otherwise. It was not suggested that the supply of marked electoral rolls was anything other than an honest, if careless, mistake by an electoral officer or that it was used for fraudulent purposes. The open way in which the information was used suggests the opposite. The practise of 'tick-boarding'—making a record of people who voted on the day in local government elections—was outlawed in local government elections in 1984 when the electoral provisions of the Local Government Act were completely rewritten, but it was only in 1988 that the Act was amended to provide that marked voters rolls and records of advance voting should not be available for public inspection after the poll. Prior to this it was quite common for these records to be used as canvassing aids in subsequent elections.

I am not suggesting that ignorance of the Act is an excuse but the degree of culpability on behalf of the electoral officer is relevant to the honourable member's suggestion that the council ought to have prosecuted the electoral officer under section 79 of the Local Government Act. Section 79 constitutes an indictable offence with a criminal sanction—a penalty of $5 000 or imprisonment for one year is provided. An honest mistake by an officer as to the confidentiality of certain information and its supply on request is not the type of problem for which section 79 was passed.

However, I agree that the matter should not be ignored. Whether the information gave the successful candidate an advantage is not proved and would be very difficult to prove but there was a perception that he had had an unfair advantage. I received only one letter from a member of the public, but that person was very concerned and considered the incident to be a reflection not only on the returning officer and the successful candidate but on the council and government in general. I think it would have been quite appropriate for the council to have called for a report from its returning officer and to seek an assurance that procedures were in place to prevent this happening again. The Director of the Local Government Division of the Department of Local Government did have discussions with electoral staff of the City of Enfield, satisfied himself as to the circumstances and received that assurance. Anyone who has information suggesting that this incident should not be treated as an inadvertent error should provide it to the Department of Local Government.

A number of proposals to change the electoral provisions of the Act have recently been the subject of consultation with councils and other interested persons, and it is my intention to introduce some amendments in this session. Several of these may assist in future where an electoral officer is at fault. The proposal referred to by the honourable member is a proposal to amend the Act to provide that the council will be the only respondent to reply when a petition to the Court of Local Government Disputed Returns alleges that an act or omission of an electoral officer affected the result of the election. This is intended to prevent a successful candidate from having to incur costs defending him or herself when the matter at issue is not their behaviour but official procedural acts or omissions.

SUPPLY BILL (No. 2)

Adjourned debate on second reading.

(Continued from 22 August. Page 481.)

The Hon. R.I. LUCAS (Leader of the Opposition): I rise to support the second reading of this Bill. It provides $1 140 million to enable the machinery of the Public Service to grind on until about early November when it is anticipated that the Appropriation Bill will have passed through both Houses of Parliament, and will provide the necessary funding for the Public Service from early November until the end of the financial year.

As most members would be aware, this is one of generally two Supply Bills that the Parliament debates each year. We had an earlier one this year, in the last session of Parliament, which appropriated some $800 million of funding, again to enable the machinery of the Public Service to operate during the first two months of this financial year, July and August, whilst we prepare for the Appropriation Bill debate and also have a Supply Bill debated during this session of Parliament. As will be apparent from my comments, the deadline is 31 August, and unusually, this year we are not sitting during the last week of August, so it means that the Supply Bill must be passed by this afternoon to ensure that the Government and the Public Service can continue.

I do not want to make too big a point of it, but the Supply Bill was only introduced to this Chamber at 10.20 p.m. last evening. But, in the spirit of cooperation, the Liberal Party and the Democrats in this Chamber have been prepared to indicate that we will debate it at very short notice (which is unusual for a debate in this Chamber, as we generally ask for some time to prepare) so that we do

not unnecessarily delay our colleagues in another Chamber and to enable the various messages to move between the Houses.

The Bill was introduced in the House of Assembly on 9 August but, because of scheduling problems in that Chamber, it was not possible for the Bill to arrive here until late last evening. As I said, I am not making too great a point of it, but I do reiterate that the Opposition has been prepared to assist in the early passage of the Supply Bill and to do so willingly.

I must say that, in my 17 years of working in politics, including my eight years in Parliament, a couple of years working for David Tonkin when he was Leader of the Opposition, and out of interest when working for the Liberal Party, I have seen probably 20 or 30 Supply Bill speeches. However, I find this Supply Bill in one respect quite extraordinary. Rather than the normal sober analysis of the finances and other budgetary considerations, which is common in virtually all Supply Bill debates with which I have been associated in one form or another, we find, in the second reading explanation that was delivered in another place as well as in this Chamber, something quite different and unusual. It descends into what I would call the Party political arena of slanging between Government and Opposition in relation to State finances.

Both the Premier and the Minister in this Chamber, when introducing the Bill, have chosen to use this debate to attack the stated position of the Leader of the Opposition, the Leader of the Liberal Party, in another place, and the various budget and financial statements made by him and the shadow Treasurer over the past few months in the lead-up to this debate. I refer to language such as 'speculation by members opposite, including irresponsible allegations of massive overruns'. In another place the use of words like 'absurd', etc., is an example of language to which I have not been acccustomed in Supply Bill debates. I am certainly used to it in other debates in this Chamber and elsewhere, but it has not been the convention or practice for the Supply Bill debate and, in one or two respects, I am forced to respond in like manner and provide as best I can, with the meagre resources available to the Opposition, what I guess is a sober, financial analysis of the contentious points raised in and related to the Supply Bill debate.

The unprecedented use of that language is probably an indication that the attack on the financial and economic confidence of the Premier and Treasurer and his Government by the Leader of the Opposition and the shadow Treasury spokesman in another place is beginning to bite and take effect. This thin-skinned response from the Treasurer through the Supply Bill debate is a good indication of that.

I will not respond to all the intemperate language used in the Supply Bill second reading explanation, but I refer to the following allegation contained in that explanation:

> However, speculation by members opposite, including irresponsible allegations of massive overruns, only serves to damage South Australia's reputation for financial strength and fiscal integrity and should be brought to a halt as soon as possible.

Further, it was stated:

> Members of the Council will appreciate that this picture is vastly different from that which the Leader of the Opposition and his Deputy have attempted to draw. Indeed, the Leader's claims in the debate on the Supply Bill (No. 1) in February of this year and his recent suggestion that there had been a $100 million deterioration now look a trifle absurd.

I will look at that $100 million figure to which the Premier and Treasurer has referred. In effect, it is a reference by the Leader of the Opposition to a recent, very sober economic analysis of State finances throughout the nation by one of the foremost economic analysis groups, Access Economics. A number of the principals of Access Economics are former Commonwealth Treasury officers, so in a previous incarnation they served, both loyal and true, the Commonwealth Treasurer (Hon. Mr Keating) and are therefore very well placed to make economic comments on the state not only of Commonwealth finances but also of finances in all the States. Indeed, recently, in a nationally released report, they did so.

Access Economics raised the question of the $100 million deterioration in one aspect of South Australia's financial performance. That is the figure that has been used by the Liberal Party during debate in recent months. The figure refers generally to what is known as the net public sector financing requirement of the State. In last year's budget papers (I dare say members will soon have the opportunity to look at the most recent figures) the net financing requirement estimated for South Australia for this financial year by State Treasury officers was $545 million.

The Australian Bureau of Statistics and Access Economics do not agree with the way in which South Australian Treasury officers calculate that net financing requirement figure. The Australian Bureau of Statistics released its own estimates of the net financing requirement, but I will not bore members with the difference in the calculation other than to give the final result. For 1989-90, the ABS estimated a net financing requirement for South Australia of $663 million, $120 million greater than the figure calculated by South Australian Treasury officers.

Access Economics believes that the net financing requirement for South Australia for 1989-90 was in fact $100 million worse or greater than the figure compiled by the Australian Bureau of Statistics. It is fair to say that it will be some months before we can test the accuracy or the validity of the estimate made by Access Economics. As it has done in the past, the Liberal Party will continue to put to the Premier and Treasurer the question that has been raised by one of the foremost economic analysis firms in Australia, that is, that there has been a $100 million deterioration in the net financing requirement for South Australia.

Given the paucity of information that is provided in relation to the net financing requirement and its breakdown by State Treasury officers, it is a valid question, and it will remain a valid question. It will certainly be pursued in another place and in this place when debate on the Appropriation Bill ensues. It is clear that the use by the Leader of the Opposition of that figure of $100 million deterioration was valid. It is disappointing that, in essence, the Government has demeaned the conventions, the quality and the normal practice of the Supply Bill debate by inclusion in the second reading explanation of these sorts of allegations and criticisms of the Leader of the Liberal Party (Mr Dale Baker).

I turn to an analysis of the financial substance, if I can use that term loosely, of the Supply Bill explanation. I quote from that explanation, as follows:

> Members will recall that the budget for 1989-90 provided for a balance on Consolidated Account made up of a projected surplus of $95.1 million on recurrent transactions offset on the capital side by $249.4 million, leaving a net financing requirement of $154.3 million.

The use by the Treasurer and the Treasury officers of the term 'net financing requirement' in that context is confused. It is certainly not the accepted use of the term which, as I said, generally refers to that figure of $545 million that was quoted in last year's budget papers. However, that is a small point. The explanation continued:

> Given the rapidly changing economic circumstances experienced throughout Australia, particularly during the latter half of

the financial year, I am pleased to be able to say that the Treasurer has reported that the final results for the year just past show a deterioration of only $26.2 million in a budget of over $5 billion.

What the Treasurer and the Government are trying to say is that they are pleased to report that there has been a further deterioration of $26.2 million. What that does not make clear is that there was already a budgeted deficit on Consolidated Account for the last financial year of $154.3 million. We are not talking about a deficit of $27 million; we are talking about a further blow-out of $27 million on a projected Consolidated Account deficit of $154 million. In other words, for the last financial year, we are looking at a Consolidated Account deficit of approximately $180 million. To put it another way, in South Australia during the last financial year, on both the recurrent and capital accounts, the Government has spent $180 million more than it took in. They are the simple facts of life.

Yet, the Premier and Treasurer, and the Minister representing the Premier and Treasurer in this place, have the temerity to say they are pleased to report that that was the final budget figure for 1989-90. If they are pleased with a $180 million deficit, I shudder to think what might be the case in other circumstances. The question on the tip of everyone's tongue concerns the alleged $180 million cut in Federal funds to South Australia for the current financial year (1990-91).

In the Address in Reply debate, I looked in some detail at this alleged $180 million cut in Commonwealth funding, so I do not intend to traverse the same ground again in that detail during the debate on the Supply Bill. However, I want to consider two aspects again, given that we have had a little further information since the Address in Reply debate, and that we have also had from the Attorney-General in recent days a response of sorts to my question in the Address in Reply debate.

The first aspect of the alleged $180 million cut is the question of the $34 million cost of the national benchmark for teachers' salaries. I remind members that, earlier this year, the Minister of Education, who is currently the convener of the Australian Education Council (that is, the Council of Ministers of Education throughout Australia) was quoted in the media here in South Australia as welcoming the movement towards the national benchmark for teachers' salaries. As I have indicated previously, he was also quoted as saying that this national benchmark would lead to an increase in the quality of education in South Australia. He was also quoted as saying that this $34 million would be a cost to South Australian taxpayers. The quote was unequivocal; it was clear; it was concise; and it indicated that the cost of the national benchmark would have to be borne by South Australian taxpayers.

In recent days, we have heard some conflicting statements from the Premier and Treasurer and the Attorney-General on the subject of the national benchmark for teachers' salaries. On 2 August the Premier agreed with the position of the Minister of Education, namely, that the State Government got nothing from the Commonwealth to help pay for the national benchmark for teachers' salaries. The Premier said on 2 August in another place:

> It was argued at the Premiers Conference and we got nothing, other than the already-in-place agreement of the Commonwealth Government. We received not a cent; we are up for almost the full tote odds—$34 million this financial year and a lot more thereafter. However, there is a conflict with the statement made by the Attorney-General earlier this week when he said, 'Government schools will get increased grants—

that is, increased specific-purpose grants from the Commonwealth—

> of 4.2 per cent, which will include the Commonwealth share of the national teacher benchmark.'

Again, the Attorney-General's statement there is clear, concise and unequivocal, namely, that the Commonwealth Government will be paying a share of the national teacher benchmark, and that share has been included in the increased specific-purpose grants paid by the Commonwealth Government to the South Australian Government. That claim by the Attorney-General is also consistent with the Federal budget papers which were released on Tuesday this week and, without wishing to delay my speech unduly, I will not quote from them directly. Suffice to say that two or three references are made in those Federal budget papers to Commonwealth payments to the States for their share of that national teacher benchmark.

In one of the tables at the back of one of those Federal budget documents is a figure under the line of 'Cost escalation allowance of $15.1 million' and a portion of that unknown—not all of it—is the Commonwealth contribution to the national benchmark for teachers' salaries. So, it is clear that there is a conflict between what the Attorney-General, backed by the Federal Treasury, is saying on the one hand while, on the other hand, we have the statements of Premier Bannon and the Minister of Education (the Hon. Greg Crafter). These conflicting statements must be cleared up for the sake of debate in relation not only to the Supply Bill, but also the Appropriation Bill, which will come in during the next few weeks.

The second matter to which I want to refer in relation to the alleged cut of $180 million is the question of the special, one-off water allowance payments to the States. As members will be aware, the Premier has been making claims about a whole series of different figures; I think it depends on what day of the week or what week of the month it happens to be, but he plucks a figure out of the air. The latest estimate provided to him by his officers or Treasury officers (or perhaps it is a figure he plucked out of the air) varied from a cut of about $53 million to about $50 million. Sometimes it was $38 million, and it was $12 million on another occasion. It is generally all over the place. Another figure he has quoted is $45.1 million. He has not been consistent. The figure he has been claiming most often is a cut of about $50 million; that is supposedly the effect on the State. As you will know, Mr Acting President, the Liberal Party does not accept this claim and, indeed, in the past it has argued against it being considered at all as part of any calculation of an alleged cut in Commonwealth grants to the State. However, I do not intend to traverse that ground again.

I do want to look at a statement that has been made in the past 24 hours by the Federal shadow Minister for Finance, Senator Jim Short. This statement raises new questions about these special one-off payments. I quote from a press release issued today, 23 August, under the heading 'Secret illegal payments between Federal and State Labor Governments revealed today', as follows:

> From papers tabled in the Senate last night, it is clear that Finance Minister Willis has abused the legal parliamentary requirements covering disclosure of budgetary expenditure. The advance to the Minister for Finance has been inappropriately used to make special payments to favoured States at the expense of others.

In attached notes to that media release, under the heading 'Abuse of the advance to the Minister for Finance by Labor', Senator Short goes on to say:

> Labor has developed the use of the advances to the Minister for Finance as an art form in disguising payments for purposes it doesn't want to actively advertise. More and more, Labor makes its sensitive political payments via the advances to the Minister, instead of through special or other appropriation Bills.

Further on, the shadow Minister says:

> South Australia received $12 million for water treatment projects. This follows three consecutive payments for water treatment

projects made from 1986-87 from the advances to the MOF [the Minister of Finance] amounting to over $100 million. This would clearly indicate the payment is not 'unforeseen' or 'urgent'. Again, this was approved after the Prime Minister and the Treasurer had met with Premier Bannon on 29 June. It would seem to be no coincidence that Premier Bannon was also the Federal President of the ALP.

Senator Short's conclusion was:

The role of this important budgetary tool is being undermined by unscrupulous, devious and illegal use of the advance for political purposes. It's no less than a prostitution of the basic parliamentary principle that the expenditure of public moneys must be subject to freely accessible public scrutiny.

I use much more moderate language than that generally, but I quote the words of the Federal shadow Minister for Finance to indicate his view of this particular one-off grant for water quality assistance. Obviously, with the limited amount of information that is available to us in South Australia, it is very difficult to comment as to whether or not what the Federal shadow Minister for Finance says is correct, and I am specifically referring to the fact that he is suggesting that they are in fact illegal payments between Federal and State Labor Governments.

Those allegations are extremely damning and must be responded to by either the Attorney-General or the Premier and Treasurer in the very near future. We need to know whether or not these payments are, in fact, illegal. Attached to the statement made by Senator Short is a copy of an authority of $12 million from the Minister for Finance as a final charge under division 977-0-11 which provides some detail about these water quality assistance payments. It states:

This item provides for the payment of a capital grant to South Australia for water quality improvement.

The statement indicates that in 1988-89 there had been an advance to the Minister for Finance of $50 million. An interesting point is that the Federal budget papers and the State budget papers do not correspond in relation to the timing of these payments. The Federal budget papers state that this $50 million was paid in the financial year 1988-89; the State budget papers state that it was received in 1989-90. One of them is wrong. An amount of $50 million does not go astray for a few days between one financial year and another—certainly not to my knowledge anyway. And, if it did, that would raise a whole series of other questions.

If the Federal Government said that it paid South Australia $50 million in 1988-89 and the State Government said that it had not received that amount that financial year but had received it in 1989-90, there is clearly conflict between those statements and, as I said, that is something the Premier and Treasurer, or the Attorney-General representing the Treasurer, should clear up when responding to the debate, on either the Supply Bill or the Appropriation Bill.

That figure is important. The Premier and Treasurer began arguing that, because he received $50 million last year and was only going to receive $3 million this year, it meant a $47 million cut; but he is now arguing that he will receive $12 million this year, which means a $38 million cut. As I said, his figures are all over the place.

What the Federal budget papers state, and certainly what the shadow Minister for Finance is saying, is that the State Government did not receive $50 million last year; that it received the $50 million the year prior to that, in 1988-89. It is an important matter because that is a critical part of this alleged shortfall of $180 million from the Commonwealth to the State. Under the heading 'Amount required from AMF', the document states:

During discussions between the Commonwealth and the South Australian Government held as part of the Premiers' Conference, the Prime Minister and the Treasurer agreed to provide a capital grant of $12 million to South Australia for water quality improvement on 29 June 1990.

Under the heading 'AMF Category' it says:

Urgent and unforeseen/final charge.

Under the heading 'Explanation of Requirements from AMF', it states:

This payment meets the urgent and unforeseen criteria for use of funds from the advance to the Minister for Finance because: the payment to South Australia was not anticipated at the time of the preparation of Appropriation Bills 3 and 4; and funds are now required urgently to enable payment to be made before the end of 1989-90.

The question is raised that these payments can only be made for urgent and unforeseen criteria, yet the Commonwealth Government is using this explanation to give one-off grants to South Australia for water quality, and also one-off grants to Tasmania and Western Australia for other reasons.

As the shadow Minister for Finance said, these one-off grants cannot in any way be construed to be urgent and unforeseen. South Australia has been getting these urgent and unforeseen grants for the past three or four years—and they always happen at the end of each financial year. As I said, the allegations made by the shadow Minister for Finance are serious and must be investigated.

I believe that there has been a sham by the Treasurer and the Treasury officers—and I make that quite clear, by the Treasurer and Treasury officers—in their calculations of this $180 million cut. The Federal budget papers make quite clear that the Federal Treasurer estimates an average inflation rate of around 6 per cent to 6.5 per cent for 1990-91. At the time of the Premiers' Conference he was talking about 5.5 per cent, but he has now upped that to 6 per cent to 6.5 per cent. All the calculations by State Treasury officers assume an inflation rate of 7 per cent, that is, between .5 per cent to 1 per cent greater than the inflation rate assumed by the Federal Treasurer.

The inflation rate assumption is critical, because if a higher inflation rate assumption of 7 per cent instead of 6 per cent to 6.5 per cent is used, the alleged cut from the Commonwealth to the States will be inflated by some $10 million to $20 million. It is very difficult to get a feel on that figure although our best estimate is that it is around $14 million. This is so because State Treasury, for reasons best known to itself, chose to use an assumed inflation rate of 7 per cent rather than the Federal budget paper figure of 6 per cent to 6.5 per cent.

What is being said here is that State Treasury believes that the Federal Treasurer is not telling the truth in relation to the estimated inflation figure; that the Federal Treasurer cannot deliver what he is promising (and I must say one or two other economists would agree with that); or that State Treasury is estimating that the effects of increased taxes and charges in South Australia will raise the inflation rate to above the national average, that is, that South Australia will experience an inflation rate of about 7 per cent for the next 12 months, whereas nationally that rate will be 6 per cent to 6.5 per cent.

If that is the assumption that is being made by the Premier and Treasurer, and Treasury officers, again, it is a very important assumption and is certainly an indication of what State Treasury and the Treasurer believes will be the effect of increased taxes and charges on the cost of living in South Australia. Over recent years, our inflation figures have been less than the national average. If State Treasury estimates that we are now going to be increasing inflation by some half a percentage point to one percentage

point above the national average in the space of 12 months, that is a very significant shift in the cost of living in South Australia and one that will certainly be felt very hard by the struggling workers and taxpayers of South Australia.

The final matter I want to address in the Supply Bill debate relates to my concern about the document released by the Treasurer yesterday, prepared by the Under Treasurer, headed 'Effects of Commonwealth decisions on the State's budget'. I believe that, knowingly or unknowingly, Treasury officers have been lured or used in a political bunfight between Government and Opposition in relation to this question of the alleged $180 million cut-back.

The Hon. K.T. Griffin: Quite improper.

The Hon. R.I. LUCAS: As the Hon. Mr Griffin indicates, that is quite improper. I have spoken on this matter before. On a previous occasion, I believe during the 1985 election campaign, Treasury officers descended into the political brawl between Government and Opposition to provide what we believed was to be a quite phoney costing of the Liberal Party's election promises. All I can say—and if I can issue a note of warning to Treasury officers as, indeed, Governments do change and I would certainly indicate that the winds of change are sweeping through South Australia and Australia at this very moment—is that the Liberal Party does not accept that Treasury officers ought to be involved in a political bunfight between Government and Opposition Parties.

Treasury officers can rightly provide information, factual information, in relation to Commonwealth-State financial matters and then, I guess, it is a decision that the Premier of the day can make as to whether or not to try to shield behind Treasury minutes or documents, when he is struggling to convince the media and the community about the accuracy of his claims. That is a judgment, I guess, that the Premier and Treasurer has to make.

This particular document prepared for the Under Treasurer by Treasury officers, I believe, goes beyond the pale and is unacceptable. Again, as I said, I want to look at just one aspect of that document; I believe there are a number of others that can be challenged, have been challenged and will be challenged. But the one I want to address is this question of the national benchmark for teachers' salaries. I quote from the document from the Under Treasurer:

> In the case of the second item, the proposal that there be a national benchmark salary for teachers was a Commonwealth initiative included in the accord with the ACTU from 1990 to 1991 issued in February 1990. The Commonwealth Minister of Education, when pressed by the States on the matter, advised the Commonwealth would provide only a minor level of assistance to the States proportional to its level of specific purpose grants; about 9 per cent in South Australia's case. In negotiations with State Education Ministers it was suggested by the Commonwealth that the forum for resolving the issue would be the Premiers Conference. The result was a refusal by the Commonwealth to go beyond the minor level of assistance previously offered. The result is a significant additional cost to the States imposed, in effect, by Commonwealth action.

That statement, under the signature of the Under Treasurer, is garbage. That statement is not correct, as I have indicated on a number of occasions, both in this Chamber and outside the Chamber. I believe it is a disgrace that Treasury officers, as I said, either knowingly or unknowingly, would include a statement such as that in a document which is being used to try to defend indefensible claims made by the Premier about a $180 million cut in Commonwealth funding to South Australia.

For the sake of the Under Treasurer and other Treasury officers, let me make it clear again that the Minister of Education has spoken publicly about the national benchmark and indicated that the cost would be borne by South Australian taxpayers. He has supported the national benchmark for teachers' salaries and has, indeed, said that it would improve the quality of education in South Australia. He has been the convener of the Ministers of Education on this particular matter. He has debated the matter with the Australian Teachers Federation representative, Di Foggo, on national television with Paul Lyneham. He has represented those Ministers in the teachers' salary discussions between the States, the Commonwealth and the Teachers Federation.

On all occasions the Minister of Education, representing the Bannon Government, has been an active participant in those discussions and negotiations, and has been a willing party. He has been prepared to accept, in the public arena, whatever kudos there might be for improved teachers' salaries—and, as I said earlier, whatever kudos there might be in his view for an improvement in the quality of education.

So, it is a nonsense for the Government to suggest that it was a Commonwealth decision, but I believe it is unacceptable nonsense from Treasury officers to enter into a political debate between Government and Opposition, and to include it in a document called 'Effects of Commonwealth decisions on the State's budget' to try to support the indefensible claims of Premier Bannon about this $180 million cut. I conclude by saying that Treasury at least was marginally more clever than the Premier in its use of language, and I quote:

> In summary it is the Treasury's view that on the basis of the latest available data a figure of the order of $235 million—

it has grown even again—

> would accurately represent the effects on the State's budget of real term cuts in Commonwealth financial assistance and the impact of Commonwealth decisions.

As I said, it is marginally more clever than the Premier because the Premier continually talked about cuts in funding from 1989-90 to 1990-91 and, in fact, put out a press release to that effect. Treasury has been marginally more clever because it has now added in those extra words, 'the impact of Commonwealth decisions' in relation to the State budget.

We give that warning to Treasury officers, certainly from our side of Parliament, anyway, because we believe it is unacceptable behaviour by Treasury officers, as I said, either knowingly or unknowingly. We would urge them very strongly to be very cautious before they get themselves embroiled in a political—

The Hon. C.J. Sumner interjecting:

The Hon. R.I. LUCAS: You can use whatever word you want—I am just urging them not to get themselves embroiled in what are political differences between a Government and an alternative Government in relation to matters such as the national benchmark for teachers' salaries. I indicate that the Opposition, in the spirit of getting the Bill through the Chamber, will have only one speaker on this Bill and I put the view for the Party and indicate our preparedness to support the second reading of the Supply Bill debate.

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

WORKCOVER

Consideration of the House of Assembly's resolution:

That—

(a) a joint select committee be appointed—

(i) to review all aspects of the workers rehabilitation and compensation system (WorkCover); and

(ii) to recommend changes, if any, to the Workers Rehabilitation and Compensation Act to optimise WorkCover's effectiveness, taking into consideration that WorkCover should be a fully funded, economical, caring provider

of workers rehabilitation and compensation, with the aim of increasing work place safety; and

(b) in the event of the joint select committee being appointed, the House of Assembly be represented thereon by three members of whom two shall form a quorum of House of Assembly members necessary to be present at all sittings of the committee.

(c) that the joint select committee be authorised to disclose or publish, as it thinks fit, any evidence presented to the committee prior to such evidence and documents being reported to the Parliament.

The Hon. I. GILFILLAN: I move:

1. That the Council concur with the resolution of the House of Assembly contained in Message No. 6 for the appointment of a joint committee on the Workers Rehabilitation and Compensation System; that the Council be represented on the committee by three members, of whom two shall form the quorum necessary to be present at all sittings of the committee; and that the members of the joint committee to represent the Legislative Council be the Hon. L.H. Davis, the Hon. I. Gilfillan and the Hon. T.G. Roberts.

2. That the joint committee be authorised to disclose or publish as it thinks fit any evidence or documents presented to the committee prior to such evidence or documents being reported to the Council.

Members will recall that yesterday I discharged an Order of the Day on the Notice Paper relating to the setting up of a Legislative Council select committee into WorkCover. I mentioned that the wording of a message, which I expected would arrive from the House of Assembly to set up a select committee, was identical with my motion and, on consideration and discussion, I considered that it was a better course to establish a joint House committee with wider representation, including the Minister of Labour, the previous Minister of Labour (Hon. Frank Blevins), and the shadow Minister (Mr Graham Ingerson), who will join with the three Council members.

So, I am pleased to move the motion. I believe it is appropriate that I do so because of the discharge of my previous motion and my expressed intention to see that a proper select committee be established. With the passage and acceptance of this message, I feel assured that that promise has been fulfilled: the committee will be established. It will now be up to the committee to work diligently and constructively for the good of South Australia—for the employers and employees in South Australia—and I do implore members from all sides not to use the committee as a base for political point-scoring or attempting to revert to 'I-told-you-so' type contributions. I do not expect that that will be the case so it is with hope and expectation of something really fruitful coming from the committee that I move this motion today.

The Hon. K.T. GRIFFIN: The Opposition will support that motion. I did, and still do, have on the Notice Paper a motion for the establishment of a select committee in this place, but I am persuaded that, if the Government is to participate and is prepared to support a joint select committee, that does achieve the objective of reviewing the operation of the WorkCover scheme with all those who have an interest being involved—the Minister, the Opposition, and the Australian Democrats.

There is a great deal of concern about the way in which WorkCover is operating and the impact upon employers in particular. This select committee, hopefully, will provide an opportunity to investigate thoroughly the way in which the scheme is operating, what sort of problems exist, the way in which costs can be contained, and the way in which bonus and penalty points, levies and those sorts of matters can be more appropriately addressed without creating an unnecessarily harsh burden upon those who are endeavoring to employ South Australians.

I support the motion and hope that there will be a conscientious approach to the joint select committee by the Government in particular, so that it can provide some fruitful comments and proposals in dealing with a highly controversial scheme.

Motion carried.

ACTS INTERPRETATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 22 August. Page 480.)

The Hon. C.J. SUMNER (Attorney-General): The Hon. Mr Griffin has problems with new section 40 *(a)* in that it enables a regulation, etc., to pick up the provisions of any Act or of any statutory instrument as in force from time to time. Amendments may not be subject to scrutiny in relation to regulations which pick them up. I draw the attention of the honourable member to section 14b (3) *(a)* of the Acts Interpretation Act 1915, which provides that, where in an Act reference is made to some other Act, such reference shall be construed as a reference to that other Act as amended from time to time. This provision has exactly the same 'vice' attributed to proposed section 40 *(a)* by the honourable member, but it does not appear to have caused any problems in the past.

Secondly, the Hon. Mr Griffin objects to new section 40 *(b)* in that it allows material contained in other instruments or writing to be incorporated in a regulation by reference. This, it is considered, diminishes the control of Parliament over legislative and regulation making processes. I fail to see how Parliament's control is diminished if a regulation, instead of setting out, say, a design standard in regulations refers to the design standard by number.

If the honourable member could elaborate, I might be able to understand his point on this, but I do not see that it detracts from parliamentary sovereignty, because there is still the power of Parliament over the regulation. What this measure provides is that the regulation may be made by reference to a known standard. This measure has been introduced in an attempt to promote efficiency in the legislative and subordinate legislative process. I repeat: it does not lessen the power of Parliament.

Bill read a second time.

ADMINISTRATION AND PROBATE ACT AMENDMENT BILL

In Committee.

Clause 1—'Short title.'

The Hon. BARBARA WIESE: During the second reading debate, the Hon. Mr Griffin asked some questions relating to Public Trustee, including whether or not there is any intention that Public Trustee would pay a dividend to Treasury that would perhaps be equal to the amount of money that would be paid by a private sector trustee company in company tax or some other form of taxation.

At the moment, no such dividend is paid to Treasury by Public Trustee, but as from the beginning of this financial year Public Trustee has moved to a special deposit account method of funding which will enable a more commercial approach to its operations to be taken.

It is intended that a dividend will be paid to Treasury which will be fixed at 39 per cent of operating income after increments to Public Trustee reserves for long-term capital commitments. This amount will be reduced by way of a

subsidy to the net cost of any of Public Trustee's community service obligations—the way in which these special deposit accounts would normally work. That will certainly place Public Trustee in a similar situation to its private sector competitors with respect to the dividend that it will pay to Treasury.

As to the question relating to fees and charges, I have with me a brochure which is readily available and which sets out the fees and charges for Public Trustee. I will be happy to supply a copy of that for the honourable member so that he knows the current situation. With respect to the future, it is intended that, in line with the now more commercial approach to be taken by Public Trustee, there will be an increase in fees and charges made by Public Trustee which will take effect during the course of this financial year. Most of the fees presently charged by Public Trustee amount to about $40, and they will be increased this financial year to $100, with the exception of the fee charged for the preparation of a certificate of interest, which will rise from $40 to $50.

The administration and audit fee in the second category will rise from $20 to $50; the $40 fee currently charged for the preparation of taxation returns will rise to a fee of $100, or $50 an hour; the $40 fee currently charged in relation to sections 56 and 118n of the Administration and Probate Act will rise to $50; and the charge for commissions, currently at 30 per cent, will rise to 50 per cent. In most respects, they are fairly substantial increases but, as I understand it, they are comparable with fees charged by private sector executor companies in these various categories. In most cases, they will still be below the rates charged by private sector companies.

It is important that these increases in charges should be made at this time to enable Public Trustee to operate on a more commercial footing, to allow for the variations that are made possible by the provisions of this Bill, and to allow for reductions in cases of hardship and where Public Trustee feels it is appropriate, thereby striking an appropriate balance so that Public Trustee can cater to the public in a caring and reasonable way, despite the commercial orientation that is now being adopted.

Clause passed.

Clause 2 and title passed.

Bill read a third time and passed.

ADJOURNMENT

At 4.27 p.m. the Council adjourned until Tuesday 4 September at 2.15 p.m.