LEGISLATIVE COUNCIL

Wednesday 25 August 1993

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

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

The Hon. T.G. ROBERTS: I bring up the interim report of the committee on the Hindmarsh Island bridge inquiry.

PUBLIC SECTOR REFORM

The Hon. BARBARA WIESE (Minister of Transport Development): I seek leave to make a ministerial statement on behalf of the Premier.

Leave granted.

The Hon. BARBARA WIESE: In delivering his Meeting the Challenge economic statement on 22 April this year the Premier outlined the Government's decision to embark on a program of public sector reform as part of the revitalisation of the South Australian economy.

In providing a fundamental change in the way this State's public sector is structured and operates, he announced that the number of public sector departments, excluding central agencies, would be reduced from 30 to 12 by 30 June 1994. At that time, he announced the first three amalgamated agencies:

- the Department of Housing and Urban Development;
- the Department of Primary Industries; and
- the Department of Education, Employment and Training.

Legislation also is before the Parliament to establish Southern Power and Water by amalgamating the Electricity Trust of South Australia and the Engineering and Water Supply Department.

Mr President, recently the Premier released details of phase two of the Government's public sector reform program. This continues the process of reducing the number of operating and central agencies by amalgamating existing Government departments into single new departments and by the formation of strategically-related groups of agencies into portfolio areas. The changes will provide savings by reducing unnecessary administrative duplication without affecting frontline services and will improve processes for policy development and implementation. The moves, to operate from 3 September, involve decisions about the next six line agencies and a reduction in the number of central agencies from three to two. The new line agencies are:

- The Department of Environment and Natural Resources, which will undertake the management and conservation of South Australia's environment and natural resources (water, air, land, flora and fauna).

The department will be based on the existing Department of Environment and Land Management, with expanded responsibility for integrated natural resource management and program coordination currently shared between five existing departments. The Chief Executive Officer will be Mr Dennis Mutton.

- The Department of Justice, which will include administration of the law, consumer affairs and correctional services.

The department will amalgamate the Attorney-General's Department, the Department of Correctional Services, the Electoral Department, the Department of Public and Consumer Affairs, and the Police Complaints Authority. It will have an administrative relationship with the Legal Services Commission. In recognition of the importance of the Consumer Affairs functions, a specific Ministry of Consumer Affairs and the position of Commissioner of Consumer Affairs will be retained. The Chief Executive Officer will be Mr Kym Kelly.

- The Department of Transport, which will integrate air, sea, road and rail transport.

The department will amalgamate the Department of Road Transport, the Department of Marine and Harbors, the State Transport Authority and the Office of Transport Policy—agencies which have been working together since November 1992 to enable the strategic development of the new department. The Chief Executive Officer will be Mr Rod Payze.

- The Department of Emergency Services, which will ensure a coordinated response to emergencies experienced by the community and develop coordinated prevention strategies spanning fire, accident and crime.

The new department will coordinate the Police Department (which includes the State Emergency Service), the SA Metropolitan Fire Service, the Country Fire Service and the SA Ambulance Service. The operational identity of each service will be preserved and the head of each agency will continue to report to the Minister on operational matters. SACON Security will be incorporated into the Police Department. The Chief Executive Officer will be Mr Andrew Strickland.

- The Department of Labour and Administrative Services, which will operate to provide cost competitive, quality services to Government agencies and ensure the maintenance of relevant standards in industry.

The new department will be formed from the Department of State Services, the Department of Housing and Construction (excluding its security services) and the Statewide labour relations sections from the existing Department of Labour. The Chief Executive Officer will be Ms Kaye Schofield.

- The Portfolio of Business and Regional Development, a coalition of departments and agencies that will remain as separate entities reporting to their present Ministers, but with improved policy coordination on key strategic issues.

The portfolio will include the Economic Development Authority, the Office of Business and Regional Development, the South Australian Tourism Commission, the Department of Mines and Energy, and the Department for the Arts and Cultural Heritage. Mr Bill Cossey will be portfolio coordinator for the new grouping.

The number of central agencies will be reduced from three to two—the Portfolio of the Premier and Government Management and the Treasury Department.

The Portfolio of the Premier and Government Management will be formed from the Department of the Premier and Cabinet, the functions of the Commissioner for Public Employment and the Government Workers Compensation and Rehabilitation Office (both currently within the Department of Labour), the Office of Public Sector Reform and the Office of Multicultural and Ethnic Affairs (OMEA). Although being part of the

portfolio grouping, OMEA will remain a separate entity reporting directly to the Premier. The Minister of Public Sector Reform also will continue in his current role.

The strategic management of the public sector's human resources will be achieved within the portfolio through an Office of Government Management, comprising the Office of Public Sector Reform and the relevant components from the current Department of Labour. The office will be headed by a new Commissioner for Public Employment, Ms Sue Vardon.

The administrative arrangements for the Treasury Department are unchanged, but the department will take an expanded role in the central arrangements for better coordination of Government activities, the development and implementation of financial reform, and the administration of the Public Corporations Legislation.

Portfolio areas which remain unchanged include Health, Family and Community Services. The Government is awaiting the recommendations of the Select Committee into Health Administration before making decisions in this area.

Mr President, the changes the Premier outlined will require some ministerial changes, with the Attorney-General taking control of correctional services and the Minister of Labour Relations and Occupational Health and Safety assuming control of State Services and Housing and Construction as part of the new Department of Labour and Administrative Services. These changes also will occur on 3 September.

As the Premier already indicated, although the departmental functions of Consumer Affairs, Arts and Cultural Heritage, Mineral Resources and Public Sector Reform will be moving into new amalgamated groupings, the current Ministers will remain in control of those areas.

Mr President, it is important to stress that, while we have reduced the number of Government departments and the number of people administering them, we are not reducing the quantity and quality of services we provide. However, those changes have not been without cost.

We have had to set a target of eliminating 3 000 public sector jobs by the end of the 1993-94 financial year. All of the reductions are on a voluntary basis and the Government will meet the target.

Following funding decisions at the recent Premiers Conference, the Premier indicated that the Government may have to cut a further 600 public sector positions. After careful examination, the Government believes that that reduction would place undue pressure on core services and would be inconsistent with our determination not to reduce or threaten the high level and quality of service this State is widely acknowledged to provide. For this reason, he announced that the Government had decided it would be inappropriate to set a target higher than the 3 000 positions outlined in Meeting the Challenge.

Mr President, central to the Government's public sector reform agenda is the present and future prosperity of the State. Significant benefits from the reform will include administrative savings, streamlined Government decision making and much better portfolio coordination. Importantly, the changes also will result in an improvement in Government services to business and the wider community. And they will see the public sector play an enhanced role in giving South Australia a competitive edge.

QUESTION TIME

PUBLIC SECTOR REFORM

The Hon. K.T. GRIFFIN: I seek leave to make an explanation before asking the Minister of Transport Development, as the Leader of the Government in this place, a question on public sector reform.

Leave granted.

The Hon. K.T. GRIFFIN: The ministerial statement which the Minister has just made is a rather curious mix and it is interesting to note that, whilst there are some new departments being formed by the merger of others, and parts of others, the fact is that in respect of some departments there will be, for example, in relation to the Department of Justice, two Ministers (the Hon. Chris Sumner and the Hon. Anne Levy); in relation to the portfolio of Business and Regional Development there will be four Ministers (the Hon. Mike Rann, the Hon. Lynn Arnold, the Hon. Frank Blevins and the Hon. Anne Levy); and in relation to the portfolio of the Premier and Government Management there will be two Ministers (the Hon. Lynn Arnold and the Hon. Chris Sumner).

That configuration raises some interesting questions about ministerial accountability and responsibility and in particular which Minister will be blamed for things that go wrong.

The other interesting aspect of the ministerial statement is that it says that this is going to provide savings by reducing unnecessary administrative duplication without affecting front line services. But there is no identification of what savings may be anticipated, where those savings will come from, whether they are in additional numbers of public servants being retrenched—although I notice that there is a safeguard in the last few paragraphs of the ministerial statement saying that it would be inappropriate to set a target higher than the 3 000 positions outlined in 'Meeting the Challenge'—although it leaves unsaid what might be the unofficial objective of the Government in this so-called restructuring. It seems to be nothing more than a reshuffling of the chairs very late in the Government's life as the Government sinks below the sea.

I will ask the Minister several questions. Can she identify who is actually to have the final ministerial responsibility for a particular department where there is more than one Minister with responsibilities within the department, and who is to have the parliamentary accountability for the activities of the department? Can she indicate who will be the Minister with ultimate responsibility for making decisions about the objectives of the department, and can she also indicate what savings are likely to be achieved more specifically than the rather general statement made in the ministerial statement?

Members interjecting:

The PRESIDENT: Order! The Council will come to order.

Members interjecting:

The PRESIDENT: Order! A question has been asked, and the Minister has not even had a chance to answer it.

The Hon. BARBARA WIESE: The way this rabble across the way is performing at the moment, one would expect that they had never looked at any other public sector reform models other than ones that have existed here in South Australia during

the past few years.

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: If they had looked at other public sector reform models, they would find that there is nothing particularly innovative or pioneering about the structure that has been today outlined—

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: —by the Premier.

Members interjecting:

The Hon. BARBARA WIESE: Do you want the reply, or do you want to just rabble on, because I am quite happy to sit down if you do not want to hear the answer?

An honourable member interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: If members opposite looked around Australia, they would see that in various areas of Government management models very similar to the ones proposed in particular groupings within South Australia in this scheme have already been established in other places, for example, at the Federal level, and in some other State Governments as well. As to the issue—

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: —of having more than one Minister responsible in a particular grouping of portfolios, then that, too, is nothing new. That happens in Governments across Australia and in various parts of the world, and they have very satisfactorily been able to determine the lines of accountability and responsibility that individual Ministers within those portfolio groupings will have. The same will be the case here in South Australia with these changes that are now about to take place.

The particular questions that the honourable member asked about these matters of responsibility and accountability will by and large be similar across Government. In the justice area, for example, it is my understanding—although it is probably more appropriate that the Ministers who are about to work in these areas should respond to such questions—that the Minister for Justice (in this case the current Attorney-General) and the proposed CEO would have overall administrative responsibility for the portfolio area, but that where another Minister retains ministerial involvement that Minister would be responsible for the policy making within the area.

For example, as I understand it, the Minister for the Arts and Cultural Heritage will maintain policy responsibility in that area and the agency will continue to report to her on these matters. With respect to the parliamentary accountability, I anticipate that questions relating to arts and cultural heritage matters will continue to be directed to the Minister for the Arts and Cultural Heritage. I believe that that is the sort of model that will apply in those areas where there is dual ministerial responsibility within these portfolio groupings.

As to the question of savings across Government as a result of these reforms, I suggest that with the exception of some areas where there may already have been some very detailed work it will be necessary for further development work to be undertaken before that question can be answered accurately. But I am sure that in many areas of Government where these changes are proposed there is already some idea as to where savings might emerge.

However, I should point out that the reason for these changes is not only to achieve savings within Government, although that is obviously a worthy objective, but also the Government wishes to create a Public Service structure which is responsive to business and community needs and demands and which is streamlined in such a way that we can provide the best possible levels of service to the public that we serve.

So more than one objective is being sought with this reorganisation of the Public Service, and over this next several weeks—possibly months—the specific details of organisational change will be put in place and a much clearer picture of the outcomes in some areas will be known.

The Hon. K.T. GRIFFIN: I have some supplementary questions. In relation to the issue of savings, is the Council to take it from what the Minister has said that in fact the Government has made no assessment of savings and is, in effect, flying blind in relation to that issue? The second supplementary question relates to the matter of ministerial responsibility. Again, do we take it, from what the Minister has outlined in respect of the dual responsibilities of Ministers, that where there is more than one Minister responsible for areas within a particular department there will be in fact a senior Minister responsible for administrative and statutory responsibilities, and that the subsidiary Ministers will be responsible only for policy issues in respect of a particular area of responsibility within the umbrella organisation?

The Hon. BARBARA WIESE: It would be inaccurate to suggest that the Government is flying blind with respect to savings. I do not have a detailed knowledge of other portfolios of Government. I am sure—

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: —that if the Minister of Public Sector Reform was here responding to these questions he would be in a stronger position than I to give an overview of—

The Hon. R.I. Lucas: Where is he?

The PRESIDENT: Order!

The Hon. BARBARA WIESE: —the various portfolios of Government with respect to this. As I outlined earlier, and I reiterate, these changes are not only about achieving savings—

The Hon. L.H. Davis interjecting:

The PRESIDENT: Order! The honourable Mr Davis will come to order. Do you want to hear the answer or not?

The Hon. BARBARA WIESE: Whilst one could expect that savings will be achieved by the amalgamation of certain functions of Government, how much can be saved in certain areas of Government will depend a great deal on how much reform has already taken place in those areas. As the specific plans and detailed work is undertaken, with the coming together of various agencies of Government, which will take place over the next several weeks, it will be possible to be more specific about proposals for savings. As to the issue of senior and junior Ministers, as the honourable member wants to describe these relationships, it is my understanding that there will not be a senior and junior relationship at all but that there will be Ministers of equal standing who will have different

responsibilities. They will fulfil those responsibilities according to the agreements that will be reached within the particular portfolio arrangements.

COMPUTER SYSTEMS

The Hon. R.I. LUCAS: I seek leave to make an explanation before asking the Minister representing the Minister of Education a question about computer systems.

Leave granted.

The Hon. R.I. LUCAS: Last year in this Chamber I raised the issue of the growing concern amongst schools about the introduction of the Dynix computer library management system. Initially the concern from schools was that Dynix was being promoted for departmental school libraries even though it cost up to three times the cost of a similar locally developed computer system called Book Mark. At the time the Minister replied that a Dynix four-user system would cost a school around $14 000 for hardware, training services and supplies plus up to $9 000 for software. By comparison, a Book Mark three-user system would cost a school about $7 800 inclusive of a mere $240 cost for software.

In August I asked further questions about the Dynix system and in particular the Government's practice of charging schools up to $9 000 for software despite Dynix continually lobbying the department to drop the practice. We eventually obtained a reply from the Minister indicating that the Department would no longer charge for the software. I have now received further correspondence from the Southern Dynix Users Group, a group of schools in the southern suburbs using this computer system. This group is furious at another attempt by the Government to increase the minimum charge for users to at least $1 600 a year. This minimum charge for schools will include a $750 annual support charge and a further minimum annual charge of $850 called a hardware maintenance agreement. The group says the imposition of these charges was virtually introduced by stealth. The letter of protest says in part:

> We are concerned with the lack of consultation that occurred and inadequacy of the process. The initial request from the Orphanage for information was vague, the significance of the request was not highlighted and it gave no concrete proposals to which to respond. . . We are appalled that the fees were set before the actual service was defined and is in fact still very unclear.

The group is particularly concerned that the support charge seems quite excessive given that, 'the majority of users in our group have used approximately one to two hours of support time in 1993.' A number of schools have indicated that their current annual charge is only $100 to $200 but will jump as a result of this Government initiative to at least $1 600. Some of these schools in the southern suburbs are so angry they have indicated they will not pay the increased charge. My questions to the Minister are:

1. How does the Minister justify such a drastic increase in the scale of charges to Dynix users and will the Minister now order a review to ensure that the varying needs of schools are taken into account?

2. How are schools expected to fund at least $1 600 a year to pay for these expenses and what is the total expected revenue envisaged by the Government from these charges?

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

BUS SERVICES, SOUTHERN AREA

The Hon. DIANA LAIDLAW: I seek leave to make an explanation before asking the Minister of Transport Development a question about southern area bus services.

Leave granted.

The Hon. DIANA LAIDLAW: The Government has again deferred, from March to September and now until November, the introduction of long overdue improvements to STA bus services south of O'Halloran Hill. The Minister will recall that in late January she took a submission to Cabinet recommending that a range of new bus services costing $3.14 million be introduced in March, including a new transit link service between Noarlunga Centre and the city and a new cross-suburban service from Sheidow Park to Hallett Cove Railway Station. The Minister was so confident that the new services would commence in March that she even had her office prepare a news release, dated 2 February, announcing March as the start up date. But the release was never issued because she got rolled in Cabinet. The revised date for introducing—

The Hon. R.I. Lucas interjecting:

The Hon. DIANA LAIDLAW: That is true; she thought it would be in March. There was a revised date, and that revised date for introducing the new services was moved from March to September.

An honourable member: Who rolled her in Cabinet?

The Hon. DIANA LAIDLAW: Well, she did not have the numbers, nor did she have the money.

The Hon. L.H. Davis interjecting:

The PRESIDENT: Order!

The Hon. DIANA LAIDLAW: In the meantime, new route maps have been printed for the new services and new bus stops have been installed in the Hallett Cove area, in Gladsdale Road and Sanderson Road; but the Minister may not be aware that each of these bus stops has had sacks placed over it for some months now. They have not quite hidden them from sight, though. In the last few days bus operators based at the Morphettville depot have been told that the proposed transfer next month of 25 operators to the Lonsdale depot has been cancelled until further notice. They have been told that they probably will not be needed at Lonsdale until November, which coincidentally is the month when the next State election is most likely to be held. My informants tell me that STA bus operators are both cross and cynical about the new November date because they believe that the Government has once again put its electoral needs before the transport needs of the 'forgotten people living in the forgotten south'. They are also sick and tired of being pushed around. I ask the Minister:

1. If the Government has provided the extra $3.1 million—at least that was the figure in January, and I am now told it is $3.5 million—in the budget to operate additional STA bus services in the south, why is the Government now not prepared to honour its promises to commence the new services in September?

2. Why has the Government again deferred the start up date for new services, this time to November, especially when the new route maps have been printed for months, and the new

bus stop signs were installed ages ago?

The Hon. BARBARA WIESE: I do not know whom the honourable member speaks to—

The Hon. Diana Laidlaw interjecting:

The PRESIDENT: Order! The honourable member has asked her question.

The Hon. BARBARA WIESE: Where she got this view that there was a Government decision to start up public transport services in the south in September, goodness only knows, because it certainly did not come from me.

The Hon. Diana Laidlaw interjecting:

The PRESIDENT: Order! The honourable member will come to order.

The Hon. Diana Laidlaw interjecting:

The Hon. BARBARA WIESE: I am sorry, but the honourable member is misinformed in that respect.

The Hon. Diana Laidlaw interjecting:

The PRESIDENT: Order! The Hon. Miss Laidlaw will come to order. She has asked a question; if she wants an answer, I suggest she listen.

The Hon. BARBARA WIESE: Earlier this year, when the honourable member asked me questions about public transport services to the south, I indicated to her that the State Transport Authority had a preferred start up time of March this year for the extension of those services, but I also indicated to the honourable member at that time that, although it was the STA's preferred start up time, it was not a decision that had been made by the Government. I indicated to her at that time that, in view of the fact that the revision of services in the southern suburbs of Adelaide would require new resources, then that was a matter that would have to be considered within the context of budget considerations for this financial year. Well, those considerations were part of the budget deliberations and if the honourable member can wait for 24 hours she will find exactly what is in the budget for next year.

The Hon. Diana Laidlaw: I already know.

The PRESIDENT: Order!

The Hon. BARBARA WIESE: I do not intend to pre-empt the budget by making statements about what may or may not be provided for in the public transport area. As to the cost of those services and other things, those matters are related to budget deliberations, and no doubt once the budget is brought down statements can appropriately be made with respect to the program of public transport developments for the coming 12 months.

CORRECTIONAL SERVICES DIRECTOR

The Hon. I. GILFILLAN: I seek leave to make an explanation before asking the Minister representing the Minister of Correctional Services a question about the replacement for the Director of Correctional Services.

Leave granted.

The Hon. I. GILFILLAN: The Director of Correctional Services, Mr John Dawes, left his position over two weeks ago and took up another Government position totally unrelated to Correctional Services. The previous number 2, Mr Barry Apsey, is acting in the Director's position. There has been profound concern within the department that the appointment is not to be filled through due process, and I am advised that there has been no advertising for a replacement for Mr Dawes as Director of Correctional Services.

It is well known that dealing with problems of prison overcrowding, drugs, controversy over early release and the contention over new prison facilities is a specialised task and that this department has high scope for problems and difficulties with decision making. Historically, this department has been full of contention both within the prison population body and amongst the staff that run the prisons. In more enlightened countries around the world and in some States of Australia there has been upgrading of the quality of management and managers, and it is generally expected that a replacement for this position should be advertised at least nationally and probably even internationally.

In the light of the Premier's ministerial statement, which was read in this place by the Minister of Transport Development, it is obvious that prisons will be taken over by the Department of Justice. That must give us cause to wonder whether there will be a replacement for Mr John Dawes as Director of Correctional Services. Regardless of what restructuring takes place, as it is widely held that we must have a top quality experienced person selected from a wide field of applicants to fill this position, I ask:

1. Why has the position of Director of Correctional Services or an equivalent position not been advertised?

2. Will the position be advertised and, if so, when?

3. How much notice did the Minister have of the resignation by Mr Dawes?

4. Did Mr Dawes resign because of his impending demotion as a result of the restructuring of the new department?

5. With the introduction of the new Department of Justice, will the statutory responsibilities of the Director of Correctional Services be exercised by the totally inexperienced CEO of the new department or are there expected to be substantial amendments to the Correctional Services Act?

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

STATE GOVERNMENT INSURANCE COMMISSION

The Hon. L.H. DAVIS: I seek leave to make an explanation before asking the Minister of Transport Development, as acting Leader of the Government in the Council, a question about SGIC fringe benefits.

Leave granted.

The Hon. L.H. DAVIS: Yesterday, I made public the fact that Mr Malcolm Jones, the General Manager of SGIC, was in receipt of a home loan of some $450 000 from SGIC. This loan was secured by a first mortgage on his residence. Today, I have confirmed that this housing loan was not provided to Mr Malcolm Jones following his appointment to succeed Mr Denis Gerschwitz as General Manager, in late November 1992. In fact, this loan was made to Mr Jones in August 1991, shortly after he joined SGIC as General Manager (Finance) and 15 months before he became the General Manager of SGIC. As far as I can ascertain, at the time he received this $450 000 housing loan, Mr Jones was on a salary of between $160 000 and $170 000. Of course, since his promotion to General Manager his salary has increased to at least $230 000.

Concern has been expressed by the private sector about apparent inconsistencies in Government policy with respect to fringe benefits. An inquiry by the parliamentary Economic and Finance Committee in late November 1992 revealed that

as little as 31 per cent of $100 000 plus SGIC packages were taken as salary. Most of the packages were taken as superannuation, credit card payments, motor vehicles, car parking, travel expenses and home loans. Whereas statutory authorities such as SGIC have packages that provide significant taxation advantages for employees, senior officers in Government departments apparently receive nowhere near the same fringe benefits.

Ironically, some of the Government's most senior officers in Treasury are employed to put out the financial bushfires caused by the monstrous excesses and misjudgments of senior executives in State Bank and SGIC, but they receive fringe benefits nowhere near as good as those of senior officers in SGIC. The fact that some SGIC executives are taking only a very small percentage of their large remuneration package in the form of salary whilst maximising their taxation benefits may also minimise the amount of Medicare levy that is payable at the rate of 1.4 per cent on taxable income. My questions to the Minister are:

1. Is the Government aware of any inquiry by the Australian Taxation Office into remuneration packages of statutory authorities such as SGIC which may have the effect of reducing the Medicare levy payable?

2. Why did the SGIC 1991-92 annual report contain no reference to the fact that senior executives received significant non-salary benefits in their remuneration package, and will the Government in future require acknowledgment of this fact in annual reports?

3. Will the Government confirm that there is a substantial discrepancy between the non-salary benefits received by senior executives in statutory authorities such as SGIC and Government departments such as Treasury, and will the Government explain the reason for this discrepancy?

4. Will the Government immediately publish SGIC's guidelines for all fringe benefits allowable, the limits for these fringe benefits, who pays the fringe benefits and who in SGIC is eligible for them?

The Hon. BARBARA WIESE: Yesterday, I undertook to refer questions relating to Mr Jones's financial arrangements to the appropriate Minister for a report. That is being done, and I expect that some of the issues that have been raised today by the Hon. Mr Davis will be covered in any reports that the Minister provides on this matter. However, I will refer these additional questions to the Minister and bring back a report as soon as possible.

ECONOMIC DEVELOPMENT AUTHORITY

The Hon. BERNICE PFITZNER: I seek leave to make an explanation before asking the Minister representing the Minister of Business and Regional Development a question about the Economic Development Authority.

Leave granted.

The Hon. BERNICE PFITZNER: A seminar was held at the Hyatt Hotel on 29 April this year by the Chinese Chamber of Commerce on business in Asia. I understand that a spokesperson for the EDA was asked to speak on projecting the Australian image. The Asian delegates at the seminar were most dissatisfied with the EDA spokesperson's contribution. For example, in trying to explain the proposed methods of projecting Australia's image into Asia he was vague and unconvincing, constantly saying it was a marketing problem, and he was not at all conversant with Asian cultural attitudes which might impinge on the marketing problem. The result of that was that the local Asian delegates were not at all confident that this State's new EDA would provide a competitive edge in initiating greater inroads into business in Asia. My questions to the Minister are:

1. What skills and experience has the EDA in the area of Asian business culture?

2. What skills and experience has the EDA in the area of marketing?

The Hon. BARBARA WIESE: I will refer those questions to my colleague in another place for a report. I would suggest to the honourable member that, since this is the second question in as many weeks in which she has raised issues relating to the attitudes of people within Government with respect to the development of business connections with Asia and suggestions that members of the Asian business community are unsatisfied with some of the work being undertaken within Government, she should make arrangements to ensure that those people who have concerns about these matters raise them directly with the Minister responsible so that if there are some legitimate problems that can be overcome, the Minister might have the opportunity to take up those matters. I think that would be a much more constructive way of dealing with these issues and ensuring that Asian business people within South Australia have a chance to influence the future of the State. I would suggest to the honourable member and to anyone who has these concerns to take them to the Minister without delay so that he can examine the issues in some detail.

The Hon. BERNICE PFITZNER: As a supplementary question, I thank the Minister for the suggestions; they have already been taken up. In fact, this morning I spoke with the Director of the Business Asia Convention. Again, I ask the Minister: will she take these questions to the appropriate Minister?

The Hon. BARBARA WIESE: I do not think that is a supplementary question. I have already undertaken to refer the honourable member's questions to my colleague.

HORTICULTURE INDUSTRY

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister of Transport Development, representing the Minister of Primary Industries, a question in relation to horticultural inspection services.

Leave granted.

The Hon. M.J. ELLIOTT: The Riverland Horticultural Association was successful this month in its civil court action against Primary Industry SA, formerly the SA Department of Agriculture, for overcharging of its inspection services. The whole scenario which resulted in the court action reveals major deficiencies in the current inspection service and raises the need for a major overhaul. The Secretary of the Horticultural Association, Mr Peter McFarlane, says that the association had tried unsuccessfully for 18 months to convince the former Chief of Plant Quarantine and the former Minister of Agriculture, now Premier of this State, that any overcharging was occurring. Mr McFarlane said that, as a result of a court action, Primary Industry SA was ordered to refund money paid by the association for certificates issued between October 1991 and February 1992 declaring areas free of fruitfly. Mr McFarlane wants the Government to consider a range of measures which would lead to lowering cost structures for the horticultural industry at a time when it should be receiving

such help. The measures he proposes include, first, privatising sections of the inspection service; secondly, reforming the Government award system to allow lower out of hours cost structures (and many inspections take place out of hours); and, thirdly, simpler and more cost effective administrative arrangements.

In relation to the working hours, as I understand it the inspectors arrive at work at 8.30 to 9 o'clock in the morning and do virtually nothing until later in the day because that is when the fruit is picked and is ready for inspection. At that point there are quite high charges because they are in overtime. My questions to the Minister are:

1. Will the Minister consider overhauling the current inspection service?

2. Will he investigate the privatisation of sections of the inspection service?

3. Will he consider reforming the Government award system in relation to the service?

4. Will the Government consider simpler and more cost effective administrative arrangements to help lessen the financial burden on fruit growers?

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

STATE BANK

The Hon. J.F. STEFANI: I seek leave to make an explanation before asking the Minister of Transport Development, representing the Treasurer, a question about the State Bank.

Leave granted.

The Hon. J.F. STEFANI: At an executive committee meeting of the State Bank of South Australia, the Director of Banking, Mr Steve Paddison, stated that he had taken an aggressive stance in relation to media and customer criticism of the group. Mr Paddison further stated that derogatory incorrect statements made by the media would not be tolerated and members of the public making accusations in one form or other about the bank would be threatened with defamation action. In view of the extraordinary position taken by the Director of Banking my questions are:

1. How many threatening letters were issued by solicitors representing the State Bank to the media and to members of the public since 18 January 1991?

2. What were the total legal costs associated with this procedure?

3. How many defamation actions reached settlement and what was the amount of compensation recovered by the State Bank?

4. What legal costs were recovered for successful defamation actions taken by the bank?

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

POLICE AIR WING

The Hon. PETER DUNN: I seek leave to make a brief explanation before asking the Minister of Transport Development, representing the Minister of Emergency Services, a question on the Police Air Wing charter licence.

Leave granted.

The Hon. PETER DUNN: The South Australian Police Air Wing has applied for and been granted a charter licence so that it may now compete with other private enterprise charter operators in this State. Private charter operators in South Australia have been finding their operations difficult to maintain owing to the economic downturn. As a result, their charter rates are very low. Other States, in particular Victoria and New South Wales, have seen the wisdom of contracting out the fixed wing component of their aerial operations and are now looking at the rotary wing component. However, I do understand that Lloyds Aviation provides South Australia with Rescue One and other rotary wing services. The Australian Federation of Pilots has served a log of claims on the Police Air Wing to ensure that its pilots are being paid the award rates. My questions are:

1. In the light of the fact that State Rescue One helicopter is contracted by a private firm, why is the Police Air Wing obtaining a charter licence for its fixed wing operations?

2. Is it the intention of the Police Air Wing to compete against other private charter operators for Government business?

3. When pilots are called out for charter operations are they transported to and from the airport by police vehicles or in their own private vehicles?

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

STAMP DUTY

The Hon. CAROLINE SCHAEFER: I seek leave to make a brief explanation before asking the Minister of Transport Development, representing the Minister of Primary Industries, a question about stamp duty.

Leave granted.

The Hon. CAROLINE SCHAEFER: It is well known that unmanageable debt levels, many created by spiralling interest rates in the 1980s, are one of the main factors causing hardship to farmers and small businesses throughout South Australia. What is perhaps less known is that many people are still locked into a 14 per cent interest rate, some even as high as 17 per cent. If those people were to restructure their loans in today's climate they could do so at an interest rate of approximately 8 per cent. The higher interest rate contributes to their inability to succeed in business. The stamp duty to refinance a $250 000 loan to another more sympathetic bank is currently $900. The South Australian Farmers Federation is currently campaigning to have stamp duty waived on the refinancing of debt between banks for farms.

I would like to see this extended to all small business, including farms. My question is: will this Government endeavour to inject some hope into the small businesses of the State by waiving stamp duty on refinancing loans between banks?

The Hon. BARBARA WIESE: I am not sure whether the Minister of Primary Industries or the Treasurer is the appropriate person to whom this question should be directed. However, I will ensure that it goes to the right place and that a reply is brought back.

EDUCATION POLICY

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

Leave granted.

The Hon. R.I. LUCAS: On Tuesday last week, the Hon.

Carolyn Pickles asked a dorothy dixer question in this Chamber on the Liberal Party's education policy, which members know will not actually be released until closer to the next election. However, unbeknown to the Hon. Ms Pickles, the Minister of Education's staff had already given exactly the same question to the member for Playford, and the dorothy dixer was asked in another place on the same day.

The Hon. G. Weatherill: People think alike.

The Hon. R.I. LUCAS: You're very generous, Mr Weatherill.

Members interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: The Hon. Mr Weatherill is very generous: generous to a fault. Even more embarrassingly for the Hon. Ms Pickles, on Wednesday—

Members interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: —she was given another dorothy dixer by the Minister's staff about the Liberal Party's policy on children's services. However, what the Hon. Ms Pickles had not been told was that the Minister's staff had already arranged the same dorothy dixer to be delivered in another place the day before. The Minister's dorothy dixer answer in another place on Tuesday, stated, in part:

> Last month an extra 668 outside school hours places were made available in a new and expanded program in 34 of South Australia's primary schools. The Liberal Party's document has been very high on rhetoric—

Members interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: —in terms of motherhood but sadly it forgot the children. If we compare the Hon. Ms Pickles' dorothy dixer question on the following day we see the following:

> Last month an extra 668 outside school hours care places were made available in new and expanded programs in 34 South Australian primary schools. The Liberal policy document is full of motherhood but it forgot the children.

My Labor Party sources, who are very close to the Hon. Ms Pickles—very close indeed—indicate that she was furious at being made to look silly by the Minister and her staff in relation to these questions. My questions to the Minister are—

Members interjecting:

The PRESIDENT: Order! The Council will come to order.

The Hon. R.I. LUCAS: Will the Minister direct her ministerial staff in the preparation of dorothy dixer questions to ensure better coordination between the Houses and to ensure that her Upper House colleagues, such as Ms Pickles, are not made to look just a little bit silly—

The Hon. Peter Dunn: A right berk!

The Hon. R.I. LUCAS: Or, as my colleague says, 'a right berk'—in their attempts to make the Minister look good?

Members interjecting:

The PRESIDENT: Order!

The Hon. ANNE LEVY: I will refer that question to my colleague in another place and bring back a reply. In doing so, the truth can be reiterated a third time.

PUBLIC SECTOR REFORM

The Hon. DIANA LAIDLAW: I have a series of questions for the Minister for the Arts and Cultural Heritage about public sector reform. As the Minister is aware, the Arts Industry Council last year described the arts as being at a cross roads, and a more recent report chaired by Ms Kelly described the film industry as being at a cross roads, I have a series of questions to the Minister, because it does appear in this new arrangement that the arts have reached a new low. They appear to be tagged on the end of this portfolio 'business and regional development'. Will the Minister explain the fate of Dr Willmott, the current Director of the department? Has he been moved aside, and is the arts to be a mere division of this new department or a department within a department? Will Mr Bill Cossey, the new portfolio coordinator, be the person to whom the Minister and others in the arts community must work to get decisions on matters?

The PRESIDENT: Order! The honourable member never sought leave for an explanation: she should ask direct questions when she is asking questions.

The Hon. DIANA LAIDLAW: No, these are questions. Must the arts community work through Mr Bill Cossey in terms of getting decisions on matters of interest to the arts industry? Will he be making the ultimate decisions, or will it be somebody else within the departmental structure? Can the Minister indicate what the working relationship will be with Mr Cossey or whoever is to now head the arts and cultural heritage division or department?

The Hon. ANNE LEVY: I realise that the Opposition has not had long to appreciate the significance of the changes which the Premier has announced today, but I can assure the honourable member that the portfolio of business and regional development is a coalition of autonomous departments, all of which are concerned with developing the economy of this State. Dr Willmott is the CEO of the Department for the Arts and Cultural Heritage and will remain in that position. In terms of the arts community, it is through Dr Willmott and his staff that they will have a relationship with the department. The honourable member did ask to whom I would be working; I assure her that people work to me, not I to them. As Minister, I have the responsibility for the—

Members interjecting:

The PRESIDENT: Order! The Council will come to order. The Hon. Minister has the floor.

Members interjecting:

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

The Hon. ANNE LEVY: I reiterate that the Department for the Arts and Cultural Heritage remains the Department for the Arts and Cultural Heritage, with Dr Willmott as its CEO, responsible to me. The portfolio of business and regional development is a coalition of departments. Bill Cossey is the coordinator, and I understand that a senior executive will be formed which will involve all the CEOs of the different departments within the portfolio who can jointly look at strategic issues across all the different departments within the portfolio. However, there is no question of Bill Cossey's being the CEO of arts. That position remains with Dr Willmott, and I certainly am Minister for the Arts and Culture Heritage, one of four Ministers who is involved with the portfolio of business and regional development.

It is interesting that the Opposition seems not to realise that this grouping of portfolios is to bring together those that are important in the economic development of the State. This does not mean that the various departments brought together in this coalition have no other function. Obviously they have—or quite

a number of them. But, to complain about the Department for the Arts and Cultural Heritage in coalition with other departments concerned with economic development is to ignore the enormous contribution which the Department for the Arts and Cultural Heritage make to the economic development of this State. It is a department and an area which contributes a great deal, in the same way as Tourism and Mines and Energy do. It is entirely appropriate, if we are having a coalition of departments, each of which contributes significantly to the economic development of this State, that arts and cultural heritage is included in that grouping. It is most appropriate and a long overdue recognition of the fact that the Department for the Arts and Cultural Heritage contributes most significantly to the economic development of this State. In so doing I am not suggesting that that is the only function of the arts—far from it—and I could list a great number of benefits, cultural, social—

The Hon. Diana Laidlaw: Educational.

The Hon. ANNE LEVY: —and educational, which are most important roles of the Department for the Arts and Cultural Heritage in this State. But this grouping—I stress—emphasises the important economic contribution that the Department for the Arts and Cultural Heritage makes to this State, and I certainly welcome this long overdue recognition.

NATIVE VEGETATION

In reply to **Hon. M.J. ELLIOTT** (4 March).

The Hon. ANNE LEVY: The Minister of Environment and Land Management has provided the following response:

1. The issues surrounding the construction of a tourism development on the western end of Kangaroo Island are being considered by the Government. In the meantime there will be no change to the South Australian, Labor Government initiated, important biodiversity conservation legislation.
2. There will be no change to the operation of the Government's native vegetation legislation contained within the Native Vegetation Act as a result of the proposed Tandanya development.

TANDANYA

In reply to **Hon. M.J. ELLIOTT** (10 February).

The Hon. ANNE LEVY: The Minister of Environment and Land Management has provided the following response:

1. Stage One of the proposed Tandanya Tourist Development involves clusters of buildings amongst the vegetation, which allows some trees and small pockets of native vegetation to be retained. For this reason, it is difficult to precisely estimate the amount of vegetation to be cleared. Taking into account the area of the development itself and the clearance necessary for fire protection, around 50 per cent of the vegetation would be cleared or disturbed.
2. A precise estimate is unavailable because the development structure is amongst the vegetation. In some areas more vegetation will be removed because of the buildings. In all it is estimated that a total of 24 hectares of native vegetation would be modified, including areas totally cleared for buildings.
3. Yes, the Government has received a request to alter the regulations and the Native Vegetation Act. The Government is asked to review many Acts of Parliament and undertakes its own review to ensure that the Acts are achieving the intent of the legislation. For example, the Native Vegetation Act has resulted from a review of the former Native Vegetation Management Act.
4. The Government has considered proposals to change the Act and has decided against this course of action.
5. The issues surrounding the construction of a tourism development on the western end of Kangaroo Island are being considered by the Government. In the meantime there will be no change to the South Australian Labor Government initiated important biodiversity conservation legislation.

VOLUNTARY SEPARATION PACKAGES

In reply to **Hon. M. J. ELLIOTT** (3 August).

The Hon. ANNE LEVY: The Minister of Education, Employment and Training has advised that teachers categorised as surplus, and who were offered a targeted separation package, were required to submit comments from their principal about any possible disruption to student learning and/or the school program.

An assurance can be given that no separation packages will be offered during the school year where the principal or manager's comments indicate possible significant disruption to the students learning program and/or the school program generally.

Offers are only made to teachers in areas defined as surplus and only then once it has been determined properly qualified and experienced teachers are available as replacements.

UNIFORM CREDIT LAWS

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation before asking the Minister of Consumer Affairs a question about uniform credit laws.

Leave granted.

The Hon. K.T. GRIFFIN: As part of the move towards uniform credit laws, I understand that there is a formal agreement between Governments relating to the way by which uniformity is to be achieved. I did have some information which suggested that the agreement has now been signed. If that is the case, I ask the Minister: will she be prepared to table a copy of that agreement; or, if it has not been signed, would she nevertheless make it available, whatever draft is presently being negotiated?

The Hon. ANNE LEVY: The honourable member refers to the agreement having been signed. Certainly, it has been signed by some Ministers of Consumer Affairs representing some of the Governments in this country. I am not sure whether all members have yet signed it. A couple of Liberal Government Ministers had not signed it when I was last informed on the matter, but I know they have been considering it, and it may well be that they have signed it by now. However, I will have to check up on that.

While I have no desire to keep any agreement secret, it would be remiss of me not to consult with my Consumer Affairs colleagues in other States as to their feelings on tabling the document and thereby making it public. I stress: I have no desire to keep such an agreement secret but I think that as common courtesy I should consult with my colleagues interstate before doing so.

MEMBER'S LEAVE

The Hon. R.R. ROBERTS: I move:

That three weeks leave of absence be granted to the Hon. T. Crothers on account of medical treatment.

Motion carried.

PENSIONERS

Adjourned debate on motion of Hon. L.H. Davis:

That the Legislative Council—

1. As a matter of urgency, expresses its grave concern at the adverse financial impact on thousands of South Australian pensioners holding certain financial investments resulting from Federal Parliament's amendments to Social Security and Veteran Affairs legislation, and calls on the Federal Parliament to enact repealing legislation.
2. Directs the President to convey this resolution to the Prime Minister and the Leader of the Federal Opposition.

3. Resolves that a message be sent to the House of Assembly transmitting the foregoing resolution and requesting its concurrence thereto.

to which the Hon. I. Gilfillan had moved the following amendments:

Paragraph 1—Leave out the words 'and calls on the Federal Parliament to enact repealing legislation'.

After paragraph 1—Insert new paragraphs 1A and 1B as follows:

1A. Condemns the Federal Government for introducing and the Federal Opposition for supporting the amendments.

1B. Calls on the Federal Parliament to enact repealing legislation.

Paragraph 11—After 'Leader of the Federal Opposition' add the words 'and Leader of the Democrats in the Senate'.

(Continued from 18 August. Page 184.)

The Hon. CAROLYN PICKLES: In responding to the Hon. Mr Davis's motion on the Federal Government legislation, I move the following amendment:

Leave out paragraphs I, II and III and insert the following:

'calls on the Federal Government to reconsider the iniquitous legislation which includes unrealised increase in the value of shares within the Social Security income test.'

I am moving the amendment in this form because this is the same as that moved in another place by my colleague the member for Mitchell, Mr Holloway. This indicates that the State Government has some concern about this Federal Government legislation.

Before directing my remarks to the particular legislation I would like to point out that the Federal Government has made many advances for pensioners, but I would have to say that this particular move by the Federal Government, supported by the Liberal Party, is not one of them. However, it is important to point out some of the achievements of Federal Labor Governments—if you like, the bouquets before the brickbats. In case some members have forgotten, I will list but a few.

Soon after coming to office in 1983 the Federal Labor Government made a commitment to raise the pension to 25 per cent of average weekly earnings. This was achieved in April 1990 and has since been surpassed. Under a Federal Labor Government the pension has reached its highest level since the 1940s. Since 1983 pensions have risen by $78 a week—an increase in real terms of over 15 per cent.

The Hon. Barbara Wiese interjecting:

The Hon. CAROLYN PICKLES: That is exactly right. Indeed, under Labor overall the real income of pensioners has risen at a significantly faster rate than that of workers. The Federal Labor Government has provided above CPI increases in the pension on three occasions. The previous Coalition Government provided no such increases. The Federal Labor Government has introduced indexation of the pension income test free area and the assets test limits for pensioner earnings credit and the fringe benefits income test limit.

The establishment of the Financial information Service within the Department of Social Security in 1989 has provided older people with information and advice to help them make informed decisions about their future financial arrangements. Since July 1990 pensioners with income within the pension free area have paid no income tax. The current value of the full pensioner tax rebate is $972 for a single pensioner and $654 each for a married couple. Retirees can now receive some aged pension until their private income goes above $18 736 per year for a single person and $31 294 per year for a couple. From April this year retired persons who has receive as little as $1 per week in pension will also be eligible for the full range of Commonwealth and State provided fringe benefits for services such as hearing aids, electricity rates and transport. Furthermore, the Federal Labor Government will continue to deliver increases in the pension and this is in sharp contrast to the erosion of pensions under the previous coalition Government which allowed the real value of pensions to fall by over two per cent and which did not make any real attempt to encourage younger Australians to save for the future, particularly through superannuation.

I turn now to my amendment and to the substantive motion of the Hon. Mr Davis. There are some aspects of the Federal Government's decision to incorporate capital gains on shares into the pension income test, which I again emphasise were supported by the Opposition members in the Federal Parliament, which need to be addressed. The Federal Government says that this measure will gain nearly $62 million in 1993-94 and nearly $80 million in 1994-95. However, these figures are based on the current State of the sharemarket and the current number of pensioners affected by this legislation. I believe it is difficult to verify such substantial savings as it is impossible to predict the ups and downs of the sharemarket over a long period of time and equally impossible to predict how individual pensioners shareholders will respond to this initiative.

There appears to be a problem in the way that gains and losses are calculated. Capital gains will be counted as income and the normal 50¢ in the dollar pension reduction rate will apply. However, where a net loss in share value occurs beyond any offset against dividends and income from other shares or managed investments it will not be considered as a reduction in non-pension income that would make a part pensioner eligible for an increase in pension. It is difficult to predict the reaction of pensioners to these measures. Any changes to pensions often causes unnecessary turmoil for pensioners and I believe that this is one of them. There is no doubt that many pensioners who will not be affected by this measure will nevertheless worry about it.

The Hon. Mr Davis in moving the motion has suggested that it is a life threatening measure which could lead to the early death of some Australian pensioners. I have not received any comments of this nature personally but I do believe that any decision which leads to anxiety on the part of pensioners is not conducive to sound decision making regarding investments and it is possible that some pensioners will make inappropriate decisions in this regard. In particular, those who sell their shares at a loss before 23 September 1993 will have been encouraged to accept some erosion of their capital. Many pensioners rely on the aged pension as a stable form of income to meet everyday expenses and on their investment income to meet other cost such as rates, home and vehicle maintenance, holidays and so on, and this measure may encourage them to unnecessarily erode that income, which would be most unfortunate.

The Commissioner for the Ageing has made a submission to the Senate Standing Committee on community affairs, a very considered document on this particular issue, and I hope that the Senate Standing Committee will take it into consideration. I would like to quote a couple of small sections of that submission which I think are relevant to the debate in question:

My office's main concerns are for those pensioners (many of them

women) whose role in the sharemarket is a relatively passive one. They are likely to be a sizeable part of the 70 per cent of pensioner shareholders with share investments of $10 000 or less.

I must stress that that is 70 per cent of the four or five per cent of pensioners overall who will be affected by this. I go on to quote:

Typically, this group will have inherited shares, or acquired them during their working life through, for example, employee share ownership schemes. The Department's—

that is the Department of Social Security—

financial information service for pensioners appears to regard any capital gains in shares as 'readily realisable'. However, the reality is that many persons in this group have limited experience of regularly monitoring share prices, making informed decisions on the buying or selling of shares, assessing the impact of such action on their pension entitlement, and seeking appropriate advice to help them in these tasks.

I will go on to quote a further section, the final section of the Commissioner for the Ageing's document to the Senate Standing Committee:

I believe it can be argued that in this case as in others certain inequities and savings forgone by the Government should be accepted as a reasonable cost of other important principles or national interests—especially if the savings finally generated by the measure fall well short of the Government's expectations. These principles and interests include:

· A growing emphasis on self provision for retirement income and for the costs of aged care services. It is becoming increasingly clear that community care services in particular are already unable fully to meet consumer needs. In the current economic climate, the capacity for closing the gap between the demand for, and supply of, community care through public funding appears limited. Private financial contributions in this area will become an increasingly important factor in maintaining older people's quality of life.

· By way of analogy, it is noted that taxation advantages relating to private superannuation schemes recognise a national interest in encouraging self provision for retirement income, despite the skewing of these benefits towards higher income earning males.

· Age pension administration requirements should be as simple as possible to manage independently by pensioners themselves. As noted above, the measure will impose what for many will be a new and unrealistic requirement on pensioners to become actively involved in the management of their shares. This will be a complexity that many would rather do without.

I urge honourable members to obtain a copy of the Commissioner for the Ageing's document to the Senate Standing Committee because I believe it explains the situation well. The Government is opposing the motion moved in part by the Hon. Mr Davis because we believe that the wording of our motion is self explanatory. We will certainly be opposing the motion moved by the Hon. Mr Gilfillan. However, if my amendment does not pass then I indicate that we will be supporting Mr Davis's motion. I consider these measures by the Federal Parliament to be unfair and unwarranted. I believe the amendment notes this and in fairly strong language. It is a fairly unusual measure for a State Labor Government to make these comments but I believe that this particular proposal is most unfair and has caused a great deal of anxiety amongst pensioners. I believe that it may well lead to some pensioners eroding their income which is quite unnecessary.

The Hon. L.H. DAVIS: In closing the debate I would like the thank honourable members for their contribution and general support for this most important motion. Both the Hon. Ian Gilfillan and the Hon. Carolyn Pickles clearly understand the dramatic impact that this legislation has on the pensioners of South Australia and indeed of the nation. The numbers of people involved are certainly not large, when one looks at a population of 17 million people. There are an estimated 85 000 pensioners with share investments. But, of course, this measure is already in force for pensioners with managed investments, unit trusts, property trusts, and other unlisted products, and so the total numbers involved and affected by this legislation could be as many as 250 000 people.

Really, the only difference in opinion between the three Parties is in terms of the wording of the motion. There is general support for the proposition that the Federal Government should be condemned for moving this extraordinary legislation. Indeed, I welcomed the Hon. Carolyn Pickles' description of it as 'iniquitous legislation'. It is pleasing to see that the State Government has joined with the Liberal Opposition in recognising the folly, inequity and discrimination that is necessarily involved in the legislation.

In closing the debate, I want to restate the difficulty that the Department of Social Security has in policing this legislation. I have found in all my discussions with the Department of Social Security that senior officers have been very helpful, open and willing to cooperate in dealing with the very complicated formula which is involved in this legislation. Yesterday I thought I would put myself to the test and pretend that I was a pensioner or an adviser to a pensioner and rang the number in the telephone book. I was asked to press a number for pension inquiries, and I waited for six minutes for an answer on the phone. While I was waiting for that answer, the phone was full of bird noises. There was no attempt at music, such as 'Climb every mountain', which might have been appropriate for this legislation, or 'Twilight time', or 'Autumn leaves', whatever it might be—no attempt at music, but just bird noises.

The Hon. K.T. Griffin: 'One flew over the Cuckoo's Nest'?

The Hon. L.H. DAVIS: That describes it very well, because this legislation is absolutely cuckoo. What occurred to me, listening to these bird noises, thinking it was rather curious that this should be part of the Department of Social Security's public persona, I suddenly realised that the department had a sense of humour, that these birds where clearly wilderness birds, and of course this is what will happen to the pensioners if this legislation is introduced: they will be surely in the financial wilderness.

One of the Department of Social Security officers, at a lower level, in discussing this with me out of hours, said that there is a view within the department amongst people who deal directly with this legislation that now that they have come to understand the ramifications of the formula, how it works in practice and how inequitable and discriminatory it is in its nature they realise that it is quite stupid and impractical legislation. That is from the mouths of officers who are attempting to deal with the panicking pensioners on the phones of the nation.

The legislation deals with pensioners holding shares in Australian companies at a time when national savings and investment are seen as a priority by the Keating Government. Dr Vince Fitzgerald, as I mentioned in my opening remarks, when introducing the motion, has said that if this nation is to become more productive, more competitive in the Asian-Pacific region and the world at large, we need to be able to increase our level of savings from its present state, which is the lowest of any time this century with the exception of the great depression and the Second World War. Without adequate

savings, the other side of the equation, investment, will be inadequate. We will rely increasingly on foreign moneys for investment, and that has implications for our debt, our balance of payments and our currency.

So, this flies in the face of a national policy which I would like to think is a tripartisan view: that the Australian Democrats, the Labor Party and the Liberal Party all accept the fundamental importance of savings and investment to this nation. One of the harbouring or gathering points for capital is through the sharemarket. That is one of the most important conduits in a nation, to be able to raise money through the sharemarket, and there are many pensioners in this nation who have invested in companies such as BHP, Santos—companies which may have been risky companies at the time, because, as many members will remember, Santos was a very small company initially. After 10 or 15 years of operation, it finally discovered gas and, later, oil in the north of South Australia. Indeed, I have come across examples just like that.

I had someone ring me as a result of the publicity associated with the Senate Standing Committee hearing in Adelaide who said, 'I only have 10 000 Santos shares. I have held them for a long time. They have meant a lot to me in terms of the contribution that this company has made to South Australia, in terms of the capital growth and increasing income it has provided me. It has given me a lot of satisfaction.' This was a single male pensioner in his mid 70s. That is all he had, apart from his house and pension. He had 10 000 Santos shares, valued at about $27 500 on 23 September 1992, the trigger point for the legislation, and now valued in the order of $40 000. The impact of that increase, using the formula and the bizarre way in which this formula works, will mean that that person will virtually lose his pension. I think he loses his pension totally. That is discriminatory, quite unfair and unjustified.

As I pointed out in my opening remarks, and as has been implicitly endorsed by both the Hon. Ian Gilfillan and the Hon. Carolyn Pickles, that is discriminatory not only against share legislation but also in terms of equity, that someone with $100 000 in the bank could be getting virtually a full pension, someone with $100 000 in an annuity could be getting a full pension, and someone with $100 000 in a home unit would be getting a full pension. I have received many letters and phone calls, and this is a typical sentiment, expressed by someone in the country, who writes:

> One wonders how the Minister can continue with the plan after having the inequities highlighted. It seems to be a case of ideology clouding the issues of logic and fairness. It was pleasing to see the mention of anxiety and worry associated with the new rules and the loss of amenity, that is the interest which some pensioners take in the activities of the companies in which they hold shares. Such concerns are not welcome nor necessary in the twilight years.

That is a very important statement, and that was very nicely picked up by the Hon. Carolyn Pickles in her very considered statement. I was grateful for her particular reference to the Commissioner for the Ageing, Mr Lang Powell, for whom I have a great respect in his role as Commissioner, and I was pleased to see the Commissioner for the Ageing, amongst many other groups with an interest in the ageing community in South Australia, make a submission to the Senate select committee. What the Hon. Carolyn Pickles said in quoting Mr Lang Powell's submission is absolutely correct. It does involve a lot of anxiety, a lot of stress and, as I have argued, without any doubt whatsoever this is indeed life threatening legislation.

I can say without fear of contradiction that people whom I know as clients and other people in South Australia who have rung me in tears or who have come to see me and many other investment advisers, and other people in the area, are at their wits' end, knowing not what to do. In some cases, as I have mentioned, if they do sell their shares to maintain some part of the pension and their health benefits card, they are trapped with capital gains tax, so they are lost either way, whether they move or not. Then this pensioner goes on to state what I think is really the core, the essence, of the argument that I put to the Council:

> If I have to sell shares, it would be with a sense of loss. Somehow or other I feel diminished as a person and with the loss of a solid backstop. The nucleus of some of the shares dates back to early 1947.

He goes on to say:

> However, after reading your submission I feel more optimistic about the outcome. . .

It might be one thing to be optimistic about the submissions that have been made by many people on all sides of politics, but of course finally the legislation can be reversed only by a decision of the Federal Government. As I have mentioned, the formula is crazy. People of all ages from a range of professions involved with the aging community, people from the stock exchange and the finance industry, are against it. Indeed, a new dimension was given to the problem, again highlighting the idiocy of the legislation, when the Institute of Actuaries was asked by the Senate select committee to give its view on the likely savings that would flow from the legislation, because lost in this very controversial debate is the reason why the legislation was introduced in the first place, and that was that the Government alleged that for this current year there would be savings of about $64 million and full year savings of about $80 million, but the Institute of Actuaries puts that in perspective when it says:

> The $64 million is based on an assumed average growth in share returns of 18 per cent a year and assumes that there is no change in pensioners' behaviour after the measures begin [3 September 1993].

Quite clearly that is a nonsense, because as the actuaries point out in their submission share prices over the past five financial years have ranged between 9.2 per cent in 1991-92 (the best result) and minus 2.2 per cent for the 1989-90 year. They say that the estimate by the Department of Social Security is 'an upper limit to expectations of growth in share prices for a three-year period'. Indeed, the actuaries argue that the gain could be as low as $9 million if all pensioners affected sell their shares and replace them with fixed interest investments.

Pensioners are certainly taking advice on how to maintain at least part of their pension, and if this legislation remains many of them will act in a dramatic fashion by selling off part or all of their shares. So, I think there is a strong argument for saying that the alleged gains that will flow from this draconian legislation will simply not take place in practice, because pensioners, given the widespread publicity of this legislation, will act to minimise the financial damage which it necessarily does to them.

In conclusion, I thank members for their general agreement with the motion. I recognise that there are some differences in wording, but I believe that whatever the outcome this Council will stand united in sending a message to Canberra condemning this legislation. I recognise, as I did initially, that the Australian Democrats have been consistent in this matter, and I recognise

publicly, as I have done on more than one occasion, that the Federal Liberal Party did support the legislation initially. I have not sought to hide this fact. After the Federal election it fulfilled the pledge which it made in December to review the legislation after the election, but of course the horse has bolted and the legislation is on the books at the moment.

The Hon. T.G. Roberts: Has it been proclaimed?

The Hon. L.H. DAVIS: The legislation will take effect on 23 September. For it not to take effect there must be almost an immediate response by the Federal Government to the Senate Standing Committee on Community Affairs, which is now scheduled to report on 1 September and which was scheduled to report on 18 August.

I believe that this motion is an important part of a national protest against this legislation, which will force the embattled Keating Government to review its attitude towards the nation's pensioners, to give them a better and fairer deal and, in particular, not to discriminate against pensioners who have supported their nation's national savings and investments by investing in Australian shares.

The Hon. Ian Gilfillan's amendments negatived; the Hon. Carolyn Pickles' amendment negatived.

Motion carried.

PETROL

Adjourned debate on motion of Hon. Diana Laidlaw:

That this Council—

I. supports a differential in the price of leaded and petrol as a means to encourage more motorists to use petrol in their vehicles and to reduce both lead emissions and airborne lead levels;

II. deplores the Federal Government's proposal to impose an extra tax on leaded petrol recognising that such a move will disadvantage people who are least able to afford the tax or who cannot afford to replace their older vehicles, namely young people, the unemployed, low income earners, struggling small business and farmers and people living in outer metropolitan areas who do not enjoy access to a strong network of public transport services; and

III. urges the Commonwealth Government to pursue alternative environmental strategies which also take account of social justice issues, for example, reducing the excise on petrol or cutting the sales tax on the purchase of new cars and do not simply amount to another revenue raising tax.

which the Hon. R. I. Lucas had moved to amend by adding the following new paragraph:

IV. Directs the President to convey this resolution to the Prime Minister and Leader of the Federal Opposition.

(Continued from 18 August. Page 190.)

The Hon. I. GILFILLAN: I move:

In paragraph III—Leave out all words after 'social justice issues', and add to paragraph IV 'and Leader of the Democrats in the Senate'.

I indicate support for the motion. It is quite clear that the impost from the recent Federal excise loading will add an intolerable burden to the rural sector of South Australia where the cost of just day-to-day living is driving many rural family farm units into debt.

That has been widely chronicled elsewhere and unfortunately I am afraid it has not really made its impact substantially enough in metropolitan areas of South Australia generally and in Adelaide in particular. Normally there is very little sensitivity to the needs and the distress of the rural population, and that is why I believe that this motion is to be supported. I notice the mover has identified farmers in conjunction with struggling small business and people living in the outer metropolitan areas. It will obviously have an impact on others in the community as well, and I think that the other aspect of the motion—that there should be a distinct differential between the leaded and unleaded petrol—is to be supported and encouraged as an effective means of leading motor vehicle users away from leaded petrol. I want to signal the moving of those amendments and indicate the Democrats' support for the motion.

The Hon. CAROLINE SCHAEFER: I support the motion. There is no doubt that the Federal Government's plan to impose an extra tax on leaded petrol is a cynical exercise in fund-raising and has very little to do with improving health. If this tax had anything to do with encouraging people to use petrol, there would surely have been a corresponding decrease in the price of petrol. Instead, we have seen an increase in the price of ULP and diesel and an increase of 1 per cent in the sales tax on new vehicles.

Country people will again be the hardest hit. The rise in the price of leaded petrol and, of course, diesel will increase the cost of production in farming areas and will increase the price of everything, owing to the rise in freight costs. Country people drive further for their amenities and pay more freight simply because of distance. All consumers will be hit twice this time: once by the rise in petrol prices and again whenever the price of everything goes up because of increased freight costs.

Sixty per cent of leaded petrol is sold in country areas and many country people drive older cars. They will now find these much harder to change over because the value of a pre-1986 car will drop dramatically. In fact, it is estimated that the value of a pre-1986 vehicle will fall by an average of $1 000. The cost of a new car will now rise by 1 per cent; the gap widens. As an aside, corresponding to the rise in fuel prices, there has been a 25 per cent cut in road funding. There are few unhealthy blood lead levels in South Australia and practically none in rural areas. In fact, the only area I know of in this State which has dangerous levels of lead in blood is Port Pirie. The Hon. Ron Roberts would know better than I that these levels have been dramatically reduced by education and improved industrial practices. This has occurred without slugging the people of Port Pirie and the rest of the State with an extra 10 cents for their petrol.

The Labor Party has always purported to represent the little people, the workers, the battlers and the poor. Yet, this tax hits directly at those who can least afford it. The Federal Labor Party has forgotten the needy and forgotten its origins. I ask members of both sides of this Council to remember the little people and support this Bill.

The Hon. PETER DUNN: The true believers of the Labor Party have had a poke in the eye with a sharp stick with this one. If any members have been out door-knocking recently, they will know just how hard that poke in the eye was. I guarantee that two out of every five places I door-knocked last Monday complained about the increased price in leaded fuel. As has been said before, it is nothing but a fund-raiser; a taxation measure. Of course, it covers everybody. Everybody has to be moved around, whether in cars, aeroplanes or boats. As has been said, the lead levels are very low, particularly in South Australia.

I cannot understand why the Premier is not rearing up on his hind legs and barking at the Government, because in South

Australia we have one of the biggest lead smelters in the world. Broken Hill is on our boundary and employs a lot of people. We receive a lot of money from that area, yet all we get is a bit of a whimper or nothing said at all from the Premier. I cannot understand the logic of this Government. It is a bit like it has taken rat poison which has taken a long time to kill it; but it is dying. It is certainly not from being poisoned by lead, because there is very little lead poison in this State. I understand that Port Pirie has lost 160 workers in the past 12 months because of actions such as this. If you understand anything about the mechanics of the use of lead in petrol and how useful it is as an anti-knock additive and as a lubricant in fuels, you will understand that it is still a very important part of the use of fuels, particularly in old cars that have high compression ratios. Moreover, many light aircraft cannot run without leaded fuel content and they have a much higher leaded fuel than cars. I admit that they tend to be up in the air, and by the time the lead gets to the ground it has dissipated, but the fact is there is still the necessity for the use of leaded petrol in avgas.

The Hon. Diana Laidlaw: All boat motors, too.

The Hon. PETER DUNN: Yes. If that is the case, and if it is no longer being used in cars it is reasonable to assume that the cost of lead tetra ethyl will go through the roof and avgas and so on will increase even more than they are today (the ordinary price of avgas at Parafield is 82 cents a litre). The cost of raising the octane rating of petrol is extremely high and in South Australia all we have is a fractional distillation unit at Port Stanvac. We do not have a catalytic cracker and, therefore, it is very difficult to get high octane rating fuels out of that system, at least economically. We are cutting off our nose to spite our face.

The Premier made no noise to the Federal Government about this. I have not seen anything about it, anyway, and I guess he has lain down like a puppy and is having his tummy scratched and is quite content with that. The ironic point was that you add diesel into it and there is no lead tetra-ethyl in diesel, but you raise that by 3 cents. What do you think that does to country people? The unusual part about most country people is that they pay freight in and out. On my property I pay for all the things that come onto it, whether it be fertiliser or groceries or whatever. I even have to pay for the fuel that is carted onto the property. Every grain I grow, whether it be wheat, barley, oats or whatever, and every kilogram of wool that I produce I have to pay freight out on it. You add the cost to it, so how ironic it is to put up the price of diesel. I must admit the Government in its great wisdom has allowed that 3 cents or part thereof, to be discounted for the use of diesel on farms where they are not wearing out roads and so on. It was very interesting to note that it has added to the cost of administering that project, and it will be about 29 cents off diesel; there will now be a cost to administer that. That just shows how cynical this Federal Government is.

Of course, many old cars and utilities are used on the farm. From the early 1960s until the mid 1980s, certainly a number of them had high compression ratios, and the cost to convert those to use petrol, whether they have to put stellite valves and stellite seats in them or whether they just need to lower the compression ratio by fitting an extra head gasket or a spacer in the head, is expensive, and in many cases certainly not warranted.

This is the most cynical and stupid exercise I have seen in a long time, when the excise on the fuel could have been lowered with exactly the same effect. So, what they have done is add a GST to petrol. It is interesting to note the comments in the *Australian* recently that under the GST the Federal Government would have been taking about $2 billion more from the public than it was giving back. Under the present Federal budget—and most of it is coming from fuel—it is taking $3 billion. So, how cynical is the Federal Labor Party when one looks at what the increased cost in this fuel is doing? I suspect that its actions in this State are not much different.

The Hon. M.S. FELEPPA secured the adjournment of the debate.

MUTUAL RECOGNITION (SOUTH AUSTRALIA) BILL

Adjourned debate on second reading.

(Continued from 19 August. Page 248.)

The Hon. K.T. GRIFFIN: The Opposition said on the last occasion that this Bill was before us—and that was in the last session—that we supported the concept of mutual recognition. However, we indicated on that occasion that we disagreed with the way in which it was done and what was done. First, it adopted the Commonwealth Act and there was, therefore, no room for any application of the Commonwealth Act to South Australian law with modifications which would have suited South Australia and given us some greater measure of control over the process so far as it affected South Australia.

There was a reference of power to the Commonwealth, and we indicated that we were very much opposed to referring any power to the Commonwealth, whether in relation to this or any other matter. Thirdly, there had been no proper consultation through the Parliaments, and the legislation was presented to us as a *fait accompli*. The Commonwealth legislation had been enacted in December 1992 in the mad rush of legislation prior to the Federal election. There had been no opportunity for this State's Parliament to be involved in determining whether or not that legislation was appropriate and, when the South Australian Bill was presented to us, it was either adopt the Commonwealth Act *in toto* or not. There was no opportunity for amendment.

The fourth area of concern which we expressed was that there were problems with the Commonwealth Act in terms of its drafting. Our Parliamentary Counsel had made a number of critical comments about that. We gained access to a copy of his advice in October 1992, and it was certainly not complimentary about the way in which the legislation had been drafted and raised a number of issues which, up until now, have not been satisfactorily addressed—certainly not so far as the Liberal Opposition is aware.

The Bill which comes back to us is in the same form as that which was addressed in the last session. It still seeks to adopt the Commonwealth Act. It still seeks to refer power to the Commonwealth. And it still seeks to provide for the Governor to be the designated person who might agree on behalf of South Australia to amendments to the Federal Act, without those amendments being considered by this Parliament.

So, any consideration of adoption of those amendments by the South Australian Parliament will be avoided, and there are still problems with the Commonwealth Act in terms of

drafting and its application.

All those with whom the Liberal Party had consulted about this Bill (both in relation to the Bill presented in the last session and again subsequent to the introduction of the Bill which is now before us in this session) and most of the persons who responded, both individuals and professional and business organisations, as well as trade organisations, indicated that generally speaking they supported the concept of mutual recognition.

Some agreed with the Bill and have urged us to support it. Some disagreed with aspects of the Bill, particularly its lack of flexibility. Some were of the view that there had not been a proper analysis of the consequences of the Bill and therefore took the view that we were flying blind and ought to be very cautious about enacting the legislation.

Some have taken the view that there ought to be more intense negotiation to achieve uniform standards in relation to goods, that that negotiation ought to be upgraded and that there ought to be upgraded negotiation to achieve uniform standards in relation to occupational licensing. Rather than working from the bottom up and passing a blanket piece of legislation which did not effectively deal with all the potential problems and then work up, we should in fact be working from the top: a methodical process of analysing the standards which applied to goods and to occupations, involving an endeavour directed towards reaching an agreement on what uniform standards ought to apply.

Whilst there has been some criticism about the Legislative Council laying the Bill aside in the last session—and I can recognise that some are very strongly in favour of the Bill passing regardless of its faults and regardless of the faults of the scheme—nevertheless, the laying aside of the Bill has brought a greater focus upon the issue, so that the community has had to address more precisely the issues which are involved in the adoption of the Commonwealth Act and the scheme of mutual recognition which is evidenced therein. As a result, there has been a much greater level of interest in the concept and in the legislation.

Some still endorse the Bill regardless of its faults, and they endorse the Commonwealth Act regardless of its defects. There is a range of bodies which support the implementation of the Bill: for example, the Chamber of Commerce and Industry; the Real Estate Institute of Australia, and bodies similar to that; the Pharmacy Guild; the Australian Institute of Conveyancers; the Law Society; the Royal Institute of Architects; and the Institute of Chartered Accountants. Some of those bodies do recognise particular difficulties with the legislation, but say that at least we ought to be moving towards a recognition of the problems, and that we should support the Bill and let the community wear the difficulties and sort out the problems as the scheme is implemented.

Those opposed to the legislation—some more significantly than others—include the South Australian Employers Federation, the Engineering Employers Association of South Australia (although it has moderated its views, but still would prefer to have State legislation rather than adoption of the Commonwealth Act), the Riverland Horticultural Council, the Master Plumbers Association, the Institute of Teachers, the Non-Government Teachers Association and the Printing and Allied Trades Employers Federation (which identified problems with the Bill and would prefer a South Australian application of laws scheme rather than the mere adoption of the Commonwealth Act).

It is interesting to note that, in the misrepresentation about the Liberal Party's position on this Bill, an article appeared in the *Financial Review* of 12 July, and whilst that did cover some aspects of the concerns which we raised at the time nevertheless it makes some rather uncomplimentary remarks, but more particularly says that the Law Society, the Australian Institute of Conveyancers, the Australian Medical Association and the Real Estate Institute had written to me as shadow Attorney-General outlining their criticisms of the decision which was taken in the Legislative Council.

I should say from the outset that bodies such as the Law Society, the Australian Medical Association and the Real Estate Institute had not at that stage outlined their criticisms. I had in fact written to them informing them of the decision and forwarding them details of the debate so that they could give consideration to the issues that we raised in the Council.

The article in the *Financial Review* makes the observation (I think quite erroneously) that the issue was one of States' rights, but the journalist obviously did not analyse in detail the Commonwealth Act and took on face value the sort of propaganda that was being promoted by Senator Chris Schacht at the Federal level, who was badmouthing the decision that the Legislative Council had taken to allow the Bill to be laid aside.

However, a careful analysis of the Commonwealth Act would show that there are genuine concerns about the way the scheme will operate and particularly about some of the issues affecting goods either manufactured in South Australia or offered for sale in South Australia, as well as occupational licensing, and that those concerns are reflected in advice from the State Parliamentary Counsel which has not been given to me by Parliamentary Counsel but which, as I indicated when the Bill was last being debated, 'fell off the back of a truck'.

So the article in the *Financial Review* was erroneous and did not adequately represent the position of either the Liberal Party, or the Australian Democrats for that matter, and thus a majority in the Legislative Council.

I think what I should do is briefly outline some of the concerns that have been raised with me about the decision of the Legislative Council on the last occasion that the Bill was before us. I had correspondence from Sir Laurence Street, who indicated that he was not seeking to interfere in the decisions which the Legislative Council had taken, but he hoped that there would be some mechanism found (at least in the area of the legal profession) whereby Australia could have one legal profession, which would therefore make it more attractive to other countries for some form of reciprocal admission and practice rights.

Sir Laurence took the view that in some form or another there would need to be a unified legal profession in Australia able to gain the benefits that would flow from recognition of the right to practise in other countries, as well as the right for other practitioners to practise their law in Australia. He does make a suggestion that Parliament should retain some control, but he recognised that there were dilemmas for the Parliament in the way in which the Commonwealth legislation had been drafted.

The Riverland Horticultural Council again made some

observations about the scheme. It said:

> We submit, however, that it would be quite irresponsible for the Government to proceed with legislation for which it has not fully evaluated the potential impact on local industries.

Earlier in the letter to me, the Secretary of the Riverland Horticultural Council had made some observations about the lower standards of produce which might be allowed into South Australia. In relation to a review of food standards he said:

> If, from this exercise, the Government can demonstrate that South Australian food producers and manufacturers will not be disadvantaged in terms of lower standards in place in other States we would be prepared to review our opposition to the legislation.

They made a particular reference to the importation of dried fruits through States where there were not standards, and the repackaging and marketing of those in South Australia in particular, but also in New South Wales and Victoria as well as in Western Australia, and to market them as goods of a lower standard, thus undermining the local industries as well as creating prejudice for them because of the standards which they were required by their own State Dried Fruits Boards to adopt.

The view of the Riverland Horticultural Council this time is consistent with the view it expressed earlier this year. In information which the Premier made available to me in response to some requests for information he did particularly address that point. He did indicate that there was a recognition that the issue should be pursued. He made the point that the Agriculture and Research Management Council of Australia and New Zealand was to have considered the issue. It would normally have met in February this year when further progress was contemplated. The document states:

> The meeting did not take place. Meanwhile plans to reinforce the South Australian proposal at the July 1993 meeting of the council had been put aside in preference to a direct out of session approach to Ministers. As of August 1993 this approach was being developed.

What that indicates is that there really has been no progress made on addressing that important issue for South Australia and at the stage of the reply I would like the appropriate Minister to bring back a response about the progress which has been made since the Premier's letter of 17 August and give some indication of the way in which that issue is being addressed rather than a broad response which tells us very little. The Apple and Pear Growers Association makes the point that:

> The adoption of the Mutual Recognition Bill will go a long way towards forcing the State Government to Act in a particular area.

It makes the point:

> One of the reasons for wanting to see the Bill adopted is that for many years the association has sought the introduction of grading and maturity standards for fruit sold in South Australia. The current Government has rejected our requests and as a result the industry and consumers at times have been disadvantaged.

As I say, their view was that if the Bill was adopted it would force the Government into adopting grading and maturity standards. It is interesting to note that in the response which came from the Premier on 17 August he did make the observation that it was not intended to move towards grading standards. I know that has been an issue for primary producers, particularly fruit and vegetable growers, for quite some time. They take the view that standards ought to be established and left to the industry to regulate. It may be that that is one appropriate way of dealing with the issue of standards so that consumers are informed about standards without having the Government involved. That is an issue again upon which I would like to have some response from the Premier. The South Australian Farmers Federation has also adopted a view which expresses concerns over the adoption of the Bill. It says:

> The federation accepts the concept of mutual recognition where it will aid the free flow of trade between States but believes that uniform national minimum standards as applied to food and other areas, such as education and training, should take precedence over mutual recognition.

It attaches a copy of a food policy alliance document which does express the view that there are concerns over adoption of mutual recognition in Australia. The document states:

> . . . a national campaign to prevent adoption of mutual recognition in isolation and to encourage a new Commonwealth-State agreement on a more comprehensive approach to harmonisation.

Again, it is concerned about food standards and about the way in which mutual recognition, in its view, will undermine the move towards national standards. The Australian Institute of Conveyancers sought to have the Bill passed. They took the view that they ought to support the concept of mutual recognition saying that conveyancers who were solicitors in New South Wales could practise in South Australia but that they were prevented from practising in New South Wales. I made the point on the last occasion that we debated this Bill that I doubt whether mutual recognition would have assisted conveyancers in South Australia to practise in New South Wales or for that matter in some other States, because it does depend upon the registration of conveyancers.

I know that the Premier of New South Wales, Mr Fahey, has indicated that the Government is moving towards the recognition of conveyancers and it may be that when that occurs South Australian conveyancers can then practise in New South Wales under mutual recognition. But it was quite wrong to presume that conveyancers in South Australia would be entitled to practise in New South Wales without that New South Wales legislation and that they could somehow seek to call in aid the mutual recognition scheme to enable them to practise in that State merely because legal practitioners undertook conveyancing in that State. I may have misunderstood their argument but that was my understanding of the proposition which they put. I did say on the last occasion that I spoke on this Bill that there are also difficulties in the Mutual Recognition (Commonwealth) Act where, for example, Western Australia allows domestic conveyancing to occur through conveyancers but not commercial conveyancing.

It is then a question of whether the registration in that State is the registration of an occupation equivalent with that in South Australia, sufficient to enable a recognition of conveyancers from South Australia into Western Australia and *vice versa*. But, as I say, the Institute of Conveyancers is supportive of the legislation. The Engineering Employers Association does have some reservations about the process by which mutual recognition is being pursued. The Director of the Engineering Employers Association, Mr Alan Swinstead, has said in a letter to me—and the association has also sent a letter to the Premier:

> I should stress that our reservations are not necessarily of a parochial nature; they are really being expressed on behalf of all States with responsible standards.
>
> The complementary Commonwealth-State legislation as drafted recognises the need for safeguards against a weak State standard in respect of safety, health and the environment being imposed on all the States. I believe that similar provisions for point of sale regulations in respect of goods would close any loopholes through which quality

dumping could occur.

This would require a complete review of all the various standards to identify areas where one particular State was below par relative to the other States, and then invoking the 12 months period for remedy, already contained in the Bill for health, safety and the environment.

I understand that the States are already undertaking a similar review of occupational standards for just that purpose, and suggest that their agreement to a similar process for goods would enable South Australia to participate in mutual recognition without putting at risk any of its responsible regulation.

In the letter to the Premier, the Engineering Employers Association reiterates its concern as follows:

Our concern with the Bill as drafted was the surrender of powers to the Commonwealth Government which in the pursuit of some greater national objective has not always shown particular sensitivity to the disadvantageous positions of smaller States. Federal manufacturing industry policy is one example which comes readily to the minds of EEA members.

I believe that South Australia can enjoy the benefits which may result from mutual recognition by drafting them into State legislation which provides the facility to redress promptly and effectively the unforeseen consequences and unintended outcomes which must inevitably arise when large principles are translated into practical implementation.

It would seem prudent for this State, which is already bearing a disproportionate share of the burden in a restructuring of the national economy, to retain as much control of its destiny as possible so that its own unilateral economic initiatives are not neutralised or diluted by forces over which it has no control.

What Mr Swinstead is saying is something with which the Liberal Party generally agrees. The difficulty, however, is that the legislation and form in which it is presented to us does not allow that flexibility, so it is either adopt the legislation at the Commonwealth level and work towards some changes to it, or reject it. The Motor Trade Association of South Australia indicated on 13 August:

The MTA is not opposed to the concept of mutual recognition but we don't accept that the 'lowest common denominator' should be the benchmark. There are a few areas of licensing in the motor trade that we would not like to see placed in jeopardy simply because corresponding controls did not exist in all other States. Further, we would like to see control such as compulsory periodic motor vehicle inspections that apply in other States introduced in South Australia.

They annex some correspondence to Mr Bitter of the Business Regulation Review Committee relating to licensing. I would suggest that probably the focus of the MTA is misplaced in some respects. What it appears they seek to do is to bring over into South Australia additional controls from interstate in the hope that, by the adoption of mutual recognition, there will be compulsory periodic motor vehicle inspections and the retention of certain licensing provisions. It may be that those other areas of licensing may be undercut by the Mutual Recognition Act, for example, LPG fitters' licences, but that is, I suppose, a matter of contention. The Printing and Allied Trades Employers Federation of Australia wrote on 16 August to say:

In general terms, we support the concept of mutual recognition. We do, however, express concern if the implementation and administration of such an Act led to increased bureaucracy and inefficiency.

Therefore, it is essential that the impact of a Mutual Recognition Act on business and industry is fully evaluated for consequential ramifications and balanced against any benefits which may result.

They later say:

It is our view that amendment to the legislation should be made by State Parliaments and not by a 'designated person' who has been identified as the State Governor, or Chief Minister for the Australian Capital Territory, and the Administrator in the case of the Northern Territory.

There is a clear risk in the legislation that the lowest common denominator will prevail in standards where they differ between States, and therefore could disadvantage some States where legislation dictates higher standards.

They later make the observation:

Imports below generally accepted standards can also be introduced into Australia under the lowest common denominator philosophy. It has been indicated that this can be controlled through Commonwealth Government tariff etc. policies. We express difficulty with accepting the validity of such a notion. The lethargic reaction time of Government instrumentalities in dumping cases is clear reason for concern at suggested control through tariff policies.

They do make the same observation which I have made previously about ministerial council meetings where in some instances ministerial councils can make binding legislative arrangements where there is no previous consultation either with Parliaments or even with parties, and that is one of the concerns that I reiterate in relation to this legislation.

The last group to which I wish to refer are the plumbers. I have already indicated in my last contribution that this is a major area of concern. The Premier indicated on the last occasion we debated this that that was an issue that was to be addressed by merely amending some of the regulations so they would be imposed at the point of sale. As I understand it, that is still being examined, but what I would like to have from the Minister handling the Bill in reply is some clarification of exactly where the Government is going on that particular issue.

I will now turn to some of the matters upon which the Premier has provided information. He does refer in relation to primary industries to the issue of fruitfly and makes the point that, under paragraph 2 of the schedule of the Commonwealth Mutual Recognition Act:

A law of a State relating to quarantine. . . [is protected where]
(a) the law. . . regulates or prohibits the bringing of specified goods into the State or into a defined area of the State;
(b) the State or area is substantially free of a particular disease, organism, variety, genetic disorder or any other similar thing;
(c) it is reasonably likely that the goods would introduce or substantially assist the introduction of the disease, organism, variety, disorder or other thing into the State or area; and
(d) it is reasonably likely that introduction would have a long-term and substantially detrimental effect on the whole or any part of the State.

He makes the point that fruitfly legislation would be protected, but I tend to disagree with that, because whilst it is reasonably likely that its introduction would have a long-term and substantially detrimental effect on our fruit industry, it is important to keep interstate fruit out of South Australia unless it meets with certain quality and quarantine standards.

With regard to quarantine laws, a number of areas would have to be established: for instance, that South Australia is substantially free of the disease, that it is reasonably likely that the goods would introduce or substantially assist the introduction of a disease, organism, variety, genetic disorder or other thing into the State, and that it is reasonably likely that in the long term it would cause a substantially detrimental effect. So, there are some threshold issues that have to be established in ensuring that our quarantine laws are adequately protected.

In relation to labour laws, occupational health and safety and dangerous substance standards, the Premier in his correspondence to me indicated that mutual recognition will

be overtaken by the more rigorous national uniformity requirements. That may be so, but in the meantime it suggests that the lowest common denominator provisions are likely to apply. The memorandum from the Premier refers to the fact that in the area of health many food quality or grading standards may not be covered by the code. He draws attention to the fact that meat is subject to separate hygiene legislation. I would like from the Premier some explanation as to why some of those standards may not be covered by the code.

The Premier also refers to the fact that the Australian Health Ministers conference identified 11 health occupations in respect of which mutual recognition should apply. Work has been proceeding generally through conferences of regulating authorities of the various professions to try to achieve uniform standards of entry. There is no indication as to what those 11 health occupations may be. I would like some information about that and also some identification of where there is difficulty or at least conflict for South Australian occupational health professional standards and the ways in which they are being, or are proposed to be, resolved. It is my understanding that in some of those areas there is concern by health professionals that South Australia will be required to accept lower standards.

The Premier's memorandum contains an interesting minute which indicates that a resolution was passed by the Multicultural and Ethnic Affairs Council that:

> . . . the work of the commission and other bodies especially involved in the area of recognition of overseas qualifications over the past three years or so has effectively been wasted.

That was a reference to the fact that the Mutual Recognition Bill had not passed the Legislative Council. I want to take the opportunity to join issue with that and to say that, in my view, that is a nonsense and that that is not a consequence of the failure of the Bill to pass in South Australia.

In relation to education, employment and training, I do not think what was identified on the last occasion on which we dealt with the Bill was that South Australia already has a mutual recognition agreement with the Queensland Board of Teacher Registration. I know that we sought some information at the time about reciprocal arrangements, and we drew attention to the fact that Queensland had a different period of time for qualification of teachers and that that may have created some difficulty in South Australia. I see that there is mutual recognition which has been negotiated without the aid of the Commonwealth package and that Queensland and South Australia have recognition of each other's teachers' qualifications. That overcomes the problem in relation to the acceptance of standards in South Australia.

I think at the time I made some reference to the possibility that Queensland standards may not be as high as those of South Australia. I certainly was not critical of them, but in the light of the fact that there is recognition of the standards between the two States that puts the issue beyond doubt.

According to the Premier there is an intergovernmental committee working on developing nationally consistent standards for child care services, and the committee is required to report by March 1994 to enable mutual recognition procedures in children's services to become operational by June 1994.

That raises some issues, and I understand that there may be other responses from Government agencies or departments about the effect of mutual recognition on their area.

Before we go into Committee on the Bill, I would like to see some information presented about those matters. I understand that there is a report from VEETAC on some licensing issues, and I ask whether or not that report can be made available to members of the Council. I understand also that some other work is being undertaken by other ministerial councils, and I would like the Council to have some information about that as well as about the Consumer Products Safety Advisory Committee before we move into Committee.

I would like to take a few more minutes to refer to the minute from the South Australian Parliamentary Counsel which, as I say, fell off the back of a truck and which is highly critical about—

The Hon. R.R. Roberts: Was it an interstate truck or a local truck?

The Hon. K.T. GRIFFIN: I am not prepared to divulge the sources of my information but a—

An honourable member: It was a road transport.

The Hon. K.T. GRIFFIN: It was a passing road transport; I am not even sure where it was registered. But the South Australian Parliamentary Counsel responded in October 1992, as I understand it, to the Commonwealth draft of the Mutual Recognition Act, and was highly critical of it. Parliamentary Counsel states in that minute:

> Some time ago I reported to the Attorney-General on the proposed Mutual Recognition Bill. The Bill is inadequate in its conception and poorly drafted. Because of the extreme breadth of many of its provisions it could have a quite disastrous impact on the State's legislative capacity rendering it impotent to deal with a wide range of issues that currently fall within the province of the State legislation. My report was to that effect. Since writing my original report I have received what purports to be a rejoinder prepared by the New South Wales Cabinet office. There is nothing in the rejoinder that could sensibly form the basis of a different view of this legislation.

The minute goes on to deal with a number of issues. I would like the Minister who is responsible for handling this Bill to provide some responses, if there have been any, to the points made by South Australia's Parliamentary Counsel in his critique of the Commonwealth Act.

The Hon. I. Gilfillan: How widely circulated was that critique?

The Hon. K.T. GRIFFIN: Fairly widely, I think, but I do not know who else has it. I certainly have it, but I did not receive it from Parliamentary Counsel. Parliamentary Counsel refers to a number of areas, such as statutory warranties.

He gives some examples of how the warranties under the Sale of Goods Act of 1895, the Consumer Transactions Act 1972, the Manufacturers Warranty Act 1974 and the Second Hand Motor Vehicles Act 1983 may be overridden by the operation of the scheme. It is too extensive for me to deal with the opinion in detail, but if I merely flag the headings that might be sufficient to suggest some areas ought to be addressed. Business franchise licence fees: Parliamentary Counsel says that it is possible that the proposed Bill (that is, the now Commonwealth Act) might invalidate business franchise licence fees or at least invalidate them insofar as they raise revenue in excess of what is required for the administration of the business franchise scheme.

Stamp duty on rental business is addressed. The State industrial laws and awards; taxicab operators and liquor licensees—remembering of course that taxicab operators are licensed in this State and one supposes that if there is a registration system in operation interstate those who are licensed

taxicab operators interstate might be able to come here and claim an entitlement to registration and therefore be registered without satisfying any of the obligations imposed upon those from South Australia who seek to be licensed. The whole area of occupational licensing might be the subject of some subsequent challenge when the Mutual Recognition Act applies.

In respect of labelling there may also be a particular problem, and he refers again to some of the information required to be produced by a second-hand dealer under the Second Hand Motor Vehicles Act. Then there is the issue of inspection of goods and other issues. What he seeks to do—and I have some sympathy with the views which the Parliamentary Counsel expresses—is to identify some of the problems with drafting of the Commonwealth Act.

On the last occasion I spoke on this Bill, I endeavoured to point out some of the difficulties in the drafting of the Commonwealth Mutual Recognition Act and it was among those areas that we sought to move amendments that would apply the Commonwealth Act to South Australian law and accommodate the concerns which I, the Hon. Mr Gilfillan, and other members raised about the operation of the Act. When we got to the deadlock conference it was pointed out (I think quite properly) that we were not able to effectively amend the legislation to adopt it as South Australian law because the definition of 'participating jurisdiction' in the Commonwealth Act would mean that South Australia's Act would not be recognised as a part of the package in other States, because a participating jurisdiction was one which actually adopted the Commonwealth Act and/or referred a power. That made life very difficult. We indicated we supported the concept but had difficulties with the way that the principal Act was drafted and enacted. We wanted to try to tidy it up. It may well be that other States will actually find themselves in difficulty with the implementation of the mutual recognition scheme as more and more products and licences are sought to be dealt with under that scheme.

It is interesting to note that Victoria finally decided that, notwithstanding some concerns about the drafting of the legislation, it would adopt the Commonwealth Act but would not refer power, and its Parliament would retain power to agree with or not agree with amendments to the Commonwealth Act, rather than that being dealt with on an administrative basis by the Governor and the Government of the day. Western Australia has not introduced its legislation and at this stage it is not clear exactly what Western Australia is proposing to do. Certainly, the Western Australian view has always been much stronger in favour of States' rights to enact legislation and I would not be surprised if it went down the track of some scheme of legislation which required amendment of the Commonwealth legislation at some time in the future so that, rather than merely having to adopt the Commonwealth Act, there was an opportunity to apply the Act with some variations as State law, and to retain some measure of control over the legal and administrative process.

I raised with one lawyer the question of the Supreme Court being overridden by the Administrative Appeals Tribunal and the immediate response from the QC was that that would probably be struck down by the High Court if anyone challenged it, because no-one could expect that an administrative body of the Commonwealth could override the decisions of a State Supreme Court. It may be that that legislation is subject to challenge at some time in the future. The difficult issue now is of what to do with the Bill. Certainly, we would like to see it applied as State law with certain amendments. It has been indicated in the House of Assembly, and this is the view of the Liberal Party, that we will be prepared to support the second reading of the Bill and that we should seek to adopt the Commonwealth Act but with no reference of power, fixing the termination of the South Australian legislation at five years from when the Commonwealth Act came into operation, so that it is a fixed time period and not a moving feast. That is what Victoria has done. We would also seek to ensure that the State Parliament retains control over amendments to the Commonwealth Act. It is not a satisfactory position, but there is a range of opinion in the wider community that we ought to support the Bill even with its defects, and what we have decided to do is that we will give conditional support upon those amendments being agreed to.

There are amendments which the Premier and the Attorney-General were prepared to agree to at the deadlock conference, and I can undertake that, if those amendments are agreed to, in Government—and we would hope to be there in the not too distant future—we would be very diligently reviewing the operation of the Act with a view to endeavouring to get some amendments to the legislation agreed to by Governments around Australia that participate in this so that the unsatisfactory aspects of this Bill are overcome and there is a more clearly expressed legislative format in which mutual recognition occurs and that that occurs in conjunction with positive reviews of legislation which might affect the availability and sale of goods in South Australia and the recognition of interstate qualifications for those who seek to carry on occupations in this State.

So, I indicate support for the second reading and hope that in reply the Minister will be able to provide the information that I have sought and that we can then deal with the substantive issues during the Committee consideration of the Bill.

The Hon. R.R. ROBERTS secured the adjournment of the debate.

SUPPLY BILL (No. 2)

Adjourned debate on second reading.

(Continued from 18 August. Page 214.)

The Hon. R.I. LUCAS (Leader of the Opposition): I rise on behalf of the Liberal Party to support the second reading of this Bill. As members will be well aware by now, this is one of the two customary Supply Bills that the Parliament considers to enable the ordinary services of Government to continue whilst we await the Appropriation Bill debate later in this session. This Bill provides $980 million to enable, as I said, the Public Service to carry on its normal functions until, we believe, about early or mid November when the Appropriation Bill should have completed its passage through the House of Assembly and the Legislative Council.

The first Supply Bill was introduced back in April or May this year and provides Supply through the months of July and August and the early part of September of this financial year, this Supply Bill then picks up Supply from the early parts of September through until November.

When we debated this Bill last year, I asked the Government why we had two Supply Bills. One alternative option would appear to be that one could move in April for Supply to continue

until the early part of November, and that would provide for the months of July or August right through until the start of November, and if there was an emergency then of course an alternative or subsequent Supply Bill could be brought in if there was a delay in the Appropriation Bill debate.

That is fine in that it provides members in this Chamber two opportunities to debate Supply and, as the debates in recent years have tended take on a more flexible approach, it does gives members in this Chamber an opportunity to canvass a range of issues. Of course, as I indicated in the Address in Reply debate, if this Chamber was to favour changes to its Standing Orders to provide some form of grievance debate, then perhaps—and I would raise this as a possibility—we could consider the option of one Supply Bill and whether or not we do need two Supply Bills in each year.

I thank the Leader of the Government in the Council, the Attorney-General, who provided me with an answer on behalf of the Government which basically said that there did not appear to be too powerful a reason for two Supply Bills and that the Government was considering its options but at least for this year it would continue with two Supply Bills.

So, it is a matter for debate for members in this Chamber and for a future Government, but it is certainly an issue—at least personally anyway—that I am interested in pursuing just to see whether or not the alternative option might be a better option all way around.

I intend to address only two or three items in the area of Supply. The Appropriation Bill debate will be the most appropriate forum for members to analyse in critical detail the financial performance, and indeed the proposed performance, of this Government over the next 12 months, should this Government be re-elected at the forthcoming State election. So, I will address some comments in relation to the budgetary situation at the moment, and a more detailed response will be delayed until the Appropriation Bill debate.

All members will acknowledge that South Australia at the moment is a financial basket case. Terms such as 'rust bucket economy' and 'financial basket case' are freely used, sadly, by interstate and national commentators about our State economy and about—

The Hon. T.G. Roberts: Phoenix!

The Hon. R.I. LUCAS: I haven't heard the term 'phoenix' being used. It may well be used, should there be a change of Government, but certainly I have not heard the word 'phoenix' used in relation to this Government's financial and budgetary performance. As I said, sadly, they are the phrases and words that are commonly used to describe this Government's performance at the end of its 10 or 11 years in power.

We have the spectre of the $3 billion-plus financial problem hanging over the heads of all taxpayers of South Australia and, again sadly, future taxpayers. I have seen predictions that perhaps the pay-back period for this $3 000 million might be as long as 30 years, in relation to paying not only the principal but also the interest on those repayments, and that is a legacy that this Government will leave for our children and perhaps, for some of us, even our grandchildren, if the pay-back period will be as long as 30 years.

The Hon. T.G. Roberts interjecting:

The Hon. R.I. LUCAS: The honourable Terry Roberts, as is his wont, is being a touch cynical. I do not think he ought to be, because he is part of a Government that has inflicted this disaster on South Australia and future South Australians and he, together with the Premier and the collective Ministers, has to accept responsibility for the disastrous financial predicament in which we find ourselves at the moment.

I do not think there is any doubt that what we will see over the next 24 hours, perhaps over the next few weeks, and in subsequent weeks as we lead up to the election campaign, a whole series of pre-election sweeteners that will be included in the budget. It will be a budget that will be framed by an irresponsible Government and an irresponsible Premier and Treasurer, who will throw money freely to the wind in an endeavour to claw back desperately at least some support for the Labor Party at the forthcoming State election.

This Government has made the decision—to use the words of the Hon. Terry Hemmings—that it is in deep trouble, and clearly the Premier, Treasurer and Ministers will leave no stone unturned in coming weeks to try to claw back support for the Labor Government.

Clearly, too, the intention will be to try to minimise the extent of any forthcoming loss at the State election, again with a view to strengthening their own individual positions or factional positions in the post-election period within the Labor Party Caucus.

Sadly for South Australians, that is a situation that confronts us at the moment. The longer it drags on, the sadder it will be, because we have a situation where if this Premier is too cowardly to go to the people when he ought—and that is when his four years are up in November of this year—and if he, for the personal and individual advantage of Ministers and members of the Government, seeks to eke out the parliamentary term until March and April of next year, he will inflict tremendous damage on the South Australian economy.

There would not be a business person or an industry sector at the moment that would not take the view that this lot has had enough time; at least let the people of South Australia decide whether they should continue in office for another four years; and that a new Government with a new Leader with a new vision for South Australia's future should be given the opportunity to try to set the wrongs right here in South Australia.

The Hon. T.G. Roberts: A vision of a myopic worm.

The Hon. R.I. LUCAS: I think it is a little unkind of the Hon. Terry Roberts to talk about his Premier like that.

The Hon. T.G. Roberts interjecting:

The Hon. R.I. LUCAS: I would never use the phrase 'a vision of a myopic worm' to talk about Premier Arnold. I have been critical of the Premier on occasions, but I would never use that turn of phrase. I realise the Hon. Terry Roberts is a member of the Left, which is that small grouping within the Labor Party that is being left out at the moment by the Premier, but I really think it is going a bit too far for the Hon. Terry Roberts in this Chamber, when the Premier cannot defend himself, to slip the knife in between the Premier's second and third ribs and say that it is the vision of a myopic worm when talking about his own Premier.

As I said, the Government's four year term of office expires in November and the Premier ought to do the honourable thing. He ought to do the decent thing, if I can use the favourite adjective of the Hon. John Dawkins, and let the people decide in November of this year—or sooner if he wants to—whether or not they want more of the same or whether they would like to see a change.

As I said, we will see a pre-election budget; we will see

money being thrown to the wind; and we will see a bankcard budget where money is being promised. We have had the extraordinary circumstance already of examples of the Premier at the moment going along to community functions and promising to give money, saying, 'But you can't collect the cheque until after 1 July next year.' There will be more of that over the coming weeks with this Premier and these Ministers.

We will see more of what I guess we will see tonight, I understand, and that is the Premier's fireside budget chat going live to air on all commercial stations. Some sources very close to the Premier's office have revealed some details to me of the Premier's fireside chat which will go to air either tonight or tomorrow night—we are not sure yet whether it is a chat tonight or a chat tomorrow night. However, in the context of that there will be promises in this budget of extra jobs and extra money. I am told that as the Premier looks earnestly at the camera he will be advised to take off his glasses for added—

The Hon. T.G. Roberts: It is all part of the education process.

The Hon. R.I. LUCAS: The Hon. Terry Roberts says, 'It is all part of the education process.' Well, I am sure we will all be riveted to the television to see whether the Premier follows the media manipulators' instructions to take his glasses off and look earnestly at the camera for added effect in relation to his fireside chat, and then sit at the side of his desk looking very much like a statesman and a Premier and then, after he has uttered some faithful words, to slowly put the glasses back on again.

The Hon. T.G. Roberts: That is the highlight, is it?

The Hon. R.I. LUCAS: That is the highlight, I am told, of the Premier's fireside chat, either tonight or tomorrow night.

The Hon. Anne Levy: Did you know what Thatcher did with glasses?

The Hon. R.I. LUCAS: I am not particularly worried about what Margaret Thatcher did, because it has no relevance, but what does have relevance is that all this Premier is interested in at the moment is his fireside chat to go live to air tonight or tomorrow. The big TV cameras are out there at the moment and have been all day and, as I have said, sources very close to the Premier's office have indicated what the highlight of this particular production will be.

The Hon. T.G. Roberts interjecting:

The Hon. R.I. LUCAS: I do not know whether he is doing ads for Birks Chemists and what brand of spectacles he will be slipping on and off during this Premier's fireside chat. As I said, we will all wait with bated breath. Sadly, as I said, that is just an indication of what is occupying the Premier's mind at the moment: rather than getting on with the job of trying to solve the problems in South Australia, we are just seeing fluff and nonsense.

We are seeing the announcement of major reshuffles within departments just weeks before an election. This Government has had 11 years in office to get its house into order, to bring about public sector reform, and yet just weeks before an election significant changes in relation to the structure of departments are being made; significant changes in relation to key personnel are being made just prior to an election, at which I think most people would acknowledge this Government is unlikely to succeed.

As I said, this Government spends its time on fluff and nonsense, as it is at the moment, and comes up with bizarre notions of a new departmental coalition, as the Hon. Anne Levy would prefer to call it, where one has the choice of four Ministers whom one can approach on any particular issue. The Minister for the Arts and Cultural Heritage well knows that the Premier would like to see the end of the Hon. Anne Levy, but for whatever bizarre reason, I do not know, at this stage he is not prepared to take on the full might of the Left within his Caucus and to move the Hon. Anne Levy away from her particular portfolio responsibilities.

Instead, he has turned the Minister into a Clayton's Minister. She is basically a Minister without portfolio. As I said, the Hon. Mike Rann also referred to the Hon. Anne Levy, rather insensitively I might say—I had not realised that the Hon. Mike Rann was as insensitive as this—as 'junior', or 'junior Clayton's' Minister, and that is a bit unfortunate. It does not leave the Hon. Anne Levy in this Chamber with much credibility, and of course leaves her in a severely weakened position when she seeks to undertake whatever responsibilities are left for her with the constituent groups that I guess will now have to queue up to see the Hon. Mike Rann in relation to the key decisions regarding arts and cultural heritage. Her other bits and pieces—Consumer Affairs—have been hived off to the Hon. Chris Sumner and, as I said, her portfolio responsibilities have basically been hacked and slashed and given to a variety of other Ministers, and she has been kept on in name only. This is not the way to run a Government prior to an election. It is not the way to run a Government.

The Hon. T.G. Roberts: It's not a way to debate Supply, either.

The Hon. R.I. LUCAS: Well, this is the essence of Supply. It is providing $980 million to provide the ordinary Government services, and that is done through Government departments and agencies, and the very structure of Government is the matter that I am addressing at the moment. That is the dilemma that we have at the moment as we confront the economic problems of South Australia, the financial and budgetary problems of South Australia at the moment. We do not have a Government and a Premier prepared to tackle those budgetary problems that have been highlighted by the Supply Bills that we see before us and the Appropriation Bill that will be introduced into another place tomorrow afternoon.

The other major aspect of Government services and public sector reform is the question of the number of public servants that a particular Government might wish to maintain if it was re-elected. When addressing this, the Premier on previous occasions has indicated that he would cut by some 3 000 the number of public servants by June of next year. He also indicated after the recent announcements by the Federal Government that a further 600 public servants would have to be cut from South Australia's payroll. The statement that was made today on public sector reform, again a pre-election sweetener, indicates that the Premier is now backing away from his commitment to cut another 600 public servants from Government departments in South Australia, as part of this pre-election sweetening process.

The Hon. T.G. Roberts interjecting:

The Hon. R.I. LUCAS: Let me address this question of the future because it has been revealed today that the new Commissioner for Public Employment, Ms Sue Vardon, who has just been appointed to the most senior position in relation to Public Service numbers in South Australia, has been freely backgrounding journalists over the past weeks that there are

12 000 surplus public servants in South Australia. So, it is clear what the secret agenda of the Hon. Lynn Arnold and this Government is, in the unfortunate event that the Government were to be re-elected.

They have taken the decision to move Mr Strickland out of the position of Commissioner for Public Employment and they have put into that key position a person who, as I said, has obviously been freely letting out the Government strategy, the secret agenda, that the Hon. Lynn Arnold has in relation to Public Service numbers that there are some 12 000 surplus public servants here in South Australia. On behalf of the Liberal Party we flatly reject this secret agenda of the Labor Government and the Arnold Government. We flatly reject this notion that there are 12 000 surplus public servants lazing around here in South Australia doing nothing that can be hacked and slashed after the next State election.

We ought not be fooled by the statement made today by the Hon. Lynn Arnold that at this stage he is only going to get rid of 3 000 public servants and that that extra 600 will now not be proceeded with. It is clear what the secret agenda of this Premier and this Government will be if they are re-elected. Some 12 000 public servants will be for the high jump in the unfortunate evident of the Labor Party being re-elected. Let us not hear any hypocrisy from the Hon. Terry Roberts about what a Liberal Government will do. He ought to be asking his own Premier and Treasurer about these particular statements that this newly promoted senior public servant, the Commissioner for Public Employment, has been making in relation to public sector cutbacks.

I place on the record quite happily, which is something we have not seen from the Premier, that we do not accept the notion that 12 000 public servants can be cut from the public sector payroll straight after the next election. I make no personal criticism of Ms Vardon, because as a public servant she would only be acting according to her Government's instructions, so let me put the record straight there: there is no personal criticism of Ms Vardon in relation to this. However, when public servants in South Australia become aware of the fact that potentially 12 000 of them are for the high jump, in the unfortunate event of a Labor Government being re-elected, I am sure that many of them, as many others in the community are already doing, will rush to embrace the new policies and the new direction that the Hon. Dean Brown will lay down for South Australia under a future Liberal Government. I support the second reading of the Supply Bill.

The Hon. PETER DUNN: I wish to speak briefly on this Supply Bill because a matter has been drawn to my attention in recent days regarding ambulance services within this State, which are partially funded by the State Government. In fact, I noticed in the annual return for St John Ambulance Service in South Australia that in fact the Government grant to this part of the volunteers and the paid staff of St John Ambulance Service is now $11 million. So, rightly, it comes under the Supply Bill. We all accept the need for an ambulance service in this State but I do not accept the need to pay an arm and a leg to have this ambulance service. I am most disturbed about the increase in cost of this ambulance service. For instance, the total cost this year of the ambulance service in South Australia, country and city volunteers and paid staff, amounts to $39 833 061—nearly $40 million. Yet, last year the cost was only $35.75 million.

So, in fact we have had more than a $4.5 million increase in the ambulance service in this State, and why? It is very obvious: it is because the paid staff took over the ambulance service in the city, kicked out the volunteers and then started to add on the costs. In fact, the costs now are so far off the moon that the poor people cannot even access the service. A call-out fee in 1992 was $285 but this year it is $392, an increase of 30 percent in one year—a $107 increase in the fees to call an ambulance, and now it is $2.30 per kilometre one way. It does not stay at that. So, you have bizarre costs now for country people to get to hospitals and I will highlight that in a moment. But let me say it is causing people and doctors to cheat and they are suggesting to patients that they be brought to hospital by car rather than call out the ambulance if they are not a member of the St John or if, for instance, they do not carry a pension card, a concession card, a health care card or a health benefit card or if they receive benefits from Austudy or from the Department of Veterans' Affairs.

If they do not come under any of those categories, then they pay the full tote odds. So, doctors in fact are suggesting that patients be transferred from hospital to hospital by private car because of the huge cost. In fact, there is one case I can quote where a patient from the Repatriation Hospital in Adelaide was brought to Cleve in a chauffeur driven car because it was cheaper than the ambulance. Can you imagine the cost of an ambulance in that case? It is somewhere about $1 600 to take a patient the 550 kilometres from Adelaide to Cleve. That is outrageous. What is more outrageous is the fact that the cost is exactly the same in the country as it is in the city, whereas in the city they are paid staff, but in the country they are volunteers.

The risk is quite enormous. It is at the stage where pregnant women, for instance, are being told to go to places such as Whyalla, where there is more sophisticated resonancing and imaging equipment, by private car because of the cost of an ambulance. The cost of taking a patient for an X-ray or ultrasound has become so expensive for the hospital that their budgets are blowing out. So I think there needs to be a very careful and close look at the affordability of these ambulances.

Furthermore, what is the risk if a patient has to travel in a private car? This will happen in the future—there will be somebody who takes quite seriously ill in a private car when they should be in an ambulance. This has been brought about by the Government's capitulating to the miscellaneous unions, of which there is a branch that looks after these health care workers, and they are getting extremely good pay. I am the first to admit that the St John Ambulance in the country, the volunteers, are a magnificent group of people. They do a magnificent service. They do it because they like it. Maybe they are not trained to the nth degree as are the paid staff in Adelaide, but let me say that the paid staff get a lot of time off, and that is all they have to do.

However, the volunteers are the ones who do a day's work and then they work extremely hard to train themselves to keep themselves up to speed, particularly in the country, because that is all that is left now, and then offer that great service to those people who do get sick. So, I maintain that the cost in the country should be less, but it is not. Once again, the country is subsidising the city, and it is doing so because the paid staff in the city charge exactly the same. If I fell over here at Parliament House and needed to go to the Royal Adelaide

Hospital, the call out fee is $392 plus I would have to pay $2.30, because it would be about a kilometre from here to the RAH. So I would have to pay $394.30 to get to the hospital. How stupid is that? There was an increase of 30 per cent in one year. I cannot work it out, and I am sure that nobody else can work it out.

As I pointed out, if I had to come from Cleve because I needed specialist care in Adelaide, and had to come by land transfer in an ambulance, the cost is about $1 657. If I came by air, it is about $1 000. How mad have we gone with these land transfer costs? It has got out of hand. Another case was put to me a little while ago. A lady had to go from Cleve to Whyalla for a specific procedure, and it cost $900. If the procedure took more than half a hour, and she had to return to Cleve, there was another $900. So, it would cost $1 800 to go to Whyalla and back. I just find it inconceivable that that should happen.

There is a need to lower these country fees. If volunteers are going to give of their service, they expect to be able to provide a service at less cost than those people in the city who have paid staff come and pick them up. In the city you can have an eight or eleven minute call out, I am not sure, but we accept in the country there will be a half an hour to an hour call out time. We know that because we live out there. The same applies to the people who live right out in the bush and use the St John aerial ambulance from Port Augusta or Adelaide, or wherever. If they fall off a horse and break a leg, they accept that it will be sometime before the ambulance gets there. But they accept that. They are very grateful and are very supportive of that cause.

In fact, on Saturday night I will be attending a fundraiser at Parafield for the Royal Flying Doctor Service. It is a great organisation and it does a great job. I have the greatest admiration for St John, but very little admiration for what is happening here in the city. It appears that a group of power hungry unions have taken over and all they want to do is suck the money out of everybody, both country and city, to pay for their wants and desires.

Let me finish by quoting a letter I received the other day from the local doctor in Cleve. It is a letter he has written to the Chairman of the State Ambulance Board in South Australia, and he sent me a copy. It reads:

> Dear Sir,
>
> The other night a situation arose which epitomises the problems facing isolated people in the lower socioeconomic group when needing urgent ambulance help. I was pretty concerned, so I wrote the attached page which clearly and factually identified the issue—

I will quote that in a minute. The letter continues:

> The bottom line is that there are many people who, through financial constraints, are now frightened to tap into the ambulance system because of the cost factor.

No other reason, just the cost factor. The letter continues:

> It is not the way you might view the scheme but where you sit, nor the way I might view it from where I sit. It is how the public view it from where they sit.
>
> I haven't done anything more with this document other than send it to you in the hope that you might understand the sorts of concerns that constantly plague health care providers out here—

and out here means Cleve, on the Eyre Peninsula. Further:

> I know you have an ambulance service to run and I know it costs money, but an out-of-work family in the back blocks whose neighbours crew the ambulance for nothing, see a fee of $589 as an absolute barrier.
>
> The problem also lies with their perception of an ambulance fund contribution fee which also seems a barrier in this setting. I don't know what we can do about it. I just needed to document it.
>
> The problem wont go away, it's for real.
>
> Looking forward to hearing from you in due course.

I refer to the particular incident, in note form, to which he refers that cost $589 for an ambulance:

> Country Ambulance—1993.
> The ambulance rests in the shed.
> Its volunteer crew asleep in bed.
> Electronic call-out ready.
> We are in mid Eyre Peninsula.
> A child lies desperate for air.
> It is two years old.
> The time is 9 pm.
> Clinic Sister is called—20 kilometres away.
> Drives to the Community Health Centre.
> The child is given Ventolin via Nebuliser and Oxygen.
> It needs ongoing Hospital care.
> Nearest hospital 86 kilometres away.
> Parents are on Welfare.
> Father works two days a week.

Therefore he is not eligible for some of the benefits.

> Government imposed Ambulance call out fee $589.
> Crew wages, $nil.
> Parents cannot afford to pay.
> Ambulance is not called.
> Clinic Sister has oxygen in Clinic car.
> Mother holds mask, Clinic Sister drives.
> Kangaroos jump by from the dark.
> 11 pm. Child reaches Hospital.
> Cost—Petrol $12.
> Sister's pay (if she claims), $63.

I suspect that she does not. I know the particular person.

> This child survives.
> What if it had died?
> The paint on the ambulance is just dry.
> It has obliterated the original St John emblem.
> The present ambulance service comprising a Government takeover of St John cost taxpayers $7 million more than it did five years ago, yet the service is now out of reach of many isolated rural families even though their neighbours crew the ambulance at no cost to the State.
> The sister drives home alone.

And the ambulance has not shifted from the shed. How do I answer that? All I can say is that it is total incompetence on behalf of those people who now run the system in Adelaide and who have imposed a 30 per cent increase in the cost of an ambulance that has taken place in one year, and that is since the paid professionals have taken over. This is a perfect example of what happens in a country area. I suspect that it is happening time and time again where people cannot afford to call out the ambulance or where they will not do so because (a) they cannot afford to belong to St John, or (b), if they do, they are likely to be hit with a bill of $580 or that magnitude, because they live 80 kilometres from the hospital.

It is far more complex than that. I will not go into the matter in any more detail other than to say that if we continue down this track the sheer fabric of this society will fall apart and we will not have a health service in this country. The fact that hospitals now have to pick up the cost of an ambulance is crazy, it is a stupid situation, one which has been imposed on hospitals by the Government. It says, 'You will have to pick it up out of your own budget.' What happens if there is a spate of accidents, if for instance there is a bad bus smash at Wudinna or somewhere like that and 10 or 15 people have to be transported quickly to Adelaide? How will the hospital pay for that? It could not; it would be impossible, it would blow

out its budget by hundreds of thousands of dollars.

I suspect that what would happen is that those people would say, 'Can anyone take me to hospital in their private car?' If that is what the Government calls health care in this State I do not want to know about it. I am extremely disappointed with the Government's capitulation. It is things like that that blow out the budget. It is that sort of thinking that causes us not to be able to meet our budgets, and I presume it is that sort of thinking that happened with the State Bank. I am disappointed that it has come to this, that we must stand up in this place and say that we have a lesser service today than we had five years ago, even though it costs $7 million more, as Dr Clive Auricht said. It is a disgrace that we have a lesser service that is costing $7 million more. If the Government thinks that is good management of this State I do not.

The Hon. R.R. ROBERTS secured the adjournment of the debate.

STATE BANK OF SOUTH AUSTRALIA (PREPARATION FOR RESTRUCTURING) AMENDMENT BILL

Received from the House of Assembly and read a first time.

The Hon. ANNE LEVY (Minister for the Arts and Cultural Heritage): I move:

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

This Bill makes a number of technical amendments which will ensure that the preparation for the corporatisation and ultimate sale of the State Bank proceeds expeditiously.

In April, the Government established a high level Steering Committee to progress the corporatisation and sale process.

The Steering Committee has now completed its initial work, focussing on the steps necessary for corporatisation. Much of this work is of a technical nature. It is also inevitably preliminary in its conclusions.

However, it seems likely that corporatisation will need to be by transfer of the continuing parts of the Bank into a new entity to be corporatised by 1 July 1994, with continuation of the existing statutory authority.

The corporatisation process will involve a major "due diligence" type of exercise on behalf of the Government, including a detailed assessment of individual assets. This is to identify any assets which cannot be transferred to the new company, to assess transfer values and generally to ensure that the value and quality of the businesses corporatised for ultimate sale is thoroughly investigated.

The major focus to date has been on corporatisation. In general, it is too early to make any statements about the likely sale value of the Bank beyond those that the Government has already made. It is also too early to be definitive about the preferable form of sale or timing, which will depend on emerging market opportunities. The Government will monitor these closely. However, no sale of the business can take place until after the vendor due diligence" process has been finalised and no sale could be completed without enabling legislation.

I take this opportunity to table a summary of work by the Steering Committee to date for the information of Members.

It is clear that there will be a significant legislative program involved in the corporatisation and sale process, probably with three stages. The present amendments, which constitute the first stage, are purely to facilitate further work. The second stage will be to create the corporatised entity and to transfer the necessary assets and liabilities. It is anticipated that a bill dealing with this stage will be presented in the Autumn Sitting next year. Commonwealth legislation will also be required. Legislation for sale of the Bank would then follow as a third stage, probably in 1994-95.

The present bank legislation does not contemplate a corporatisation process or preparation for sale. Such a process, by definition, must be carried out on behalf of the Government as the owner of the Bank. In addition to bank officers, the process must also involve public servants, legal advisers and consultants engaged by the Crown.

The Steering Committee and the bank have been proceeding with the initial work without the need for legislation, based on legal advice to the Government that the Indemnity arrangements are adequate for the work carried out to date. As a matter of prudence, however, the Bill provides for the commencement date of the legislation to be 1 January 1993. This date has been set to avoid any doubt which may arise at any future time in relation to continuing work which must now become more extensive in the way already referred to.

The Bill provides formal authority and a framework for the work which must be undertaken in the next phase of preparation for corporatisation and sale of the State Bank. The amendments authorise such work and provide that the bank directors and officers must provide information required for the work to proceed and provide any other co-operation and assistance necessary.

I should emphasise that the Bank Board has agreed to co-operate in the process and supports these amendments. The purpose of the amendments is purely to facilitate this co-operation.

The amendments also authorise the directors to take account of corporatisation in making decisions on matters in respect of the Bank. As presently drafted, Section 15 does not allow them to take account of this.

The amendments also apply stringent confidentiality provisions in respect of any information gained by persons other than Bank officers as part of this process. The penalties proposed are in excess of those which apply to Bank officers under the Act.

As I have already noted, these amendments are necessary, but they deal purely with matters of machinery. They do not provide either for corporatisation or sale of the bank. These matters will be subject to subsequent consideration by Parliament.

I commend the Bill to Honourable Members.

Clause 1: Short title

Clause 1 is formal.

Clause 2: Commencement

Clause 2 provides that the measure will be taken to have come into operation on 1 January 1993.

Clause 3: Insertion of Part VI

Clause 3 inserts a new Part VI after section 31 of the principal Act to provide for the preparation for restructuring of the Bank Group undertaking. The proposed new Part VI is to consist of 5 sections.

Proposed section 32 defines the terms used in the Part. 'Authorised project' is defined in terms of proposed section 34(1). 'Bank Group' is defined as being the Bank and the subsidiaries of the Bank. 'Bank Group undertaking' is defined as the undertaking of the Bank and of its subsidiaries, or any part of that undertaking. 'Subsidiary', of the Bank, is defined as a body that is a subsidiary of the Bank according to Division 6 of Part 1.2 of the Corporations Law as modified in its application by subclause (2), or any other body or entity of which the Bank is the parent entity according to Division 4A of Part 3.6 of the Corporations Law.

The proposed new section also provides that in applying Division 6 of Part 1.2 of the Corporations Law to determine whether a body is a subsidiary of the Bank, the reference in section 46(a)(iii) of that Law to one-half of the issued share capital of a body is to be taken to be a reference to one-quarter of the issued share capital of the body, and that shares held, or powers exercisable by, the Bank or any other body are not to be taken to be held or exercisable in a fiduciary capacity by reason of the fact that the Bank is an instrumentality of the Crown and holds its property for and on behalf of the Crown.

In applying Division 4A of Part 3.6 of the Corporations Law to determine whether the Bank is the parent entity of some other body or entity, the Bank is to be taken to be a company to which that Division applies.

Proposed section 33 provides that this Part applies both within and outside the State to the full extent of the extra-territorial legislative capacity of the Parliament.

The proposed section 34 provides for the following action (collectively referred to as the 'authorised project') to be undertaken for the preparation for restructuring and sale of the Bank Group undertaking:

(a) determination of the most appropriate means of disposing of the Bank Group undertaking and, in particular, whether the

Bank Group undertaking should be restructured by vesting the undertaking in a separate body corporate or separate bodies corporate in preparation for disposal;

(b) examination of the Bank Group undertaking with a view to its restructuring and disposal;

(c) any other action that the Treasurer authorises, after consultation with the Board, in preparation for restructuring and disposal of the Bank Group undertaking.

This is to be carried out by persons employed by the Crown and assigned to work on the project, officers of the Bank assigned to work on the project, other persons whose services are engaged by the Crown or the Bank for the purpose of carrying out the project, and any other person approved by the Treasurer whose .participation or assistance is, in the opinion of the Treasurer, reasonably required for the purposes of the project.

The proposed section provides that the directors and other officers of the Bank and its subsidiaries must, despite the provisions of section 29a (which provides for confidentiality of Bank customer information) and any other law, allow persons engaged on the authorised project, and, with the Treasurer's authorisation, prospective purchasers and their agents, access to information in the possession or control of the Bank or the subsidiary that is reasonably required for carrying out the authorised project, or disposing of the Bank Group undertaking, and provide any other co-operation, assistance and facilities that may be reasonably necessary for any of those purposes.

The directors and other officers of the Bank and its subsidiaries are authorised, despite section 15 (which provides for the policies and principles to be observed by the Board of the Bank) and any other law, to administer the Bank and the subsidiaries taking into account the authorised project and the objective of maximising the return to the Government of the State from disposal of the Bank Group undertaking.

The proposed section also provides that nothing done or allowed under this provision is to—

(a) constitute a breach of, or default under, an Act or other law; or

(b) constitute a breach of, or default under, a contract, agreement or understanding; or

(c) constitute a breach of any duty of confidence (whether arising by contract, at equity, by custom, or in any other way); or

(d) constitute a civil or criminal wrong; or

(e) fulfil any condition that allows a person to terminate any agreement or obligation; or

(f) release any surety or other obligee wholly or in part from any obligation.

Proposed section 35 provides that a person (other than a person who is or has been employed by the Bank) who acquires information as to the affairs of a customer of the Bank by participating in, or in consequence of, the authorised project must not disclose or make use of the information unless the disclosure or use of the information is reasonably required for carrying out the authorised project, or the customer approves the disclosure or use of the information, or the disclosure or use of the information is authorised or required by some other Act or law. It provides a maximum penalty of $50 000 if the offender is a body corporate and in any other case a maximum penalty of $5 000.

Proposed section 36 provides that in any legal proceedings, a certificate of the Treasurer certifying that action described in the certificate forms part of the authorised project, or that a person named in the certificate was at a particular time engaged on the authorised project, is to be accepted as proof of the matter so certified. An apparently genuine document purporting to be such a certificate is to be accepted as such in the absence of proof to the contrary.

The Hon. R.I. LUCAS secured the adjournment of the debate.

EMPLOYMENT AGENTS REGISTRATION BILL

The House of Assembly intimated that it had agreed to the Legislative Council's amendments.

FISHERIES (RESEARCH AND DEVELOPMENT FUND) AMENDMENT BILL

Received from the House of Assembly and read a first time.

ADJOURNMENT

At 5.50 p.m. the Council adjourned until Thursday 26 August at 2.15 p.m.