LEGISLATIVE COUNCIL

Tuesday 6 February 1996

The PRESIDENT (Hon. Peter Dunn) took the Chair at 2.15 p.m. and read prayers.

MILNE, Hon. K.L., DEATH

The Hon. R.I. LUCAS (Minister for Education and Children's Services): I move:

That the Legislative Council expresses its deep regret at the recent death of Mr Kenneth Lance Milne, former member of the Legislative Council, and places on record its appreciation of his distinguished public service.

With great sadness, I move this motion on behalf of members, in particular, all members who were fortunate enough to serve for all or part of the time that the Hon. Mr Milne served as a member of the Legislative Council between 1979 and 1985. I think I can say without fear of contradiction that all members will remember Lance Milne with great affection, each in our own way. I guess some members may well share their own reflection or experience, but certainly all members—and, I suspect, all staff—at Parliament House will remember Lance with great affection.

If one looks at Lance's biography and achievements throughout his community and political career, one sees that he was a most interesting character. He served with distinction in the RAAF in the Second World War; he was a chartered accountant for many years; a Mayor of Walkerville, as well as President of the Municipal Association of South Australia; and he was South Australia's Agent-General in London for five years from 1966 to 1971. Lance was also Chairman of SGIC from 1971 to 1979, a director of a number of private sector companies, Chairperson of the inaugural meeting of the Australian Democrats, and later the South Australian President of the new Party. The list of his community service goes on and on.

I know that Ministers who had anything to do with Lance in recent days since his retirement will know that he continued that history of service and, together with a number of prominent South Australians, he was active in a number of organisations seeking, in effect, to promote South Australia and a range of positive developments and benefits for South Australians. If we do not die quickly, we will all have the opportunity to look at our own press clippings over a long period of time but, when one looks at the press clippings of Lance's career, one sees that it is very interesting.

There is an interesting article from Alex Kennedy, who is still an active journalist in South Australian politics in the 1990s. This 1979 *Advertiser* report, headed 'The Man of Many Achievements', was an article on Lance Milne. In reading through that article, without going through all the detail, one finds that it reflects the extraordinary diversity of the interests of the Hon. Lance Milne. During his career, he had written three books on various subjects, such as *The Evils and Realities of War* and *The Fight for the Right of Chiropractors to Practise*. Lance said he wrote his first book back in 1937, when he was first studying. 'I failed my exams, of course,' was his comment in relation to his first book.

Lance was evidently somewhat of an expert in the area of conchology, the study of molluscs in their shells. Evidently he was one of the foremost Australian experts in this area, with his collection, which was one of the best in Australia, deposited in the South Australian Museum for safekeeping.

The Hon. Lance Milne was a former and active member of the Labor Party before he was appointed Agent-General in London in 1966. He very nicely made the point that perhaps he had changed or the Party had changed and, when he came back, he was keen to look at other directions, and that was one of the reasons why he was one of the active movers or contributors in the development of the Australian Democrats in South Australia during that period.

When one looks at the history of the man and some of the headlines, one realises that he was very active in the no-smoking legislation, attracting headlines such as 'Milne, the mild man in the middle', 'Government gets angry at Democrats over vote', and a range of other headlines which I guess summarised Lance's six years in the Parliament. As I said, I am sure members will have fond recollections of some of the experiences, which I have heard recounted, during that period and since then. There was a bit of a falling out with the Australian Democrats when he retired, although I will not go into the detail of that, in terms of the direction he saw his Party taking, and he then moved on to other challenges. Even in recent years Lance was part of deputations to me and other Ministers with strong viewpoints of the direction in which he thought South Australia ought to be heading and some of the changes he would have liked to see in South Australia.

In that article by Alex Kennedy headed 'The Man of Many Achievements', there is a quote from Lance Milne which reflects, to a degree, my recollections of the way in which Lance sought to approach his job in the Legislative Council. The quote is as follows:

He doesn't appear too keen on what has constantly been referred to over the past two days as the Democrats holding the balance of power in the Upper House. 'Personally, I don't like the impression that gives,' he says. 'I hope the Democrats are going to play a big part in preserving our system by being reasonable.'

Lance Milne says he intends to make 'reasonable' his key word for the future.

'I believe in thinking of what's right instead of who's right; it's been my philosophy all my life. It's worked so far; why change it now?'

Those comments summarise the way in which Lance went about his job. I know in Opposition members of the Liberal Party were frustrated on occasions and I am sure members of the Government were frustrated on occasions with the approach that the honourable member took, but I do not think anyone could ever have suggested that Lance was not approaching it in the best possible way and, from his viewpoint, being as reasonable as he could about the whole issue.

Speaking of fond recollections, my fondest visual recollection of Lance Milne is having seen—and I think there was a photograph in the *Advertiser* which recalls the fateful day—the Hon. Legh Davis and the Hon. Lance Milne dancing arm in arm in a mini chorus line on the floor of the Legislative Council at the end of one particular parliamentary session in light blue or bluey grey suits or something—

The Hon. L.H. Davis interjecting:

The Hon. R.I. LUCAS: Identical suits it was—they had been to the same tailor. As I said, that was recorded in the *Advertiser*.

The Hon. T.G. Roberts interjecting:

The Hon. R.I. LUCAS: No, it was not recorded in *Hansard*: it was recorded in the *Advertiser*. The Hon. Legh Davis can speak for himself, but I suspect we will not see the Hon. Sandra Kanck and the Hon. Legh Davis or the Hon. Mike Elliott and the Hon. Legh Davis dancing a similar mini chorus line at the end of a parliamentary session. As I said,

in terms of fond recollections he was a friend. As a member of the Liberal Party at the time I saw him as a friend, and I suspect many members from all political Parties looked upon him as a friend as well as a parliamentary colleague. Sometimes those types of things happened with Lance and we remember them with much fondness, as well as his long, distinguished career of community and parliamentary service.

On behalf of Liberal members and Government members in this Chamber, I record with much sadness the appreciation of our members of his long and distinguished career and we pass on our condolences to Joan, family, friends and acquaintances.

The Hon. CAROLYN PICKLES (Leader of the Opposition): I am very pleased to second the motion. My Labor Party colleagues will join with me in paying respect to Lance Milne, a man for whom a stint in the Legislative Council capped off a long life of active service in the public sphere. I will be brief with my comments, particularly as I was not a member of this Chamber (in fact, on our side of the Council the Hon. Anne Levy was the only member) when Lance Milne was a member. I know that the Hon. Ms Levy would like to make some further comments.

The Hon. Mr Lucas has already alluded to Lance Milne's impressive public career, which included his time as Mayor of Walkerville, being Agent-General for South Australia in London in the late 1960s and being President or committee member of numerous sporting and other community organisations too numerous to mention. He was a member of Parliament from 1979 to 1985 and, as the Hon. Mr Lucas has already mentioned, he was a one time member of the Australian Labor Party and subsequently entered this Chamber as the first Australian Democrat. In some ways it is not surprising that he reached the heights that he did in the Legislative Council, given that he came from a grand old Adelaide family. Indeed, his great great grandfather, Sir William Milne, had been President of the Legislative Council from 1873 to 1881; his uncle, Sir John Lancelot Stirling, had been President of this Council from 1901 to 1932; and his brother-in-law, Sir Walter Duncan, had been President from 1944 to 1962. One could say that politics was indeed in the Milne blood.

I attended the memorial service that was held recently at the Adelaide Town Hall, and the very fact that well over 500 people were present is an indication of the respect that many South Australians wished to show to Lance Milne as a man whom they had known in many spheres of life. He will be remembered by many as a jovial man, a genial man and a fair man, and his passing will be noted with sadness by many people but with fond memories by those who knew him well. I extend my condolences to his wife Joan and to members of his family.

The Hon. M.J. ELLIOTT: I support the motion. I regret the passing of Lance Milne and extend my condolences and those of the Democrats to Joan and his family. I knew Lance for about 15 years. I met him soon after joining the Democrats when I was living in Renmark and, as a member of Parliament, he came to Renmark fairly regularly and I was involved in organising his itinerary. During those days I spent a great deal of time with him. When one saw him out in the electorate one could tell that he genuinely cared about people and issues.

There are very few people to whom one can apply the word 'gentleman' but, in every sense of the word, Lance was one. He did not like to see confrontation. He always felt that, given good will, things could be worked out, and that was one of the reasons why he was involved in the formation of the Australian Democrats: he considered that politics was becoming too confrontational, and he sought to do something about that. He had a real understanding of what public service meant. Many people get involved in public life and on boards, etc., to stroke their own egos, but I never saw a sign of that in Lance. He did it because he wished to serve, and he served with great distinction in many, many ways.

I did not realise how much of a contribution he made until I attended the ceremony held at the Town Hall, which was a celebration of the life of Lance Milne, on 22 January. A person who, with his passing, attracts such a large crowd, which filled the lower level of Adelaide Town Hall to capacity, with more people standing in the upper tiers, clearly made a major contribution to life in his State, and such a wide cross-section of the community was there.

He managed to write his first book prior to his service in the Air Force, serving overseas with distinction, and on his return from war service he entered public practice as a chartered accountant and became Chairman of the South Australian Branch Institute of Chartered Accountants. He wrote another book, which was used as a text for many years in tertiary institutions, and I understand that there is some move for that text to be used again. One comment made about the book was that it focused not just on accounting in the very narrow sense but also on matters of ethics in relation to accounting and the importance of them. Again, that is a reflection of the man.

Lance was involved in the beginnings of many things. I have already referred to the fact that he was involved with the Democrats from the very beginning and chaired the first public meeting, but I understand that he was the first President of the Municipal Association, which was the forerunner of the Local Government Association. He was the inaugural Chairman of the SGIC, and there is no doubt that the SGIC flowered from the very beginning. He was also the inaugural founder of Partnership South Australia, an organisation which was established in recent times and which followed up on studies that Lance had made in Austria, looking at a partnership that brought together business, unions and farmers and looked for constructive ways of sorting out the economic problems of a nation. He was working on that in South Australia until his death, still beginning things, getting things going and thinking about his State.

Lance made an enormous contribution to the Royal Life Saving Society, being its South Australian President from 1974 until his death. He was a life member of the Society, and his valuable contributions to it were recognised with honours awards up to and including the Commonwealth Service Cross, the National Meritorious Service Award, and State Branch Honorary Life Governorship.

I understand that Lance was not only involved in starting things but also in saving organisations. A testimonial was given at the Town Hall about the role he played to ensure that the Adelaide Rowing Club, which was in desperate trouble, survived under his chairmanship. He was brought into the job and succeeded. His passing is regretted, and doubly so as a person who was still making a contribution and who was prepared to go on making contributions to South Australia. However, I am certain that the influence Lance has left with other people will ensure that his work will continue.

The Hon. K.T. GRIFFIN (Attorney-General): I became Attorney-General in 1979 and one of my first tasks in this Chamber was to deal with the new member of the Legislative Council, the Hon. Lance Milne. It was very difficult at that stage because the Democrats were relatively new to the political scene, but there were a number of policy directions which he had already indicated he would be following. So started at least three years in government where it meant that on most decisions that were controversial one would have to deal with Lance Milne in particular, and there are probably many stories one could tell about those relationships behind the scenes.

However, I think the facts speak for themselves: that in dealing with a very difficult task—in a sense the meat in the sandwich between the two major Parties in this House, and holding significant power and responsibility—Lance Milne did endeavour to understand the issues that were being presented in the debates and he did genuinely attempt to reach a decision which he believed was in the best interests of South Australia. I did not agree at all times that those decisions were necessarily in the interests of South Australians, but that is a feature of politics: that people of goodwill can differ on what may or may not be in the best interests of the people whom they represent.

In dealing with Lance Milne, both within the Parliament and outside, and subsequent to his retirement, I found him always to be a gentleman. He was a man of honour. He was, in some respects, conservative in his approach. That conservatism, I think, developed over his more recent years. He had a sense of humour.

The Hon. Robert Lucas has related one of the more humorous events that occurred in this Chamber—not whilst we were sitting—and he was also well known for his Benny Hill impersonations. They were really quite hilarious and, but for the fact that you knew it was Lance Milne, you would have sworn that it was Benny Hill. He was an idealist, and that is reflected in the fact that in more recent years—as the Hon. Michael Elliott has said—he was the founding member of Partnership South Australia, which sought to put a different perspective on the way in which one could achieve benefits for South Australia.

Lance Milne was always in good spirits and always positive, always had a smile, whether it was to members or their families or friends or others. I am sure that the Messengers and staff in Parliament at that time of his membership would recollect that he was always a man of great courtesy. He was very proud to have become a member in 1979 and to follow in the footsteps of his relatives and, although I think he probably had few regrets when he stood down from membership of this place, he did have many fond memories of his associations with past and present members of the Legislative Council, in particular.

I want to add my condolences to his widow Joan and his family, and to remark upon the fact that Lance Milne made a significant contribution to the life not only of the Parliament but also of South Australia.

The Hon. ANNE LEVY: I would like to endorse remarks that have been made by previous speakers regarding the Hon. Lance Milne. I was a member of this Council throughout his period in Parliament, and many of the comments that have been made by other people strike me as very accurate and a fine designation of his many qualities. He was always the gentleman, and his courtesy to and interest in other people was extended to everyone in this building. He was not always fully appreciative of what might be called a feminist point of view, and there were occasions on which I think he had to be gently reminded of Democrat policies in these areas—with which I suspect that he personally did not agree. But he did not deviate from Party policy.

I have many memories of Lance Milne, in particular one night at the end of a session when conferences between the Houses were occurring and Lance and I were both members of two conferences, one on the Planning Bill (during the Tonkin Government) and one on legislation relating to tertiary education. At that time the House had to be in session while conferences proceeded, and these two conferences alternated one with the other until about 4 o'clock in the morning. I am not quite sure who was keeping whom awake, but Lance and I were working in very close cooperation in those two conferences throughout what was a very long session.

Other people have mentioned his great commitment to many community organisations. The Royal Life Saving Society was one very close to his heart and, over a cup of tea, he would often talk about it and its achievements and problems. Likewise, his great interest in shells: I encountered him several times at the Museum, where he would go to discuss conchology with members of staff. He had a great interest not only in the shells but also in the whole marine biology section of the Museum and could discuss matters very knowledgeably with the scientific staff there.

The Hon. M.J. Elliott: One species was named after him.

The Hon. ANNE LEVY: Yes, one species of shells has been named after him. In the Chamber here, at one time I recall his moving a private member's motion relating to the Waite Institute. He was most appreciative of the work that the Waite Institute did, the enormous contribution that it had made and still makes, of course, to the agricultural potential of this State, and its general scientific contribution to agriculture.

At one time there were problems relating to the finances of the Waite Institute, and Lance was very quick to move a motion in this Council supporting the Waite Institute, providing adequate funding for it and outlining the great work that it did. At that time there was no political controversy over his motion, which was supported by both major Parties. It was typical of Lance to move such a motion at a time when there was some perturbation about the finances of the Waite Institute.

The Leader spoke of visual images. The visual image of Lance that I will always retain is that of his smiling face. One would never see Lance without a smile on his face, which smile frequently developed into a gentle, but most appreciative, chuckle. I am sure that no-one ever saw him look sour, defeated or unhappy. I have no doubt that at times he was not entirely happy, but he always portrayed good humour and good courage and had a very approachable mien.

I would certainly like to extend my sympathies to Joan and the members of his family. I am sure that their memories of him will be of a gentle, kindly person of great integrity—the same image which everyone who knew him in this place will retain of him.

The Hon. DIANA LAIDLAW (Minister for Transport): I have many memories of Lance Milne. I remember that he, like his father, loved a party. When I was young my grandmother used to tell me stories about parties which she attended at the Milnes'. I must have been very impressionable, and certainly I was shocked—shocked in the

sense that today one would just shrug—because he was pretty fast driving the cars; he loved to drink; he loved going down balustrades; and he loved dancing. I used to think that Lance was a pretty wild man who loved life and loved a party.

I next met him when he and his first wife, Mary, offered fantastically kind assistance to me in London, when he was Agent-General there. He endeavoured successfully to get tickets for me to various functions, entertained generously and generally acted as a guardian on many occasions. So, it was terrific when I had the opportunity to work with him in this place. Initially, I worked with him when I was ministerial assistant to Murray Hill. One of the Hon. Murray Hill's portfolios was local government, and Lance Milne took a considerable interest in what the Liberal Government was proposing at that time in terms of major reforms to local government. I spent many briefing sessions with him going through the reforms that we were considering. There were a lot of issues in which the Hon. Lance Milne took a considerable interest, another being private parking.

Later, I worked with Lance when I became a member of this place in 1982. So, many of my memories are similar to those to which members have referred today about the pleasure of working with him. Sometimes it was exasperating but, as the Hon. Anne Levy said, even at those exasperating moments the tension did not rise too far, because Lance would just smile and we would all get on with it.

Lance continued to be a generous host and a terrific person. I remember being asked by Joan and Lance to go for a drink at their place in the hills, arriving on the wrong day and being wonderfully entertained and looked after and walking through the garden. I think I stayed much longer than they intended when the invitation was initially extended, but it was a happy day and one that I remember with great affection. I remember, too, being telephoned by Lance at home, and he was pretty cross about the fact that little progress was being made at Mount Lofty summit. He asked me to go up and see him there and talk about his plans. He would be very pleased today that work is finally under way on that very special site in South Australia. My respects and affection go to Joan and Lance Milne's family.

The Hon. L.H. DAVIS: The Hon. Lance Milne served in this Chamber for six years. He spent three years as the first Australian Democrat in the Legislative Council under the Tonkin Liberal Government and was joined by the Hon. Ian Gilfillan in 1982, under a Bannon Labor Government. So, both major Parties had to deal with the Hon. Lance Milne and later the Hon. Ian Gilfillan, who effectively held the balance of power in this Chamber.

As my colleague, the Hon. Robert Lucas mentioned, the Hon. Lance Milne preferred not to talk about the balance of power: he loved to call it the 'balance of reason', although I am sure that on more than one occasion both major Parties queried that when they did not get his nod. I remember with great affection serving with the Hon. Lance Milne for two years in 1980 and 1981 on a parliamentary select committee investigating uranium resources. That was at the time of the planned Roxby Downs copper and uranium mine, which was the subject of much political controversy. The select committee not only took evidence in Adelaide but also visited uranium mines in the Northern Territory and at Mt Isa. Lance took a diligent interest in what was a very complex and controversial subject. He had a great sense of humour. He always ensured that the committee never got too serious or controversial. I also recollect that on that trip he was very gracious about being the unwitting recipient of six breakfasts in his motel room one morning!

On matters of a legislative nature, I have fond memories of negotiating with Lance Milne on very delicate matters over a shared block of chocolate. He was very partial to good milk chocolate, and I am sure that sometimes influenced him, certainly on minor matters, when a sheep station was not riding on it. He was not always regarded as the balance of reason: in fact, the late Hon. Jim Dunford, who was one of the great characters to grace this Chamber, was thrown out of the Legislative Council for saying something very unparliamentary about the Hon. Lance Milne when he did not support a particular Dunford amendment to workers' compensation legislation. I do confess to the observation that the Hon. Robert Lucas made that Lance and I did indeed do a jig together in the Legislative Council Chamber. After one particularly torrid session we found ourselves, dressed very similarly in what were then very fashionable pin-striped cotton suits, jigging around quite merrily when the *Advertiser* snapped us, and it became almost the lead item the following day.

An honourable member: The dancing men!

The Hon. L.H. DAVIS: Yes, the dancing men. Lance Milne had a lovely sense of humour. As people have already observed, Lance wrote a number of books, one of which I actually read and quoted in a debate in the Council and which was entitled *Ostrich Heads*, which I think he wrote in 1938.

Under Lance's stewardship as the inaugural Chairman of SGIC, it got away to a very good start when it was first established in the early 1970s. It had a very good commercial foundation under his chairmanship, because Lance was well qualified as an accountant.

It has been mentioned that Lance was a patron and supporter of many community groups. He was tireless with his time and generous with his support for a very wide range of charities. He was universally regarded as an entertaining and thoughtful member of Parliament. In the period 1979-82, when he was the lone representative of the Australian Democrats, the pressures on Lance Milne in a finely balanced Council were enormous, given that at that time he did not have the research and support facilities that are available to members today.

In his retirement, Lance continued to be very active. He was particularly interested in conciliation, negotiation and world peace. All who knew him will remember Lance with affection. The community will certainly be the poorer for the passing of the Hon. Lance Milne, a most distinguished and lovable gentleman. I express my condolences to his wife Joan and his family.

The PRESIDENT: I concur in all those remarks and note that the Hon. Lance Milne's wife Joan is in the Gallery today. I ask members to stand in their places to carry the motion in silence.

Motion carried by members standing in their places in silence.

[Sitting suspended from 2.57 to 3.10 p.m.]

QUESTIONS ON NOTICE

The PRESIDENT: I direct that written answers to the following questions on notice be distributed and printed in *Hansard:* Nos 1, 18, 32, 41, 47, 48, 50, 52, 53, 54 and 55.

RISDON PARK HIGH SCHOOL

1. **The Hon. CAROLYN PICKLES:**

1. In view of the Minister's response to Question No. 113 on 7 March 1995 that a contract had been negotiated by private treaty for the sale of the Risdon High School to the Port Pirie Lutheran Church for $420 000, what were the circumstances that led to the contract not being fulfilled and what costs were incurred by the Education Department as a result of this contract not proceeding?

2. What authority has been given to J.G. Esklund to sell this property, were tenders called for this right and, if not, what commission and expenses will be paid?

3. What is the Valuer-General's valuation of this property?

4. Did the Education Department examine the commercial benefits of the property being offered for sale with an approved subdivision in place and what were the findings?

5. Has the Valuer-General been requested for advice on the value of the property with an approved subdivision in place and, if so, what was that advice?

The Hon. R.I. LUCAS: The Minister for the Environment and Natural Resources has provided the following information:

1. The local Lutheran Community had expressed a strong interest in acquiring the former Risdon Park High School site to establish a private school and community centre. The original agreement was subject to the community receiving funds from the church's funding authority. During the period of this application a shift in opinion within the local church community occurred to a degree that the community no longer wished to proceed with this purchase. No costs were incurred by the Department for Education and Children's Services as a result of these negotiations not proceeding.

2. J.G. Esklund First National are a firm of Port Pirie Real Estate Agents retained by the Department of Environment and Natural Resources to dispose of surplus Government property in the Port Pirie area. Commission payable on the sale of this subject property to Esklunds is 3 per cent of sale price. Tenders for real estate services are called every two years and J G Esklund is one of the preferred tenders currently retained by DENR.

3. The Valuer-General's original valuation of the property based on the sale to the Lutheran Community (including buildings) was $420 000. As this sale did not proceed the value based on residential development is $320 000.

4. Consideration was given to the possible subdivision of this land however this was not acted upon as there is little demand for residential development.

5. The Valuer-General's valuation reflects what is considered to be the highest and best use for the land given all forms of demand. This advice is based on the expectation that the most likely use is as residential although as already stated demand is negligible.

BRANCH OFFICES

18. **The Hon. R.R. ROBERTS:**

1. How many branch offices of Departments or Statutory Authorities which are the responsibility of the Minister for Health and Minister for Aboriginal Affairs are located outside of the Adelaide Statistical Division?

2. What is the location of each office?

3. What is the role of each office?

4. How many full time equivalent positions are employed in each office?

The Hon. DIANA LAIDLAW:

SOUTH AUSTRALIAN HEALTH COMMISSION

I	II	III	IV
Nil	Nil	Nil	Nil

DEPARTMENT OF STATE ABORIGINAL AFFAIRS

I	II	III	IV
Two Offices	Port Augusta	Port Augusta Office—Department of State Aboriginal Affairs Regional Office	Port Augusta: 4
	Marla	Marla Office—State Asset and Essential Services maintenance	Marla: 2

INSTITUTE OF MEDICAL AND VETERINARY SCIENCE

I	II	III	IV
9 Laboratories	Mount Gambier	The role of each of the laboratories is the same:	Mount Gambier 18.28
	Whyalla		Whyalla 20.00
	Port Lincoln	One of their principal roles is to support the range of	Port Lincoln 6.30
	Berri	clinical services provided by Country Regional	Berri 9.30
	Port Augusta	Hospitals, particularly obstetrics, trauma and emer-	Port Augusta 7.73
	Murray Bridge	gency medicine and surgical care. The laboratories	Murray Bridge 4.00
	Wallaroo	provide a diagnostic pathology service to both pri-	Wallaroo 4.30
	Port Pirie	vate and public sector. They provide a range of basic	Port Pirie 8.43
	Victor Harbor	pathology services which include routine haematol-	Victor Harbor 5.50
		ogy, microbiology, serology and a range of small biochemical profiles. They provide an emergency pathology service 24 hours a day for communities in remote locations. Several of the laboratories also provide a regional blood transfusion service in conjunction with the Red Cross organisation.	

FULL-TIME EQUIVALENT POSITIONS

32. **The Hon. R.R. ROBERTS:** How many full-time equivalent positions under the Government Management and Employment Act or other South Australian Acts which are the responsibility of the Minister for Education and Children's Services are located outside of the Adelaide Statistical Division?

The Hon. R.I. LUCAS: The full-time equivalent positions under the PSM Act and other South Australian Acts which are the responsibility of the Minister, excluding the Adelaide Statistical Division, as at 2 November 1995 are:

- PSM Act 187.37 FTEs
- Education Act 5 623.30 FTEs
- CSO Act 295.79 FTEs

41. **The Hon. R.R. ROBERTS:** How many full-time equivalent positions under the Government Management and Employment Act or other South Australian Acts which are the responsibility of the Minister for Transport, Minister for the Arts and Minister for the Status of Women are located outside of the Adelaide Statistical Division?

The Hon. DIANA LAIDLAW:

Department of Transport

The following information is provided in terms of the number of employees, as the Department of Transport does not have full-time equivalent 'positions' as such:

As at 1 September 1995, out of a total Department of Transport workforce outside of the Adelaide Statistical Division of 516.1, the Department had 149.7 employed under the Public Sector Manage-

ment Act.

TransAdelaide

TransAdelaide only operates within the Adelaide Statistical Division, therefore there are no full-time equivalent positions located outside of the Adelaide Statistical Division.

Passenger Transport Board

No full-time equivalent positions are located outside of the Adelaide Statistical Division.

Ports Corp South Australia

In respect to the Ports Corp (formerly the Marine and Harbors Agency), the number of full-time equivalent positions located outside of the Adelaide Statistical Division as at 10 October 1995 was (14) under the Government Management and Employment Act and (50.4) under the Port Services Employee Award.

Transport Policy Unit

No full-time equivalent positions are located outside of the Adelaide Statistical Division.

Office for the Status of Women

No full-time equivalent positions are located outside of the Adelaide Statistical Division.

Department for the Arts and Cultural Development

SA Country Arts Trust—32.1 FTEs are located outside of the Adelaide Statistical Division.

History Trust of SA—16.12 FTEs are located outside of the Adelaide Statistical Division.

MARINO LAND

47. **The Hon. P. HOLLOWAY:** Further to the Minister's answer to my Question without Notice on Wednesday, 27 September 1995—

1. What was the outcome of the Minister's discussions on the future of TransAdelaide land on Newland Avenue at Marino?

2. When did the Minister have discussions on this matter and who was involved?

The Hon. DIANA LAIDLAW:

1. Discussion and negotiation relating to TransAdelaide's land at Newland Avenue is continuing. TransAdelaide will be submitting a new offer to Council within the next few weeks.

2. On 29 March 1995 I met with the member for Bright, Hon. Wayne Matthew MP and representatives of the residents. I have not participated in further formal meetings since this time, but TransAdelaide, my office and I have been active in addressing the options with various parties/people who have an interest in the issue. Also I have met with the Hon. Mr Matthew for an on-site inspection.

COMMONWEALTH FUNDING

48. **The Hon. CAROLYN PICKLES:**

1. Has the Ministerial Advisory Committee on Students with Disabilities been awarded $150 000 of Commonwealth funding to investigate and develop new mechanisms to provide for the allocation of funding for the provision of support for children with disabilities?

2. Did two officers from the Department for Education and Children's Services visit Great Britain during September to research the provision of support for children with disabilities?

3. Is the Department for Education and Children's Services undertaking the same research to be carried out by the Advisory Committee and funded by the Commonwealth?

The Hon. R.I. LUCAS:

1. The Ministerial Advisory Committee: Students with Disabilities has received $150 000 in Commonwealth funding as a Project of National Significance to explore issues and propose new models for the allocation of funding to support children and students with disabilities access, participate and attain in the curriculum.

2. Two officers from the Department for Education and Children's Services visited the United Kingdom in September to undertake a study of the implementation of the Code of Practice for Children with Special Education Needs. Elements of the British model are applicable to the South Australian context.

3. The research undertaken by DECS and by the Ministerial Advisory Committee complement each other. One of the officers who visited the United Kingdom represents DECS on the State and National Steering Committee established as part of the Project of National Significance. This officer has provided information to both committees and documentation to the project manager.

EMPLOYEE OMBUDSMAN

50. **The Hon. T.G. CAMERON:**

1. Page 2 of the First Annual Report of the Employee Ombudsman 1994-95 states that the Employee Ombudsman and members of his staff have participated in 146 activities 'aimed at providing the community with an understanding of Enterprise Bargaining including 16 fora organised by the Department for Industrial Affairs'? Can further information regarding these activities be provided?

2. What was the cost of preparing and printing the Employee Ombudsman's Report?

3. Within the Report a number of references are made to the number of inquiries and the huge demand for services etc. Can the Minister for Industrial Affairs provide further details regarding the number, type and distribution of the inquiries?

4. For what purpose was the $2 391 Fringe Benefits Tax payable?

The Hon. K.T. GRIFFIN: Before expanding on the questions on notice, I express my disappointment as to having to provide an explanation to questions in the Employee Ombudsman's Report, when if time had been taken to read his report, there would have been no need to ask two of the four questions.

The Employee Ombudsman has advised me that he has received many calls expressing support for a report that is easy to read, and gives a good understanding of the workings of the Office of the Employee Ombudsman. These calls have been from politicians, employers, union officials and employees of various levels.

Because of workload pressures and inexperience in preparing an Annual Report, the Employee Ombudsman utilised the services of a consultant who worked many hours with him, quite often during the evening hours, to ensure that the honourable members of both Houses were provided with an Annual Report in which they could gain an insight into the workings of the Office of the Employee Ombudsman.

1. Please refer to page 16 of the Employee Ombudsman's Annual Report.

2. $10 827.60 which includes preparation, editing and printing of 300 copies.

3. Please refer to page 15 of the Employee Ombudsman's Annual Report.

4. The fringe benefit tax payable for the 1994-95 financial year relates to the Employee Ombudsman's vehicle, a Government plated vehicle for the Senior Project Officer and car parking for both vehicles.

I am pleased that the honourable member, like his counterparts in the House of Assembly, are taking an interest in ensuring that the Office of the Employee Ombudsman is provided with appropriate resources to deliver a thorough and easy to understand Annual Report.

BASIC SKILLS TESTING

52. **The Hon. CAROLYN PICKLES:** What were the summary results and analysis of the Basic Skills Tests in literacy and numeracy for year 3 and year 5 students conducted in 1995, including the number and percentage of students in each skill band and the results obtained by Aboriginal students and students from non-English speaking backgrounds?

The Hon. R.I. LUCAS: The attached results concerning the Basic Skills Tests is provided. It must be remembered that the test results are on a scale of 25 to 65 and that the mean cannot be converted to a percentage. Analysis of the data is still occurring with information about the achievement of school card holders and students with disabilities being available shortly.

1995 Basic Skills Testing Program
DECS School Summary

Year 3 Summary
Year 3 Literacy and Numeracy
Mean and Standard Deviation
(Standard Deviation in brackets)

	All Stud	A&TSI	NESB1	NESB2
Literacy	48.6 (7.4)	41.0 (9.7)	47.9 (7.7)	48.7 (6.7)
Numeracy	51.2 (9.2)	42.5 (11.0)	50.0 (9.8)	51.6 (10.1)

Scale used is 25 to 65

A&TSI—Aboriginal & Torres Strait Island student

NESB1—students who come from homes where a language other than English is spoken

NESB2—students who have been in Australia for 4 years or less and who never or only sometimes speak English at home

Year 3 Literacy
Percentages in skill bands

Band	All Stud	A&TSI	NESB1	NESB2
4 (highest)	29.8%	9.2%	26.6%	25.6%
3	31.4%	17.9%	30.0%	38.5%
2	22.2%	20.6%	24.5%	24.8%
1(lowest)	16.6%	52.3%	18.9%	11.1%

A&TSI—Aboriginal & Torres Strait Island student
NESB1—students who come from homes where a language other than English is spoken
NESB2—students who have been in Australia for 4 years or less and who never or only sometimes speak English at home
Year 3 Numeracy
Percentages in skill bands

Band	All Stud	A&TSI	NESB1	NESB2
4 (highest)	38.8%	14.8%	33.6%	40.2%
3	27.8%	15.1%	26.9%	24.8%
2	19.3%	24.3%	19.8%	20.5%
1(lowest)	14.1%	45.8%	19.7%	14.5%

A&TSI—Aboriginal & Torres Strait Island student
NESB1—students who come from homes where a language other than English is spoken
NESB2—students who have been in Australia for 4 years or less and who never or only sometimes speak English at home
Year 5 Summary
Year 5 Literacy and Numeracy
Mean and Standard Deviation
(Standard Deviation in brackets)

	All Stud	A&TSI	NESB1	NESB2
Literacy	46.9 (6.8)	39.6 (8.5)	45.9(6.9)	44.7 (6.6)
Numeracy	46.1 (8.4)	36.4(11.1)	44.9 (9.0)	44.7(10.3)

Scale used is 25 to 65
A&TSI—Aboriginal & Torres Strait Island student
NESB1—students who come from homes where a language other than English is spoken
NESB2—students who have been in Australia for 4 years or less and who never or only sometimes speak English at home
Overall Literacy
Percentages in skill bands

Band	All Stud	A&TSI	NESB1	NESB2
4 (highest)	37.0%	N/A	N/A	N/A
3	29.0%	N/A	N/A	N/A
2	21.0%	N/A	N/A	N/A
1(lowest)	13.0%	N/A	N/A	N/A

A&TSI—Aboriginal & Torres Strait Island student
NESB1—students who come from homes where a language other than English is spoken
NESB2—students who have been in Australia for 4 years or less and who never or only sometimes speak English at home
N/A—not available
Overall Numeracy
Percentages in skill bands

Band	All Stud	A&TSI	NESB1	NESB2
4 (highest)	27.0%	N/A	N/A	N/A
3	38.0%	N/A	N/A	N/A
2	22.0%	N/A	N/A	N/A
1(lowest)	13.0%	N/A	N/A	N/A

A&TSI—Aboriginal & Torres Strait Island student
NESB1—students who come from homes where a language other than English is spoken
NESB2—students who have been in Australia for 4 years or less and who never or only sometimes speak English at home
N/A—not available

SCHOOL SUPPORT WORKERS

53. **The Hon. CAROLYN PICKLES:** If parents are going to be used as support workers within classrooms and with individual children in primary schools—

1. How will parents be properly informed and trained before carrying out this work and what funding or resources will be specifically provided to train parents in this role?
2. Will creches be made available for parents who wish to be involved in classroom or individual student support and what funding and resources will be specifically allocated for this purpose?
3. What steps will be taken to ensure that parents in this situation understand the issues of confidentiality and mandatory reporting requirements?
4. Is it anticipated that parents will assist in primary schools with children who have—
   (a) low literacy skills;
   (b) low self-esteem;
   (c) emotionally difficult lives at home (e.g. neglect or witnessing domestic violence);
   (d) little or no English?

The Hon. R.I. LUCAS:

1. A Parent Participation Policy has existed for a number of years and schools have adapted procedures within their school in response to local arrangements. The Commissioner's Circular No. 62 issued on 19 November 1991, currently outlines the guidelines for good practice of volunteers in government agencies.

In addition, the Department for Education and Children's Services (DECS) developed the following Administrative Instructions and Guidelines (AIGs) to assist schools to develop good practice:

Section 1, paragraph 99
Section 1, paragraph 119.2
Section 5, paragraph 16.3

Principals are clear on their roles and responsibilities to ensure that procedures are in place within schools to support volunteers and that resources are appropriately allocated.

Principals also have the responsibility to consider the roles and responsibilities of volunteers and their relationship with staff and students. Principals define the tasks, and provide the appropriate training and supervision for volunteer parents in schools.

Each school will also make local decisions on how it will fund and resource the role of volunteers in the school setting.

2. Currently there is no DECS budget to fund creche arrangements for volunteers in schools. Each school responds to local conditions and provides funding from its own budget when determining how to provide support for volunteers who work with school children.

3. As part of the Commissioner's Circular 62, the section headed Responsibilities of Volunteers addresses the importance of ensuring that volunteers are aware of ways to deal with confidential information.

All staff in a school are required to be trained in mandatory reporting requirements. Volunteers in a school are advised that they are recognised as mandated notifiers, under the Child Protection Act 1993. Subsequently, they are obliged by the law to notify the Department for Family and Community Services if they suspect on reasonable grounds that a child has been, or is being, abused or neglected, and the suspicion is formed in the course of the person's work (whether paid or voluntary) or in carrying out official duties.

4. Volunteers working in a school may provide support to a wide range of students who have varying skills and backgrounds.

School Councils, parent clubs and parents acknowledge that by providing their time and expertise on a voluntary basis they have supported, and will continue to support, the learning programs and various extra-curricular activities that a school undertakes.

FESTIVAL CENTRE FOYER

54. **The Hon. SANDRA KANCK:** In relation to the renovation of the Festival Centre foyer—

1. What are the reasons for the renovation?
2. How long will the renovation take?
3. How much will the renovation cost?

The Hon. DIANA LAIDLAW:

1. The Box Office Foyer of the Festival Theatre has long been considered a drab and unsightly entrance to what is generally regarded as a fine theatre. It has had a dull and gloomy feel with its emphasis on dark brown flooring and timber panelling. In addition, the Foyer Cafe with its white plastic chairs was considered an inappropriate setting.

In keeping with the Adelaide Festival Centre Trust's desire to improve the presentation of the Festival Centre complex and because there was an opportunity to use potential sponsorship funds from Optus Communications, the refurbishment will introduce a much lighter, more artistic feel with the brown tiles on the floor being replaced by a light terrazzo, the Foyer Cafe being totally redeveloped into a modern cafe style, and the use of modern lighting systems.

2. The renovation is due for completion on December 15—an all up time of 10 weeks.

3. The estimated cost is $350 000, the bulk of the money coming from Optus Communications. Some Trust money is required for

work associated with electrical system refurbishment and the provision of more appropriate furniture in the Foyer Cafe.

GRAND PRIX

55. **The Hon. SANDRA KANCK:**

1. Is the Minister for Housing, Urban Development aware that a number of staff of the Department of Housing and Urban Development, including senior staff, attended the Grand Prix at the invitation of consultants, Bone and Tonkin?

2. How many staff members accepted the invitation, what were their names and what positions within the Department of Housing and Urban Development do they currently hold?

3. Does the Minister consider that by accepting such an invitation these people may have compromised their decision making in the future?

The Hon. DIANA LAIDLAW: The Adelaide Grand Prix is an event at which a number of businesses extend invitations to clients, associates, friends and competitors to attend their viewing areas and participate in friendship and hospitality. Consultants Bone and Tonkin offered such hospitality to numerous guests over the four days of the event. I am advised that guests attended on a very informal basis, coming and going throughout the day, with some dropping by before or after visiting other stands and viewing areas. A number of staff from the Department of Housing and Urban Development attended the Bone and Tonkin area at various times during the Friday, as did many other guests from a wide variety of organisations. I am advised that as many as 40 people from these many organisations visited the area during the Friday of the Grand Prix carnival. The names and positions of the Departmental staff who visited the area at some time during the day were:

Robert Teague—Manager, Business Planning and Executive Services Branch
Elmer Evans—Manager, Development Assessment Branch
Dean Watson—Senior Project Officer, Development Assessment Branch
Eleanor Barratt—Project Officer, Development Assessment Branch
Sonya Franck—Project Officer, Development Assessment Branch
Sarah Benson—Project Officer, Development Assessment Branch
Peter Kopli—Senior Project Officer, Environmental Assessment Branch
Caroline Chapman—Manager, Development Assessment Branch
Geoff Butler—Manager, Metropolitan Unit, Policy Branch
Gary Mavrinac—Project Officer, Metropolitan Unit, Policy Branch

Given that I have been advised that this was a low level of informal hospitality by a consulting firm which has professional contact with a wide variety of people in many spheres of public and private organisations I would consider that it would not compromise the departmental officers future advice or decision making. However, I have made it clear that all officers must be careful to meet the requirements of the Code of Conduct for public employees in accepting invitations for hospitality.

HINDMARSH ISLAND BRIDGE ROYAL COMMISSION

The PRESIDENT: I lay on the table the report of the Hindmarsh Island Bridge Royal Commission which, in accordance with the resolution of the Legislative Council on 30 November 1995, was authorised to be published and distributed.

LEGISLATIVE REVIEW COMMITTEE

The PRESIDENT: I lay on the table the report and minutes of evidence of the Legislative Review Committee on regulations under the Fisheries Act 1982 concerning a ban on net fishing made on 31 August 1995 and laid on the table of this Council on 26 September 1995, which was authorised to be printed and published pursuant to section 17(7)(b) of the Parliamentary Committees Act 1991.

PAPERS TABLED

The following papers were laid on the table:

By the Minister for Education and Children's Services (Hon. R.I. Lucas)—

- South Australian Commissioner of Police—Report, 1994-95
- South Australian Commissioner of Police—Statistical Review, 1994-95
- Regulations under the following Acts—
  - Friendly Societies Act 1919—Various
  - Lottery and Gaming Act 1936—Bingo Rules
  - Petroleum Act 1940—Revocation
  - Southern State Superannuation—Future Service Benefit
  - Superannuation—Prescribed Authorities
  - Superannuation (Benefit Scheme)—Definition
  - Tobacco Products (Licensing) Act 1986—Various
- Public Sector Management Act 1995—Ministerial Staff Salaries and Allowances
- Public Sector Management Act 1995—Ministerial Staff Salaries and Allowances—Amendment
- Response by the Treasurer to the Interim Report of the Statutory Authorities Review Committee—Review of the Electricity Trust of South Australia (Accounting Issues)
- Response by the Treasurer to the Second Report of the Statutory Authorities Review Committee—Review of the Electricity Trust of South Australia (Accounting Issues)

By the Attorney-General (Hon. K.T. Griffin)—

- Reports, 1994-95—
  - Bookmakers Licensing Board
  - Department for Correctional Services
  - Dried Fruits Board of South Australia
  - Industrial Relations Advisory Committee
  - Mining and Quarrying Occupational Health and Safety Committee
  - Occupational Health, Safety and Welfare Advisory Committee
  - Office of Recreation, Sport and Racing
  - SARDI
- Regulations under the following Acts—
  - Employment Agents Registration Act 1993—Principal
  - Explosives Act 1975—Carriage and Sale
  - Fisheries Act 1982—
    - Abalone Fisheries—Catch Quotas
    - General—Fishing Restrictions—Expiable Offences
  - Legal Practitioners Act 1981—Fees
  - Meat Hygiene Act 1994—Adoption of Codes
  - Racing—Percentage Reduction for Totalizator Money
  - Summary Offences Act 1953—Expiable Offences—Small Wheeled Vehicles
  - Workers Rehabilitation and Compensation Act 1986—
    - Rehabilitation Standards and Requirements
    - Scale of Charges—
      - Medical Practitioners
      - Public Hospitals
    - United Water
- Racing Act 1976—Rules—Harness Racing Board—
  - Entry and Acceptance
  - Racing Tactics
  - Suspension or Disqualification
- Rules of Court—Supreme Court—Supreme Court Act 1935—Notice of Discontinuance

By the Minister for Consumer Affairs (Hon. K.T. Griffin)—

- Regulations under the following Acts—
  - Liquor Licensing Act 1985—
    - Alcohol Based Food Essence
    - Dry Areas—
      - Glenelg
      - Moana Foreshore
      - New Year—Various
  - Residential Tenancies—Security Bond—Third Party Payments and Guarantees

By the Minister for Transport (Hon. Diana Laidlaw)—

- Reports, 1993-94—
  - Environment Protection Council

Wilderness Protection Act
Reports, 1994-95—
Murray-Darling Basin Commission
Native Vegetation Council
SA Local Government Grants Commission
Wilderness Protection Act
Development Assessment Committee—Crown Development Report—Proposal by TransAdelaide to Establish a Commuter Service Facility at Paradise Interchange of the O-Bahn
Family Leave Provisions for the Emergency Care of Dependants—Fifth Report of the Social Development Committee—Joint Ministerial Statement by the Minister for Industrial Affairs and the Minister for Family and Community Services
Response by the Minister for Transport to the Eighth Report of the Social Development Committee—Rural Poverty in South Australia
Regulations under the following Acts—
Controlled Substances Act 1984—
Poisons
Volatile Solvents
Development Act 1993—Fire Safety Requirements—
Caravan Parks
Drugs Act 1908—Various
Harbors and Navigation Act 1993—
Facilities Levy—Recreational Vessel
Restricted Areas
Structural and Equipment Requirements
Local Government Act 1934—
Electoral Signs
Superannuation Board—Various
Optometrists Act 1920—Registration Fees
Passenger Transport Act 1994—Taxi—Cab Fares
Public and Environmental Health Act 1987—
Swimming Pools Exemptions
Road Traffic Act 1961—
Motor Vehicle Noise
Small Wheeled Vehicles
South Australian Country Arts Trust Act 1992—
Membership of Country Arts Boards
South Australian Health Commission Act 1976—
Hospital and Health Centre Fees
South Australian Housing Trust Act 1995—
Abandoned Goods
Administrative Arrangements
Corporation By-laws—
Marion—
No. 2—Moveable Signs
No. 3—Council Land
No. 5—Creatures
No. 7—Waste Management
Mount Gambier—No. 2—Moveable Signs
Noarlunga—No. 14—Bird Scarers
Port Adelaide—No. 3—Council Land
Port Lincoln—
No. 1—Permits and Penalties
No. 2—Nuisances
No. 3—Keeping of Bees
No. 4—Flammable Undergrowth
No. 5—Waste Disposal Depot
No. 6—North Shields Garden Cemetery
No. 7—Keeping of Dogs
No. 8—Garbage Collection
No. 9—Council Land
No. 10—Taxis
Salisbury—
No. 2—Moveable Signs
No. 4—Council Land
Warooka—
No. 1—Permits and Penalties
No. 2—Moveable Signs
No. 3—Garbage Removal
No. 4—Council Land
No. 5—Caravans and Camping
No. 6—Fire Prevention
No. 7—Creatures
District Council By-laws—
Beachport—
No. 1—Permits and Penalties
No. 2—Moveable Signs
No. 3—Council Land
No. 4—Garbage Removal
No. 5—Animals and Birds
No. 6—Bees
No. 7—Dogs
No. 8—Caravans and Camping
Clare—No. 2—Moveable Signs
East Torrens—
No. 1—Permits and Penalties
No. 2—Streets and Public Places
No. 3—Street Traders
No. 4—Moveable Signs
No. 5—Garbage Removal
No. 6—Height of Fences near Intersections
No. 7—Parklands
No. 8—Caravans, Tents and Camping
No. 9—Animals, Birds and Poultry
No. 10—Bees
No. 11—Nuisances
No. 12—Dogs
Kapunda—No. 6—Creatures
Le Hunte—No. 1—Moveable Signs
Kingscote—
No. 1—Permits and Penalties
No. 2—Streets and Public Places
No. 3—Street Traders
No. 4—Moveable Signs
No. 5—Garbage Removal
No. 6—Height of Fences near Intersections
No. 7—Parklands
No. 8—Camping Reserves
No. 9—Bees
No. 10—Inflammable Undergrowth
No. 11—Foreshore
Minlaton—
No. 1—Permits and Penalties
No. 2—Moveable Signs
No. 3—Garbage Disposal
No. 4—Council Land
No. 5—Caravans and Camping
No. 6—Fire Prevention
No. 7—Creatures
Port MacDonnell—
No. 1—Permits and Penalties
No. 2—Council Land
Robe—
No. 1—Permits and Penalties
No. 2—Moveable Signs
No. 3—Garbage Removal
No. 4—Council Land
No. 5—Fire Prevention
No. 6—Creatures
Yorketown—
No. 1—Permits and Penalties
No. 2—Moveable Signs
No. 3—Garbage Removal
No. 4—Council Land
No. 5—Caravans and Camping
No. 6—Fire Prevention
No. 7—Creatures
Repatriation General Hospital—By-laws.

MINISTERIAL STATEMENTS

The Hon. R.I. LUCAS (Minister for Education and Children's Services): I seek leave to table copies of ministerial statements made today in another place by the Minister for Infrastructure on the subject of filtered water for regional South Australia, and the Premier on State Government involvement in the forestry industry and Government accountability.

Leave granted.

SITTINGS AND BUSINESS

The Hon. R.I. LUCAS (Minister for Education and Children's Services): I seek leave to make a ministerial statement about parliamentary sittings.

Leave granted.

The Hon. R.I. LUCAS: On behalf of the Deputy Premier who has made the statement in another place, I make a ministerial statement on changes to the autumn sitting schedule of the Forty-Eighth Parliament. When the Parliamentary calendar was formulated last year, there was a possibility that a Federal election might be called during the autumn sitting. That possibility, as members will no doubt be aware, has now become a reality. Accordingly, the Government has decided to postpone the sitting of both Houses of this Parliament on 27, 28 and 29 February 1996.

An honourable member interjecting:

The Hon. R.I. LUCAS: I would not say 'outrageous'. Ask the Hon. Terry Roberts what occurs during parliamentary sittings. This decision recognises the commitment State members of Parliament have to assisting their Federal colleagues in their goal to have the public focus properly on national issues during the final week of the Federal election campaign. To accommodate this change the autumn sitting will be extended to allow the necessary time to complete the legislative program. Members will be advised in due course of the amended sitting dates.

QUESTION TIME

JOB SKILLS PROGRAM

The Hon. CAROLYN PICKLES: I seek leave to make a brief explanation before asking the Minister for Education and Children's Services a question about traineeships.

Leave granted.

The Hon. CAROLYN PICKLES: The Opposition supports the Federal Labor Government funded job skills program and when in Government initiated trainee programs in the public sector. However, the announcement that the Government will engage trainees to undertake work previously done by school service officers—cut by the Government—is a cynical stunt to deflect the community's outrage over the axing of 250 school service officers. A circular to schools says that trainees may be employed as school service officers to undertake clerical work, classroom support, library work, special programs (such as behaviour modification) and laboratory assistance. This is a brutal admission that the SSO jobs should not have been cut. This Government's record on youth employment is so bad that it is now trading jobs between age groups. The kids are employed as trainees while trained essential staff are put on the unemployed list.

ABS statistics show that, in December 1994, 45 000 people in the 15 to 19 age group were employed in South Australia. By December 1995, this number had shown almost no change and stood at 43 800. The Brown Government is committed neither to maintaining essential staff in our schools nor to offering genuine traineeships with long-term job prospects for young people. My questions are:

1. Will the State Government reinstate the 250 school service officer positions axed recently?

2. Will it fulfil its promise to Federal Labor Government Minister Simon Crean that at least 80 per cent of the trainees funded by the Commonwealth will be offered permanent positions at the completion of their training?

The Hon. R.I. LUCAS: I have answered the first part of that question before and the answer is 'No'. In response to the second question, I ask the honourable member to provide to me, so that I can relay it to the Minister for Employment and Technical and Further Education (Hon. Dr Such), a copy of the commitment the Government is claimed to have given by the Leader of the Opposition. I am certainly advised that no such commitment has been given. I am also advised that, over recent years, in relation to job skills traineeships a commitment has never been given that there be permanent employment at the end of a job skills traineeship. The Leader of the Opposition suggested in her question that the previous State Labor Government initiated this in the public sector, so I challenge her to provide to me, and I will forward it to Dr Such, evidence that under the previous State Labor Government guarantees of employment were given in relation to job skill traineeships.

The Hon. Carolyn Pickles interjecting:

The Hon. R.I. LUCAS: I am saying to the honourable member that I am advised that no such commitment was given, so I am challenging the honourable member to provide evidence of the commitment that Dr Such or someone else gave to Mr Crean. If the Leader of the Opposition cannot provide that evidence, one might be inclined to think that there is no such commitment and that the Leader of the Opposition just made it up.

The Hon. T.G. Cameron: What if she can prove it?

The Hon. R.I. LUCAS: If she can, I would be delighted. I suspect that, if the Leader of the Opposition could prove it, she would be waving around a piece of paper saying, 'There you are; here it is.' As she is not, I am a little more fortified in the advice that I have received that no such commitment has been given that, indeed, over recent years under the job traineeship scheme it has always been a condition that there is no guarantee of future employment. However, I have heard the Minister indicate that, in one of the traineeship programs, although I am not sure whether it was all of them, the record was that some 70 to 80 per cent of young people went on to future employment in the private or public sector. No guarantee was provided prior to the traineeship, but the experience was that 70 to 80 per cent of young people who engaged in this form of traineeship went on to future employment in the private or public sector. That is much different from the claim made by the Leader of the Opposition in relation to what the State Government is alleged to have said to the Federal Minister Mr Crean.

The challenge rests with the Leader of the Opposition to produce evidence in this Chamber about the accuracy of the statement that she just made in this place on this issue. The challenge also rests with the Leader of the Opposition in relation to her claims about job skill traineeships initiated by the former Labor Government, as to whether or not it guaranteed employment at the end of that particular job skill traineeship. The ball rests with the honourable member. I should be delighted if she could produce further information for me so that I can pursue the issue with the Minister. If she cannot produce that evidence, there is not much more that I can do.

FORESTS

The Hon. R.R. ROBERTS: I seek leave to make an explanation before asking the Attorney-General a question on the subject of the legality of selling the State forests.

Leave granted.

The Hon. R.R. ROBERTS: I note that the Premier made a ministerial statement today on the subject of the sale of forests. I hark back to the question I asked in this place on 30 November last year, when I stated that the Opposition had 512 received information that the Brown Liberal Government was actively considering the sale of South Australian softwood forests to overseas interests. I referred to an article in the *Border Watch* in which the Premier was quoted as follows: '"Of course we are not looking at selling the forests," he said.'

The Hon. K.T. Griffin: There is your answer.

The Hon. T.G. Cameron: But you have told so many lies about other things.

Members interjecting:

The PRESIDENT: Order! The honourable member will get a chance.

The Hon. K.T. GRIFFIN: I take a point of order. The honourable member said that the Premier has lied. I ask him to withdraw and apologise.

The Hon. T.G. Cameron: I didn't say that.

The Hon. K.T. GRIFFIN: You did. I ask that the Hon. Mr Cameron withdraw and apologise.

The PRESIDENT: Order!

The Hon. T.G. Cameron: I said 'your'.

The Hon. K.T. Griffin: You did not.

The PRESIDENT: Order!

Members interjecting:

The PRESIDENT: Order! There is a point of order and I ask the honourable member if he wishes to apologise.

The Hon. T.G. CAMERON: I seek a point of clarification, Mr President. Am I being asked to apologise for calling the Premier a liar? Is that what I am being asked to apologise for? I said, 'You have told lies before.' I was referring to the Government, not an individual.

The PRESIDENT: The honourable member has reflected on a member of the other House, so I ask him to withdraw and apologise.

The Hon. T.G. CAMERON: Mr President, I withdraw and apologise, but I deny that I called the Premier a liar. I did not say that and the *Hansard* record will reflect that.

The Hon. R.R. ROBERTS: I was quoting from a contribution in the *Border Watch* where the Premier said on 21 November, 'Of course we are not looking at selling the forests.' Because of the interruptions, I feel that more will be said about that at a later stage. On that occasion, I asked a series of six questions in relation to the future of the forests and what it would mean if those forests were to be sold. I asked whether the Government was actively considering selling the softwood forests and, after the question was taken by the Hon. Mr Lucas, the reply I received on the 30th was, 'Given the choice between the Premier's statements last week and the acknowledged anonymous rumours that the honourable member has heard, I know which version of the situation I would accept.'

Since that time, I have received an answer from the Hon. Rob Lucas dated 26 December 1995, and I congratulate him on being the only person in South Australia who was at work on that day. The Minister's reply was, 'The Government's policy to retain public ownership of the State forests has not changed.' That is the policy. What has happened since then and since the Premier told the *Border Watch*, 'Of course we are not looking at selling the forests'? The Opposition has received two documents, and the one from the Centre for Economic Studies refers clearly to proposals to Cabinet about selling the forests. Our advice is that the study is dated 30 October, which is prior to the 21st when the Premier was asked whether his Government was considering selling the forests.

We also have another document which was sent to Mr Roger Sexton, Chairman of the Assets Management Task Force, on 14 September and which clearly outlines the scenarios involved in selling the State forests and a number of other forests. Quite clearly, whether or not the Premier has lied to the Parliament is not something that we will address in this House but, quite clearly, when he was asked the questions by the *Border Watch* he lied to them. He said, 'We are not considering selling the forests.'

The Hon. K.T. GRIFFIN: I ask the member to withdraw and apologise. It is unparliamentary to use that description of any statements that are made. He said that the Premier lied.

The Hon. R.R. ROBERTS: In the forms of the Parliament, Mr President, I will withdraw the word 'lied'. I will assert that the Premier clearly misled the *Border Watch* when he told them, 'Of course, we are not looking at selling the forests.' Yet there were two reports that Cabinet would study prior to the 21st. If that has to be called misleading, then I call it misleading. Other people in the community may well have a different opinion.

Members interjecting:

The PRESIDENT: Order! The honourable member is debating the subject and I do not think that is helpful to his explanation.

The Hon. R.R. ROBERTS: I am sorry, Mr President, I am being provoked.

The PRESIDENT: I suggest that he make his explanation clear.

The Hon. R.R. ROBERTS: On the same day that I asked that series of questions—to which I have not received an answer—the Hon. Mr Ralph Clarke in another place asked the Premier whether the Premier would rule out the sale of one of our State's most valuable resources, our State forest, and he said, yes, that he would. I am advised that some of his Cabinet colleagues pointed out to him that, in fact, there could have been a case where maybe he misled the Parliament. We are advised that, in fact, it was decided that legal advice had to be sought as to whether he had misled the Parliament, that the Attorney-General has sought advice from the Crown Law department in relation to the veracity of that. It has been reported and I know that it may be a subject of some questioning, but the advice was that he had not misled the Parliament—if we said 'We would not sell the land.'

What has occurred since then is that every contribution by the new Minister for Primary Industries has been 'Of course, we are not going to sell the land.' I understand the confidentiality of Cabinet submissions, but my question to the Attorney-General is: did the Premier seek advice from the Attorney-General or the Crown Law Department in relation to the veracity or otherwise of an answer he gave to a question without notice in the House of Assembly on 30 November 1995 relating to the sale of the publicly owned forest? Did he seek the advice?

The Hon. K.T. GRIFFIN: It was a good try on the part of the honourable member. From his association with the former Attorney-General he should know that information of

that sort is never disclosed, yes or no. The fact of the matter is that I do not intend—

Members interjecting:

The Hon. K.T. GRIFFIN: —to confirm or deny or otherwise deal with an issue of advice, whether or not it was received, what it was if it was received and so on.

The Hon. R.R. Roberts: It was a simple question.

The Hon. K.T. GRIFFIN: It might be a simple question to the honourable member. I do not intend to identify it. Let me read the ministerial statement. Quite obviously, the honourable member did not bother to read the ministerial statement. It is within his portfolio area, but obviously he did not bother to read it after it was tabled by the Minister for Education and Children's Services. It is an important ministerial statement and it is appropriate therefore—

The Hon. R.R. Roberts interjecting:

The Hon. K.T. GRIFFIN: The honourable member can fling these words around; they roll off the tip of the tongue. May be that is what happened in the union movement all the time—spent too much time in Trades Hall. The Hon. Premier in another place today made the following ministerial statement:

> Since coming to office, this Government has taken a number of initiatives to enhance the value to South Australia of our forestry industry. We have given particular attention to State-owned forests in the South-East because of their importance to that region as well as to the wider State economy. Our initiatives have included action to restructure PISA Forestry and to sell Forwood Products as a means of improving management of the timber resources owned by the Government and establishing larger and more efficient timber processing operations within our State. These initiatives are in response to national and global changes occurring in the timber industry. Our major competitors such as New Zealand and Chile have moved increasingly to commercialise their forest operations, pursuing options including outright sale of Government owned forests or sale of harvesting rights. Some of these changes are evident in other Australian States.
>
> As well, the onset of the Hilmer competition regime raises further challenges in maintaining a viable timber processing industry in South Australia capable of supporting strong employment levels. To ensure the State is in the best position to respond to these changes and challenges, and to provide more employment and to maximise the value of our timber industry, the Government has initiated a three-month review of the State-owned forests in the South-East. This review will build on previous advice we have received about management issues in considering a number of wider economic issues. The Government is aware of speculation within the timber industry about what may result from this review. Accordingly, I make it abundantly clear today that this review is being conducted within the following parameters to protect the long-term interests of South Australia in forest production and timber processing.
>
> No matter what form of contract is let for the sale of Government timber, the Government will retain ownership of the forests, including the forest land, and the Government will retain control over the location, age and quantity of timber to be felled. In short, the Government will not allow a private owner or operator to come into the industry on a short-term basis to rip out our forests without regard to the longer-term interests of the South East and South Australia. One important task of this review will be to consider the feasibility of an increase in the current size of economically viable forest plantations in the South-East. This, and the Government's commitment to retain ownership and significant operational control, demonstrate our determination to maximise the value of our forests for both present and future generations.

Mr President, I think that is a sufficient answer to the long explanatory statement made by the Hon. Ron Roberts and the question that he asked.

The Hon. R.R. Roberts interjecting:

The PRESIDENT: Order!

WASTE MANAGEMENT

The Hon. T.G. ROBERTS: I seek leave to make a brief explanation before asking the Minister for Transport, representing the Minister for the Environment and Natural Resources, a question about waste management.

Leave granted.

The Hon. T.G. ROBERTS: One of the biggest problems that faces the environmental movement, the Minister and the Government at this stage is the management of waste. All around Adelaide, as I have indicated in previous questions, there is restructuring of landfills, and the potential for closure of many landfills around the metropolitan area. If you read the major items within the Messenger press, most of them are leading off with items related to waste management or waste management problems associated with the inaction of the Government to come to terms with and to put together a comprehensive policy to deal with it in a comprehensive way. The headline of the *Leader Messenger* of 31 January states 'Brown plays coy on dump.' This is in relation to an article by Joanne Pegg who states that after an inspection of the Highbury dump—

The Hon. A.J. Redford interjecting:

The Hon. T.G. ROBERTS: —the Premier was very coy about his final position in relation to whether or not that landfill remains open, or whether the status of that dump will change. I think the honourable member will note that I am not restricting my questioning process to the Makin area: it will move into Noarlunga as I quote the *Southern Times*. The headline in the *Southern Times* Messenger press refers to a $4.7 million depot upgrade. It goes on to state that the council is divided and that there is a need for an upgrade of that dump.

513 Enfield has a dilemma with the problem it faces with its potential for having to spend money to clean up the AN site. I have already raised the issue of the dump at Wingfield nearing its final days. In the *Adelaide Messenger* of 7 February there is an article stating that there is a plan by the Government to spend $23 million on recycling centres to head off the waste crisis. So, members can see that I have moved around, stating problems existing in waste management throughout the metropolitan area. The proposed recycling depots, which will be sited in the north, the north-east and the south of the city, are only part of the solution to the total management problem. The article, by Andrew Male, indicates that two major landfills will be established.

This is not a press release from the Government, by the way; it is an article by Andrew Male. He is indicates that two major landfills will be established at Inkerman near Port Wakefield and Pedler Creek to the south. The article is indicating that the solutions to those problems that I have outlined may be that there are three recycling centres in the metropolitan area that will treat recyclable waste, and then the landfills take the rest of the rubbish which will be left over, which cannot be recycled in an easy way.

I raise in my question the point that the proposed Inkerman site has a number of problems associated with it. Although I agree with the general thrust of the Government's position in total waste management control by having a major landfill in the northern suburbs, I indicate that the Inkerman site does not seem to me to be the most suitable.

I inspected the site over the break, and it almost has the appearance of a South-East site, in that there are many what they call crab holes locally but what in the South-East we would call sink holes. It is very unstable land.

The Hon. Diana Laidlaw: Is it soil or rock?

The Hon. T.G. ROBERTS: It is very light sand and there are rocky outcrops, but it is one of the major wheat growing areas in the State and has the highest protein level of wheat in the area—which is another reason why it should not be there. I guess the questions I raise relate to the potential for leachates to get into the gulf, because it is not far from the gulf. It is not far from our mangroves and our fish breeding grounds, and I think the Government needs to be very careful if it goes to look at the proposed site. I would recommend that other sites farther east should be examined. The questions I have are as follows:

1. If a landfill is established at Inkerman, how does the Government propose to protect the gulf from pollution escaping from the proposed site due to the unstable geological strata which exist and which are amplified by unknown amounts and size of sediments and layer fractures, compounded by constant and indeterminable shock waves generated by the Port Wakefield proof and experimental range, which abuts the western side of the highway, and the fact that this is also an area that is subject to earth tremors?

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

TOTALIZATOR AGENCY BOARD

In reply to **Hon. M.J. ELLIOTT** (29 November 1995) and answered by letter on 4 January 1996.

The Hon. DIANA LAIDLAW: The Minister for Recreation, Sport and Racing has provided the following information.

In the first instance, it is important to correct the figures quoted in relation to this question by the Honourable Member. The TAB has set a turnover budget for this current financial year of $505 million. The Minister can confirm that at mid-November, TAB turnover was down approximately $1.5 million or 0.7 per cent on the year to date budget estimate. As at the end of November turnover was down $1 750 000 or 0.8 per cent on budget.

Notwithstanding this budget position, TAB has advised the Minister that it is confident of achieving its annual turnover estimate of $505 million.

In relation to media coverage of the TAB's performance, the Minister can advise that on no occasion has any request from the Board to provide information or make public statements to the media been refused. As such, the TAB's capacity to respond to issues raised in the media has not been impaired in any material way.

It is expected of any of the Government Agencies or Statutory Authorities, within the Minister's portfolio, that he be informed in a full and timely manner of any proposed media contact so that due consideration can be given to the performance of Ministerial responsibilities and duties.

The Minister remains prepared to deal with requests by the Board for release of information or public statements via the media according to the procedures already established with his office and the TAB Liaison Unit.

PATAWALONGA

In reply to **Hon M.J. ELLIOTT** (17 October 1995) and answered by letter on 26 January 1996.

The Hon. DIANA LAIDLAW: The Minister for Housing, Urban Development and Local Government Relations has provided the following information.

1. Where the Government can work with private interests to significantly improve existing facilities for all people then this is a responsible course of action. The existing developments on the beach front at Glenelg bring no credit to the area or to South Australia. The prospect of being able to achieve a significant tourism development for the public and tourists alike must be worth pursuing and it is intended to do so.

2. The Government has only just received the master plan and it is far too soon to say which waterfront land will be involved in the development let alone the nature of long term ownership.

3. The whole question of value and cost of improvements and infrastructure in the total development site will be the subject of exhaustive negotiations between the Government and the Consortium over the next few months. Clearly, there is a balance to be achieved between current value and the long term value of the development to the State.

GOVERNMENT LAND

In reply to **Hon. M.J. ELLIOTT** (25 October 1995) and answered by letter on 6 December 1995.

The Hon. DIANA LAIDLAW: The Minister for the Environment and Natural Resources has provided me with information relating to the Honourable Member's question concerning the sale of Government land at Westbourne Park.

1. Receipts from the sale of the land will be retained by the Department for Education and Children's Services to fund a major redevelopment of the Westbourne Park Primary School. In order to maximise the financial benefit to the School, it is intended that the land will be sold for a value consistent with its current zoning which is 'Residential'. Only a portion of the site is surplus and will be sold. The balance, some 1.5 hectares will be retained for use by the School and community for passive recreational pursuits.

2. The Treasurer has been consulted regarding the sale of portion of the site and supports the sale proceeding, given that only a portion of the site is to be sold.

METROPOLITAN OPEN SPACE

In reply to **Hon. M.J. ELLIOTT** (28 November 1995) and answered by letter on 10 January 1996.

The Hon. DIANA LAIDLAW: The Minister for Housing, Urban Development and Local Government Relations has provided the following information.

1. The Planning and Development Fund is audited each year to ensure that funds have been expended in the correct manner.

The Planning and Development Fund provides for the Government to implement its open space programs. It is used strategically for the provision of regional open space and enables the Government to adopt a State wide overview to address open space issues in an equitable manner. The Fund is used on projects of significance such as the Metropolitan Open Space System (MOSS), and on major district open space areas and linear park flood control areas, under the Open Space Enhancement program.

Any open space that is purchased through the Planning and Development Fund and transferred to Council is done on the basis of a vesting under the Crown Lands Act, which places care control and management in the hands of Council. The title to the land is cancelled so that it cannot be sold for other purposes in the future. If in the future the land is not required by Council for open space then it reverts back to the Crown.

The Planning and Development Fund had a debt of $3.7 million when this Government took office. As of this month, in two years the debt has been reduced to less than $1 million, and this has been achieved without the sale of any open space reserves purchased through the Fund.

2. The Government has recognised through its South Australian Planning Strategy that open space is critical to the well being of people who live in Adelaide. It is committed to the establishment of the MOSS which will ultimately create a clearly defined, linked system of open space in around the metropolitan area. The MOSS network will provide a visual contrast to the built environment and cater for a range of recreation and leisure uses through the incorporation of the hills escarpment areas, significant watercourses crossing the metropolitan area, existing public and private open space and regional reserves, reservoirs and controlled catchments, and the metropolitan coastline.

In 1994-95 around $1.3 million was spent from the Planning and Development Fund on the purchase and development of open space.

This shows the Government's commitment to the ongoing provision of quality regional open space as part of the overall development strategy for metropolitan Adelaide and regional centres across the State.

As part of an ongoing process the Open Space Development Unit of the Department of Housing and Urban Development produces a booklet which sets out details about open space programs. The booklet is sent to every Council in the State, inviting applications from Councils for projects which qualify under the guidelines. The guidelines are clearly set out in the booklet. Each year there is a high response from local government for quality open space projects and this financial year is no exception, with a record of 52 applications

being received from local government at the close of applications at Christmas.

I have forwarded a copy of the booklet to the Honourable Member for his information.

As a further initiative, all metropolitan Councils were written to in September 1995 and encouraged to prepare open space strategy plans. The intent is to carry out an audit of existing open space facilities and determine future open space requirements and priorities as a consequence of urban consolidation and infill, and new residential developments on the metropolitan fringe.

This will cover the hierarchy of open space requirements with MOSS as a major component. As part of the process Councils have been requested to prepare Plan Amendment Reports to give statutory recognition to MOSS within the individual Council's boundary.

The intent is then to consolidate the Council based open space strategy plans into regional context and to set regional and ultimately metropolitan wide priorities.

The question has been timely and it can be seen that the Government is being accountable and transparent in its management of the Planning and Development Fund including a debt repayment strategy. The Government is also being proactive in its approach to develop responsible open space strategies and initiatives, and by sending out guidelines under which Councils can apply for funding to purchase, retain and enhance urban open space.

PATAWALONGA

In reply to **Hon. M.J. ELLIOTT** (16 November 1995) and answered by letter on 12 December 1995.

The Hon. DIANA LAIDLAW: The Minister for Housing, Urban Development and Local Government Relations has provided the following information.

The Holdfast Shores Consortium has prepared its master plan for the Glenelg/West Beach area.

This plan is currently being evaluated within Government prior to initiation of the public planning and environmental assessment processes for the project.

It has been explained previously to the Honourable Member that boat launching facilities are proposed at West Beach in the vicinity of Barcoo Road and adjacent to the Holdfast Bay Yacht Club and the Sea Rescue Squadron facilities. It is possible that new facilities for the boating clubs may be established in this area as part of the development.

There are no plans for residential development or any form of canal estate at West Beach.

The Minister is well acquainted with the Consortium's proposals, as are the local Councils and a number of stakeholder groups from the area.

The Council and stakeholder groups have also been closely involved with the Government in the consideration of all options for sea water flushing of the Patawalonga basin, which impact on the Sturt River outflows. A decision on this will be made by the Government when the EIS process is complete.

METROPOLITAN OPEN SPACE

In reply to **Hon. M.J. ELLIOTT** (22 November 1995) and answered by letter on 15 December 1995.

The Hon. DIANA LAIDLAW: The Minister for the Environment and Natural Resources has provided the following information.

1. A preliminary study prepared as part of the community consultation process undertaken prior to the Government making a decision over the future of the site highlighted a number of matters that required consideration.

The management of traffic associated with the construction of a school and church on the corner of Main and Torrens Road was one issue.

Advice indicates that it is possible to manage any difficulties.

As part of the offer to the St Peter's Lutheran Church any additional costs associated with traffic must be borne by the Church.

In regard to the Hawthorndene Primary School, it is not anticipated that the construction of a new private primary school will impact significantly on the school enrolments.

2. The Minister for the Environment and Natural Resources understands that the Council has had a preliminary discussion of the Government's offer and that it intends to consider this again.

Council is aware of the terms of the offer and that the Government is seeking an answer by the end of the year and the Minister understands is working to this date.

At this stage, the Government can see no reason why it should not support an answer from the Council by this date.

COLLEX WASTE MANAGEMENT

In reply to **Hon. M.J. ELLIOTT** (21 November 1995) and answered by letter on 6 December 1995.

The Hon. DIANA LAIDLAW: The Minister for Housing, Urban Development and Local Government Relations has provided the following information.

The Government has facilitated discussions between Council and Collex on the possible relocation of Collex's operations from its Kilburn site. The Government however, is not currently participating in those discussions.

AQUACULTURE

In reply to **Hon. M.J. ELLIOTT** (14 November 1995) and answered by letter on 10 December 1995.

The Hon. DIANA LAIDLAW: The Minister for the Environment and Natural Resources has provided the following information.

1. The Member for Flinders, Mrs Liz Penfold MP, has expressed a view that South Australia's aquaculture industry provides the State with significant economic benefits, and therefore, if the Government wants continued benefits from aquaculture the facility proposed for South Head, Venus Bay should receive fair consideration by the Development Assessment Commission (DAC). However, the Member for Flinders has made it quite clear that the Government would be unlikely to have a single position of support or opposition to this development. The State Government's position in regard to the application is to ensure various Government agencies provide advice to the independent DAC for their assessment. Each agency will be making its own judgement relevant to its field of expertise and provide that information to the DAC who will decide on this matter.

2. The Government has not made any judgement in regard to the application. Government agencies will provide advice to the independent DAC for their assessment and ensure the information required by the DAC to make an informed decision is relevant and available in a timely manner.

3. The Coast Protection Board has already indicated its concerns regarding the proposed development due to their assessment that the development conflicts with many of the District Council of Elliston's development objectives and principles for a "rural coastal zone" and some of the country-wide development principles contained in the Minister for Housing and Urban Development's Regional Coastal Areas SDP. The DAC will assess the Coast Protection Board's opinion in this regard when it makes a decision on this matter.

The legal responsibility for the long term future of this land rests with the owner of the land, the Minister for the Environment and Natural Resources, however, the District Council of Elliston currently has the land under their care, control and management pursuant to the Crown Lands Act, 1929.

Before making any decision affecting this land, the Minister for the Environment and Natural Resources will take into account the correct balance of state and local interests, including environmental, economic and social impacts of any potential changes.

ABORIGINAL HERITAGE

In reply to **Hon. R.D. LAWSON** (26 October 1995) and answered by letter on 10 January 1996.

The Hon. DIANA LAIDLAW: The Minister for Aboriginal Affairs has provided the following information.

1. On 3 November 1994, the Ministerial Council on Aboriginal and Torres Strait Islander Affairs (MCATSIA) agreed that a working party of relevant Commonwealth, State and Territory officials be established to examine and report to Ministers by March 1995 on a National framework of guidelines to promote the co-operation of State, Territory and Commonwealth heritage legislation and decision making processes. The framework will cover such matters as:

- clarity, consistency and efficiency in approval and appeal processes;
- bilateral agreed joint approval processes to minimise delays and the risk of Commonwealth intervention;
- defined time limits for State and Commonwealth consideration and action; and
- requirements of consultation and negotiation between interested parties and Aboriginal groups at initial project phase.

The South Australian Minister for Aboriginal Affairs initiated the agenda item and proposed the Ministerial Council resolution. The South Australian Government, through the Department of State Aboriginal Affairs, was the Convenor of the national Working Party.

The national Working Party, including ATSIC representation, produced a report which recommended that:

'The Standing Committee of Officials, with the endorsement of Ministers, conduct a detailed examination of the relevant Aboriginal Heritage legislation within their own jurisdictions to take into account the incorporation of the agreed National framework of guidelines, principles and processes outlined in this report and that a time limit for this process be established.'

The draft report was endorsed at the Standing Committee of Officials meeting on 28 April 1995 with outcome/further action recorded as follows:

- To accelerate the Culture and Heritage Working Party recommendation, States/Territories are to pursue detailed examinations on existing Aboriginal Heritage legislation within the context of the principles of the report. State/Territories are to liaise with their Minister prior to taking this action.
- Status reports to be submitted to the August 1995 Standing Committee of Officials meeting with final reports to be considered at the Ministerial Council meeting on 20 October 1995.

At the August 1995 meeting of Officials, it was agreed that a special meeting of the national Working Party be held to obtain progress reports from State, Territories and the Commonwealth on the review of their particular heritage legislation processes. The meeting would place particular attention on the proposal of the Commonwealth to amend the Aboriginal and Torres Strait Islander Heritage Protection Act 1984.

The MCATSIA Agenda item initiated by South Australia in November 1994 has been the catalyst in the Commonwealth Government giving consideration to reviewing its Aboriginal Heritage legislation and recognising the need for improved co-operation between States and the Commonwealth leading to greater certainty in the decision making processes.

2. At the MCATSIA meeting on 20 October 1995, the Commonwealth Minister circulated copies of the newspaper article publicly announcing the independent Review of the Commonwealth legislation. ATSIC provided a MCATSIA agenda paper outlining draft guidelines which could form the basis for changes to the Commonwealth Act.

3. It is understood that the changes envisaged by the Commonwealth would reduce uncertainty for State Governments and developers and are premised on the need for State Governments to also analyse and review their own legislation. South Australia, in particular, is keen to amend its Aboriginal heritage legislation to protect, preserve and promote Aboriginal culture and heritage in a way which provides greater clarity and certainty for land owners and users.

It is considered that any Review which improves the co-operation between Commonwealth and State Aboriginal heritage protection legislation and decision making processes should be supported.

LEAD LEVELS

In reply to **Hon. SANDRA KANCK** (30 November 1995) and answered by letter on 9 January 1996.

The Hon. DIANA LAIDLAW: I provide the following information in relation to lead emissions from motor vehicles, particularly in the vicinity of the Main North Road/Robe Terrace/Fitzroy Terrace intersection.

1. I understand that officers of the Department of Transport have read a 1993 report from the SA Health Commission titled 'National Review of Public Exposure to Lead in Australia'. This appears to be the report to which the Honourable Member refers. This report which addresses lead exposure from all sources, does not give any figures for blood lead exposure levels near arterial roads in Adelaide and officers of the Department of Transport are not aware of studies related to residents in the vicinity of this particular intersection.

2. I can advise that recent fuel sales statistics show that the sales of unleaded fuel in South Australia now exceed sales of leaded fuel. In addition, the level of lead in leaded fuel has recently been reduced to 0.3 g/litre, from 0.4 g/litre in 1994. These two factors have led to a 60% reduction in the amount of lead emitted by motor vehicles over the last ten years. Lead emissions will continue to fall as the number of vehicles able to use unleaded fuel continues to increase.

3. The Main North Road-Fitzroy Terrace intersection is one of the busiest intersections in metropolitan Adelaide, and currently has high levels of traffic congestion for much of the day. Unfortunately, most emissions of pollutants occur while vehicles are stationary at traffic lights. The Department is aware of the operational problems at this intersection and is considering strategies to reduce these. I am hopeful that some improvements will be in place at this intersection within the next five years, which will lead to a reduction in lead emission at this location, over and above those being achieved through the factors mentioned earlier.

KANGAROO ISLAND SOCIAL WORKER

In reply to **Hon. SANDRA KANCK** (28 November 1995) and answered by letter on 27 December 1995.

The Hon. DIANA LAIDLAW: The Minister for Family and Community Services has provided the following information.

The Social Worker position on Kangaroo Island is funded by three agencies which contribute the following proportions; FACS 0.4 FTE, CAMHS 0.35 FTE, and SAMHS 0.25 FTE. Contingency funding is based on the same ratio. FACS also provide 0.2 FTE funding for an Administrative Officer.

The position had funding approved for 2 years from January 1994 to December 1995. Continuation of this funding has been agreed to for the Financial Year 1995-96.

Funding by FACS and other agencies beyond 30.6.96 must be viewed in the context of the normal Budgetary process for 1996-97, which has not yet been finalised.

The Department for Family and Community Services is committed to providing appropriate ongoing services to the Island, but believes that other funding sources need to be investigated as the 'generic role' of the Social Worker position involves work that crosses a number of agencies apart from the present funding contributors.

PARROTS

In reply to **Hon. T. CROTHERS** (29 November 1995) and answered by letter on 3 January 1996.

The Hon. DIANA LAIDLAW: The Minister for the Environment and Natural Resources has provided the following information.

1. It is currently illegal to cross breed a protected animal with other species or subspecies of protected animal under the provisions of regulation 18 of the Wildlife Regulations 1990.

The National Parks & Wildlife Act 1972 places protection on animals at the species level. This means that all races and subspecies of a protected species are in themselves protected. With Australia's geographic position, some of the species protected by the Act range from Australia to New Guinea, Indonesia, and the Pacific Islands.

Some bird keepers have over many years manipulated the genetics of aviary bred birds by promoting mutations and hybridisation. This practice has led to the contamination of the gene pool of captive birds. The Department has worked in conjunction with Avicultural Societies to discourage the hybridisation of aviary birds.

There are 10 subspecies of the Eclectus Parrot throughout the Pacific area including the subspecies *Eclectus roratus macgillivrayi* which is restricted to the eastern coastal area of central Cape York, Northern Queensland. Most Eclectus parrots kept in captivity in Australia are *Eclectus roratus polychlorus* subspecies that have been bred from stock originating from New Guinea.

The colour and dimensions of these captive birds have been distorted to a point where it becomes very difficult to visually determine which subspecies the individual belongs to. It is often difficult to differentiate the Australian subspecies from some of the birds kept in captivity.

The removal of controls on the Pacific Islands subspecies could result in bird keepers claiming that their Australian Eclectus is exotic fauna. It would be difficult and expensive to disprove such a claim.

2. The permit system to keep native fauna is regularly reviewed and revised to ensure its relevance to changes in community attitudes. The Department is currently conducting a review of the permit system that includes specific reference to subspecies.

ABORIGINAL HERITAGE ACT

In reply to **Hon. SANDRA KANCK** (12 October 1995) and answered by letter on 6 December 1995.

The Hon. DIANA LAIDLAW: The Minister for Aboriginal Affairs has provided the following information.

1. The Minister for Aboriginal Affairs actions in relation to s.35 were made with legal advice. The Supreme Court took a differing view.

2. The decision of the Supreme Court did not reflect on the Department of State Aboriginal Affairs which continues to fulfil its responsibility in providing an efficient and effective administration of the Aboriginal Heritage Act for Government and Aboriginal people.

The Department has been focusing its resources to develop the ability of the Aboriginal Community to identify and manage their cultural heritage.

The Government has committed over $700 000 in additional resources to ensure this process continues. The funding provides for a full time Chair and additional support to the State Aboriginal Heritage Committee as well as substantial works on Aboriginal Heritage sites in need of urgent protection.

3. The Royal Commission is due to report in mid-December 1995.

ROYAL DISTRICT NURSING SERVICE

In reply to **Hon. SANDRA KANCK** (24 October 1995).

The Hon. DIANA LAIDLAW: The Minister for Health has provided the following information.

1. The object of the new arrangements is to establish purchasing agreements that will deliver an excellent range and standard of home health services at the best price. What this system will achieve is more and better choices for people; not create service gaps or cut support to the frail aged, younger people with disabilities or to those released from hospital for nursing care.

2. Hospital based home nursing services have been demonstrated to be a cost-effective means of providing a range of post-acute nursing services to the community. The services are offered in addition to the RDNS service in an environment of increased demand for home nursing care and do not duplicate RDNS services.

The services offered by major metropolitan hospitals are within realistic boundaries and where clients are from outside these areas any services would be provided by RDNS or through regional country hospitals.

A communication network is in place to plan for discharge of country clients from metropolitan hospitals to post-acute services managed by country hospitals.

3. It is customary for the SA Health Commission to seek assurances in every tendering process that best practice will be instigated. The situation in this instance is no exception. The standards applied to the RDNS are consistent with those applied to other nursing services.

4. It is assumed that the Honourable Member's question relates to the 'New Directions Project' discontinued by Julia Farr Centre about two years ago as a result of a blow out in costs of home care for certain very dependent residents discharged from Julia Farr. A review of Julia Farr Centre conducted by Ernst & Young in 1994 recommended that the process of relocating residents of Julia Farr to appropriate accommodation be continued with support including home nursing from RDNS.

This process is being explored in more detail by the Options Coordination agencies and will involve the proper examination of appropriate accommodation models, including small nursing homes for people who require intensive support at home. However, if the Honourable Member is suggesting that the SA Health Commission has reasons for disbanding existing home nursing services, the Minister for Health would like to disabuse her of this notion. That is not the case.

There are several other successful home nursing services in SA as well as RDNS. The Flinders Medical Centre operates a home nursing service which is deemed to be of an exceptionally high standard. In addition, there are seven domiciliary care services covering metropolitan Adelaide and major country centres.

MEDICAL EQUIPMENT

In reply to **Hon. T. CROTHERS** (29 November 1995) and answered by letter on 18 January 1996.

The Hon. DIANA LAIDLAW: The Minister for Health has provided the following information.

1. There is no legislation in South Australia, or indeed in other States or Territories of Australia, with respect to reprocessing of items of medical equipment. Standards Australia have developed a standard for the cleaning, sterilisation and packaging of items of medical equipment. These standards are developed in consultation with the health care industry and were supported in their development by officers of the South Australian health care system. In addition, there is an accreditation process of the Australian Council on Health Care Standards which looks at quality assurance activities within a hospital with respect to these matters and the majority of hospitals both public and private in the State of South Australia are accredited by this body.

2. There is no central collection of data of hospital acquired infections in South Australia in either public or private sectors. Hospitals, as part of the accreditation process, are required to undertake quality activities, one of which is the collection of data of hospital acquired infections. Thresholds have been set by the Australian Council on Health Care Standards with respect to infection rates. A threshold is something that should trigger concern if the threshold is exceeded but does not necessarily mean that data falling below the threshold is acceptable. Clearly the best result is no cross infection within a hospital. It is the intention of the Australian Council on Health Care Standards to publish consolidated data which will indicate the standard of care being achieved.

3. Hospitals are progressively introducing quality assurance activities which will monitor cross infection rates as above. Items labelled as 'to be used only once' are only one aspect of cross infection in hospitals. Cross infection has more to do with nursing and medical practice than any budgetary allocation.

MURRAY RIVER CATCHMENT BOARD

In reply to **Hon. R.R. ROBERTS** (29 November 1995) and answered by letter on 23 January 1996.

The Hon. DIANA LAIDLAW: The Minister for the Environment and Natural Resources has provided the following information.

I have discussed the issues with the Minister for the Environment and Natural Resources and I share his thoughts on the matter. The River Murray Catchment Board Steering Committee was formed on 21 June 1995 and first met on 2 August 1995. This steering committee was formed by Local Government to facilitate community comment on the proposal to establish a River Murray Catchment Water Management Board. In addition to the four Murraylands Local Government Association members and the four Riverland Local Government Association members, the steering committee also included the Regional Manager, Murraylands and the Senior Water Policy Officer, Water Resources Group, both from the Department of Environment and Natural Resources.

In relation to the Honourable Member's specific questions:

1. The Minister for the Environment and Natural Resources was surprised and extremely disappointed to learn that the steering committee, having undertaken an extensive and difficult consultation program, chose not to complete its task by disbanding and only submitting a brief resume of the factors put forward at the various consultations.

He has expressed his concern to some members of the steering committee and has urged them to reconsider their decision and complete the final detailed report. It is expected that this report would contain valuable information, views and conclusions gathered during the consultation program and could provide the basis for the Government to formulate a proposal for the establishment and operation of a River Murray Catchment Water Management Board.

It has also been explained to the steering committee that the Water Resources (Imposition of Levies) Amendment Bill 1995, which was being considered by Parliament at the same time the steering committee was considering its final report, in no way supersedes the efforts of the committee. This amendment which is applicable statewide, simply provides the mechanism by which a levy may be raised. Copies of both the Bill and the second reading speech, which was tabled in Parliament on 15 November 1995, were distributed to steering committee members at their last meeting on 27 November 1995.

2. Department of Environment and Natural Resources funds have already been made available towards the administrative costs of the steering committee.

Resources were made available to the steering committee at its meeting on 27 November 1995 to collate, formulate and report the committee's findings and recommendations on the establishment and operation of a River Murray Catchment Water Management Board. These same resources are still available should the steering committee agree to reform to complete its task.

ROAD FUNDING

In reply to **Hon. CAROLINE SCHAEFER** (23 November 1995) and answered by letter on 3 January 1996.

The Hon. DIANA LAIDLAW: The Department of Transport does not specifically set aside or retain current year funds for future expenditure. This would be an inefficient way of using limited revenue.

However, the Department, as part of its Asset Management strategy, plans for the level of future road replacement and rehabilitation investments in order to maintain an acceptable level of service for all road users.

The Audit Commission Report (1994) in its findings identified a number of areas in relation to the road network where there was a backlog of outstanding maintenance/rehabilitation work. In response, more funds are being channelled into road construction and rehabilitation, using the available efficiency gains from the restructuring of the Department of Transport. In addition, the Department is in the process of implementing a strategic management framework to ensure that funds are utilised effectively.

MENTAL HEALTH

In reply to **Hon. G. WEATHERILL** (28 November 1995) and answered by letter on 10 January 1996.

The Hon. DIANA LAIDLAW: The Minister for Health has provided the following information.

1. The public Mental Health Service has 13 community based facilities within the metropolitan area. There are more than 300 mental health staff working in the community, providing treatment and support to approximately 11 000 clients. Clients who have a chronic mental illness have been allocated a case manager and receive ongoing services. More than 200 people in the local government areas of Semaphore and Semaphore Park receive regular case management services.

Additional beds within Boarding Houses, Lodges, Hostels etc. result when licences are granted by the Local Council under the Residential Supported Accommodation Act. It is believed that an additional facility has been licensed in Semaphore for elderly citizens, not people with mental illness.

2. Although many people with a mental illness require medication to enable them to live at their optimum level, only a very few are unreliable in maintaining their medication and pose any threat to the community. One of the main roles of case managers is to ensure compliance with medication and to ensure that clients have sufficient support to live successfully in the community.

TAXIS

In reply to **Hon. T.G. CAMERON** (28 November 1995) and answered by letter on 11 January 1996.

The Hon. DIANA LAIDLAW:

1. Based on information obtained from the first call for tenders of taxi licences, the current market price for a taxi licence is approximately $140 000. Therefore, assuming that the market remains stable, the next two (2) call for tender's for 15 licences in each instance, are estimated to generate $2 100 000 in receipts per annum.

2. The last tender call for taxi licences (6 & 13 May 1995) raised $2 142 612 in revenue.

3. As from 1 July 1994 the money expended and the projects funded to improve and develop the taxi industry have been as follows:

Title: Research Project—Taxi Baseline Study
Applicant: Transport Systems Centre
Amount: $65 000
Title: Promotional and Information Brochures
Applicant: South Australian Taxi Association
Amount: $18 423.30
Title: Indicator Light for Casino Rank
Applicant: South Australian Taxi Association
Amount: $1 000
Title: Establish full time office for Licensed Chauffeured Vehicle Association
Applicant: Licensed Chauffeured Vehicle Association
Amount: $60 000
Title: Taxi Advertising Campaign
Applicant: Taxi Industry Advisory Panel
Amount: $165 000
Title: On-Road Audits
Applicant: The Marketing Centre
Amount: $85 000
Title: Dubbing and labelling of 300 VHS Video Tapes o f 'Take a Taxi' Project
Applicant: Taxi Talkback User Group
Amount: $1 200
Title: On Road Audit (Trial)
Applicant: Metropolitan Taxi Cab Board
Amount: $28 200
Title: South Australian Taxi Association—Administration Grant
Applicant: South Australian Taxi Association
Amount: $36 300
Title: 1996 Arts Festival—Taxi Promotion
Applicant: 1996 Arts Festival
Amount: $300 000

4. The funds from the tendering of taxi licences are accounted for in the budget of the Passenger Transport Board in the receipt line 'Accreditation and licensing'.

5. The projects are funded through the Passenger Transport Research and Development Fund which is administered by the Passenger Transport Board, with final approval required from the Minister for Transport. The criteria used for assessing applications is as follows:

- The proposal must be consistent with the criteria contained in section 62(1)(d) of the Passenger Transport Act, namely that the fund be used:
  (a) for the purposes of carrying out research into the taxi-cab industry; or
  (b) for the purposes of promoting the taxi-cab industry; or
  (c) for other purposes considered by the Minister and the Board to be beneficial to the travelling public, in the interests of the passenger transport industry, and an appropriate application of money held in the fund.
- The proposal must be consistent with the objects of the Act and, to such extent as is appropriate, should advance those objects.
- The proposal should not confer exclusive benefits on the proponent. (This does not preclude a demonstration project that may have wider application in the longer term.)
- Proposals should be of a project nature. Only in exceptional cases, would proposals be considered for recurrent expenditure from the fund over more than two years. Proposals should demonstrate how ongoing support will be provided if this is going to be needed. It will be expected in relation to projects that will require recurrent funding that the proponents can demonstrate future sources of funding, or strategies to achieve future sources of funding.
- Innovation is encouraged.
- Consideration must be given to the possible affect of a project on existing businesses in the relevant area.
- Projects should demonstrate the expectation of longer-term benefits for the public.
- Preference will be given to proposals in which proponents meet some of the costs of a project, or have obtained other sources of funding, especially if the project will benefit a particular section of the industry.
- Proposals are unlikely to be approved if alternative sources of funding would be more appropriate.

BEACH POLLUTION

In reply to **Hon. T.G. ROBERTS** (30 November 1995) and answered by letter on 4 January 1996.

The Hon. DIANA LAIDLAW: The Minister for the Environment and Natural Resources has provided the following information.

1. The plant material washed up on the beach on the morning of 30 November was a mixture of green algae, brown algae and seagrass. These are naturally occurring marine species which were washed onto the beach due to the rough seas.

This was an independent event, not in any way linked to the slow release of water from the Patawalonga basin which occurred on the same night.

2. These marine plants do not pose any threat to human health.

3. Due to the need for Patawalonga basin edge works to be undertaken, the water level in the Patawalonga will need to be lowered several times while construction and related works are taking place. The EPA has specified that the only releases to be undertaken from the Patawalonga will be those that are necessary for the management of water levels and water quality and the carrying

out of construction works for the long term benefit to the water quality of both the Patawalonga and the marine environment. The edge works fall into this category.

Smaller water releases will be required for flood mitigation and construction and works management from time to time. In order to minimise the impact of the lowering of the water level, the water is released slowly over several hours, so as to prevent stirring the silt on the Patawalonga floor. The release is also conditional upon the adherence to the following:

- Bacteriological testing in the Patawalonga prior to release of water and in near shore waters after release of Patawalonga water. This is undertaken by the consultants to the Urban Projects Authority, (Kinhill).
- South Australian Health Commission guidelines for signage and beach closures if necessary, i.e. depending on the bacteriological count of the Patawalonga basin water. This is the responsibility of the City of Glenelg in consultation with Kinhill.

Microbiological testing of the coastal waters on 30 November was undertaken at three points at the North Glenelg Beach—at the Boat ramp, Burns Avenue and Anderson Avenue were undertaken as a routine measure 12 hours after the release of water from the Patawalonga, when the beach was reopened.

The results from these tests were significantly below those required by the South Australian Health Commission guidelines, viz. 1, 3 and 24 organisms per 100 ml, where the limit for primary contact recreation is 150 organisms per 100 ml.

Previous test results undertaken have demonstrated that bacteriological levels after beach closures have been below the State Guidelines for primary contact recreation. Bacteriological data is always historical due to the fact that it takes several days for the bacteriological tests to be undertaken. This practice is no different to precautions undertaken over previous years, other than the fact that the bacteriological threat is likely to be minimised.

The issue to be remembered is that the Patawalonga is being cleaned up and that the Government's actions are ensuring that this occurs, while undertaking all necessary precautions.

SOUTH EAST DRY LAND FARMING

In reply to **Hon. T.G. ROBERTS** (28 November 1995) and answered by letter on 27 December 1995.

The Hon. DIANA LAIDLAW: The Minister for Primary Industries has provided the following information.

1. The deep drainage proposal was developed during the preparation of the draft Environmental Impact Statement (EIS) by the Upper South East Dryland Salinity and Flood Management Plan Steering Committee, at the request of the then Minister for Environment and Planning in accordance with the provisions of Section 49 of the Planning Act 1982. The membership of the steering committee included local landholders and representation from Government Agencies, Local Government, Soil Conservation Council, Australian Conservation Foundation and the South Eastern Drainage Board. Throughout preparation of the draft EIS there was extensive community consultation via newsletters, media items, public meetings and landholder discussion groups. Following release of the draft EIS the assessment procedure as defined in the Planning Act 1982 was followed, including a public comment period in excess of the required minimum.

2. On-going monitoring of the impacts of the proposed integrated catchment management plan and uptake of the various components will occur throughout implementation of the plan. Detailed monitoring strategies have yet to be finalised but will be done during the first year of implementation.

3. There will be on-going consultation throughout implementation of the management plan to ensure that differences of opinion that emerge are dealt with appropriately. In particular, a regional vegetation management strategy is being developed in consultation with the local community plus community groups involved in natural resources management and conservation groups are being consulted to determine ways of alleviating detrimental environmental impact of constructed drains.

KANGAROO ISLAND ECOTOURISM DEVELOPMENT

In reply to **Hon. T.G. ROBERTS** (15 November 1995) and answered by letter on 15 December 1995.

The Hon. DIANA LAIDLAW: The Minister for the Environment and Natural Resources has provided the following information.

1. All tourism infrastructure development proposals for parks on Kangaroo Island are put through a consultative process with Tourism Kangaroo Island, the Regional Tourism Board on Kangaroo Island. All current proposals are supported by Tourism Kangaroo Island. The Department of Environment and Natural Resources is a member of the Board of Tourism Kangaroo Island.

The development at Cape du Couedic is part of a staged development to provide improved access for members of the public, and particularly those arriving in large groups via bus operators.

Stage one of this development, the stairway to Admirals Arch and viewing platforms has already been completed and received a State Tourism award in 1993.

The development at Cape du Couedic is one element of a strategic plan to provide improved visitor services and infrastructure on Kangaroo Island to ensure that visitors are provided with a unique nature based experience that includes quality services and a high standard of facilities. This is in line with the State Ecotourism strategy and Government policy for tourism management.

The National Parks and Wildlife Services Kangaroo Island Consultative Committee provides a vehicle for consultation with the local community regarding park management issues.

This committee has supported the Cape du Couedic proposal.

2. The Government has set broad consultative mechanisms for development through the Regional Development Strategy process.

In the case of Kangaroo Island the Sustainable Development Strategy which includes specific reference to ecotourism infrastructure development, has been put out for public comment. This strategic document will hopefully be adopted in early 1996.

Specific agreed strategies will be put in place by the relevant agencies following the adoption of the strategy. This will require further specific consultation by the responsible agencies.

HIGHBURY DUMP

In reply to **Hon. T.G. ROBERTS** (14 November 1995) and answered by letter on 12 December 1995.

The Hon. DIANA LAIDLAW: The Minister for Housing, Urban Development and Local Government Relations has provided the following information.

1. The current proposal is a wholly private sector development and has not been put forward by this Government. It has not yet been through the full Environmental Impact Statement process to the stage of a decision being made by the Governor. The company, Enviroguard Pty Ltd have not had the opportunity to respond to the concerns raised by the EPA. A response document or supplement to the Environmental Impact Statement must be produced which answers all the questions raised in submissions. An Assessment Report on behalf of the Minister for Housing and Urban Development will then be produced to conclude the EIS process before a decision will be made by the Governor.

Any future applications for waste disposal or other activity on the same site will be considered on its merits as is the case with any development application.

2. The CSR Readymix company who own the area as a private mine are responsible for the rehabilitation of the sandpit if the landfill is not approved. They will need to apply for funds to undertake this work from the Mine Rehabilitation fund administered by the Department of Mines and Energy. Mines and Energy are responsible for approving the mine rehabilitation plan. The company is not obliged to carry out rehabilitation until the total mineral resource in the area is exhausted. It is expected that the mine has an operating life of another 50 years. Small sand reserves also remain in the area subject to the landfill proposal.

3. The Recycling and Waste Management Strategy produced by the Environment Protection Authority as part of the Department of Environment and Natural Resources will recommend the need to identify a preferred northern waste disposal site, however, the strategy has not yet been completed and endorsed by the Government. As soon as this occurs, work will commence on identifying a preferred northern site by the Environment Protection Authority.

AUDITOR-GENERAL'S REPORT

In reply to **Hon. ANNE LEVY** (12 October 1995) and answered by letter on 26 January 1996.

The Hon. DIANA LAIDLAW: I provide the following information in response to the Honourable Member's contribution

to the Auditor-General's Report debate concerning State Opera, State Theatre and the Adelaide Festival Centre Trust.

· The Auditor-General's figures do not calculate the subsidy per seat by dividing the grant provided to the agency by the number of seats sold, but use a different formula for both companies. This makes any comparison between State Opera, State Theatre and the Adelaide Festival Centre Trust very difficult because both State Opera and State Theatre Company have only used certain attendance figures and certain costs to arrive at the reported subsidies per seat. Likewise, the grant to the Trust includes debt servicing of the interest on the loan of the building, again making comparisons between the three organisations difficult. The Trust also has a greater role than just presenting productions, which is the major function of the other two organisations. The Trust's grant, and thus subsidy, is provided to help maintain the building and surrounds.

Below is the Department for the Arts and Cultural Development's calculation based on the grant received by the Trust divided by the number of people attending their venues.

ADELAIDE FESTIVAL CENTRE TRUST

	1992-93	1993-94	1994-95
Attendances	648 525	576 412	727 865
Number of performances	1 027	948	894
Operating grants (inclusive of debt servicing)	$5712m	$5171m	$5201m
Subsidy per attendance	$8.81	$8.97	$7.15

· The Performing Arts Collection is funded by the Government via the Trust. When the Adelaide Festival Centre Trust receives its operating grants, the Trust is informed that the allocation includes an amount for the Performing Arts Collection. Thus the operating grant shown in the Department for the Arts and Cultural Development's annual accounts included this allocation. The grant allocated by the Government to the Performing Arts Collection does not cover all of the costs associated with the running of this Collection and the difference is subsidised by the Adelaide Festival Centre Trust. This subsidy in 1994-95 amounted to around $4 000.

· The Adelaide Festival held discussions with the Auditor-General's Department in relation to the auditing of the Festival's accounts and I understand that this audit has now been concluded for the 1994-95 year. The Auditor-General will include these accounts with the 1995-96 accounts, when audited, to present a 24 month picture. The Festival Board has the responsibility of providing a report to the Minister within three months of the close of the financial year, which includes financial statements audited by the Auditor-General. The Board is unable to confirm whether the Auditor-General will include these statements in his report to Parliament and believe this question should be asked of the Auditor-General.

The Adelaide Festival Centre Trust provides numerous services to the Adelaide Festival of Arts. The subsidy varies each two-year Festival period as services provided can vary, depending on services provided for a particular Festival. The subsidy provided by the Trust for the 1994 Festival was calculated at around $410 000. This subsidy comprises absorbed wages, material costs, and office costs and was outlined in the 1994 Festival's annual report. The Trust has tabled a document which outlines its intention to provide information in the Department for the Arts and Cultural Development's annual report on all subsidies they provide to other Government bodies. Once this has been discussed and agreed, these subsidies will appear in future annual reports for the Department for the Arts and Cultural Development.

WATER, CATCHMENT

In reply to **Hon. T.G. ROBERTS** (23 November 1995) and answered by letter on 15 December 1995.

The Hon. DIANA LAIDLAW: The Minister for the Environment and Natural Resources has provided the following information.

1. The overall aim of the Catchment Water Management Act 1995 is to ensure that the quality of surface waters within a catchment is improved and associated watercourses, lakes and ecosystems are protected through improved management involving the active participation of the local community. All of the provisions of the Act are designed to achieve this objective.

A major function of a catchment water management board is to prepare and then implement a catchment water management plan. Preparation of the plan must include extensive community consultation. As provided for under section 40 of the Act, there is opportunity for interested parties to have input at several stages in the development and approval of the plan. The Act specifies who should be consulted and at what stages in the formation of the catchment plans this consultation should take place via public meetings and invitations to make written submissions. Before approving the plans, the Minister is required to have regard to any submissions received from the public and to the reports of the persons who conducted the public meetings.

We can therefore be confident that the required community consultation process, through providing adequate opportunity for the community to have meaningful input in the development of all aspects of the management plans, is realistic and fair.

2. The purpose of the extensive community consultation process required by the Catchment Water Management Act is to ensure that the catchment plans reflect the attitudes of the community on the management of their catchment. The boards and the Minister are bound to follow the consultation process described in the Act.

TORRENS ISLAND POWER STATION

The Hon. SANDRA KANCK: I seek leave to make an explanation before asking the Minister representing the Minister for Infrastructure a question about toxic discharges from the Torrens Island Power Station.

Leave granted.

The Hon. SANDRA KANCK: I refer the Minister to an article in the *Advertiser* of 4 December 1995 entitled 'Oil spills from power station', concerning the leakage of 2 000 litres of cooling oil from a ruptured transformer cooler at Torrens Island. The article said that the Department of Marine and Harbors made an emergency clean-up of the coolant, which had spread into Angus Inlet, and stated that an inquiry would seek the cause of the leak. I am informed by an expert in the field that the transformer coolant probably contained polychlorinated biphenyl (PCB) and polybrominated biphenyl (PBB), and that it possibly contained polychlorinated naphthalene (PCN), dichloronaphthalene (DCN) and chloronaphthalene (CN). My questions to the Minister are:

1. Do the transformers at the Torrens Island Power Station use coolant containing PCB, PBB, PCN, DCN and CN? If so, has the Minister tested for their presence in Barker Inlet?

2. What is the likely effect of these compounds on the environment?

3. Has the inquiry conducted by ETSA uncovered the source of the leak? If so, what was it and what steps have been taken to ensure that the same problem does not happen again?

The Hon. R.I. LUCAS: I will refer the honourable member's question to the Minister and bring back a reply.

INTERPRETER CARD

In reply to **Hon. P. NOCELLA** (11 October).

The Hon. R.I. LUCAS: The Minister for Multicultural and Ethnic Affairs has provided the following response.

1. The Interpreter Card was launched on 18 November 1994. To 31 October 1995, 333 cards had been issued.

2. The cards have been issued in the following languages:

· Arabic	22
· Armenian	1
· Bosnian	44
· Bulgarian	2
· Cantonese	5
· Chinese	3
· Croatian	29
· Czechoslovakian	1
· Farsi	13
· Greek	4
· Italian	2
· Japanese	1
· Khmer	14
· Kurdish	4

· Lithuanian	1
· Macedonian	3
· Mandarin	15
· Persian	2
· Polish	22
· Romanian	1
· Russian	29
· Serbian	63
· Sinhala	1
· Slovak	8
· Somalia	1
· Spanish	9
· Turkish	2
· Ukrainian	7
· Vietnamese	24

The South Australian Multicultural and Ethnic Affairs Commission will be undertaking a review of this initiative following the first year's experience of its use and when a report is forwarded to me I will give consideration to eligibility for the Card.

MULTICULTURAL AND ETHNIC AFFAIRS COMMISSION

In reply to **Hon. P. NOCELLA** (19 October).

The Hon. R.I. LUCAS: The Minister for Multicultural and Ethnic Affairs has provided the following response.

The South Australian Multicultural and Ethnic Affairs Commission Act provides for the appointment of up to 15 members of the Commission. The Commission currently has 11 members. Further appointments are under consideration.

INDOCHINESE AUSTRALIAN WOMEN'S ASSOCIATION

In reply to **Hon. SANDRA KANCK** (21 November).

The Hon. R.I. LUCAS: The Premier has provided the following response.

1. and 2. The Premier has nothing to add to his Ministerial Statement as to do so may pre-empt or prejudice matters currently under consideration.

3. The Ministerial Statement is self-explanatory in this respect.

AUDITOR-GENERAL'S REPORT

In reply to **Hon. ANNE LEVY** (12 October).

The Hon. R.I. LUCAS: The Premier has provided the following response.

In response to the honourable member's question as to whether the Government will follow the Auditor-General's recommendations and 'bring in legislation which he has recommended, similar to legislation in New South Wales', I draw her attention to the ministerial statement by the Premier on 27 September 1995.

As pointed out by the Premier, the matter of establishing a legal framework in which a summary of all substantial contract could be tabled in Parliament is being given consideration by the group of senior executives appointed to consider policy responses to the Auditor-General's report.

WATER SUPPLY

In reply to **Hon. T. CROTHERS** (18 October).

The Hon. R.I. LUCAS: The Minister for the Environment and Natural Resources has provided the following response.

1. A preliminary assessment of the risk of impacts to the Cooper Creek system in South Australia arising from the proposed cotton development at Currareva in the upper Cooper catchment was completed within days of this Government being advised of it.

The impact on flows in Cooper Creek to South Australia from this proposed development alone are not expected to be significant. However, there may be some cause for concern regarding pollution of the creek system.

A more serious cause for concern is that this single development could be the first of many. Continued development inevitably would degrade the lower Cooper system, with the potential for severe social, environmental and economic consequences.

These concerns were conveyed to Queensland by the South Australian Government.

2. It is a policy of this Government to seek active cooperation with the other States and the Northern Territory in the total catchment management of the Lake Eyre Basin, which includes the Cooper Creek catchment.

The Minister for the Environment and Natural Resources approached the Queensland Minister for the Environment and Heritage in early October 1995 to reaffirm South Australia's commitment to total catchment management of the Lake Eyre Basin. The proposed cotton development on the upper Cooper system at Currareva was cited as a point of concern.

As a result of representations made by the Minister and at officer level, the South Australian Department of the Environment and Natural Resources has been included as a 'referral agency' for the proposal. This will allow the department to provide comments on the impact assessment statement being prepared for the Queensland Government by the developers. I am advised that the Queensland Government may require the preparation of a more extensive environmental impact assessment. In either case, the South Australian Government will forward a submission on the proposal. The Government will also continue to make other representations as appropriate to both protect the Cooper Creek system and promote responsible management for the Lake Eyre Basin as a whole.

AUDITOR-GENERAL'S REPORT

In reply to **Hon. P. HOLLOWAY** (11 October 1995).

The Hon R.I. LUCAS: The following information has been provided by the Premier.

'Does the Government accept the recommendation from the Auditor-General with respect to the establishment of a legal framework in which a summary of all substantial contracts could be tabled in Parliament?'

As pointed out by the Premier in his ministerial statement of 27 September 1995, this matter is being given urgent consideration by the group of senior executives appointed to consider policy responses to the Auditor-General's report.

'Will the Government provide additional resources to the Auditor-General?'

This is an issue which will be considered in consultation with the Auditor-General once the Government has determined its approach to the various issues raised.

'Will the Government provide (me with) a copy of these guidelines (Government contracting out guidelines promulgated in June 1995)?'

A copy of the Government contracting out guidelines is enclosed for your information.

'Will this Government explore procedures by which Parliament can receive better information in relation to contracts?'

I refer the honourable member to the answer to the first question above.

'Will the Government also supply copies of these guidelines from the Economic Development Authority?'

A copy of guidelines for the private sector on contracting out and competitive tendering is also enclosed for your information.

'Does the Government accept the recommendation on page 35 of the Auditor-General's Report that information should be included in the annual reports of all public sector agencies summarising their remuneration policies generally?'

The annual report of the Auditor-General has detailed for each agency the number of executive level and equivalent officers employed within $10 000 bands using total employment cost.

It is proposed that this practice be adopted by all agencies. The annual report of the agency is considered to be the appropriate place to report on remuneration policies and on the total employment cost of executives within pay bands.

'Does the Government accept the recommendation to re-examine the current legislative and administrative framework for financial accountability? Will it say who will undertake that action and when it will be completed?'

As pointed out by the Premier in his ministerial statement on 27 September 1995, the contracts being negotiated by the Government ensure right of access by the Auditor-General to all information required to monitor compliance with terms and conditions of contracting out arrangements. The Government recognises the importance of 'before the event' scrutiny of such contracts and will give careful consideration to the adequacies of the legislative and administrative framework to ensure full accountability in these matters.

'With reference to the sale of PASA, the Auditor-General states that "There was no 'before the event' procedure that provided Parliament, or a committee of Parliament, with the mechanism to

enable timely review of the appropriateness of the terms of the proposed sale arrangements." Does the Government accept the recommendation that matters raised by the Auditor-General in this regard should be addressed as a matter of priority?'

The Government agrees that the matter should be addressed as a matter of priority. However, there is a need for further clarification from the Auditor-General as to what his expectations are on this matter.

The Asset Management Task Force, which has responsibility for overseeing the sale of assets, conducts a three stage sale process which requires Cabinet approval at each interval.

The aim of the Asset Management Task Force is to establish a highly competitive tender process to ensure maximum benefits are achieved for the State. It is crucial that none of the bidders know what each other is offering. Any attempt to introduce Parliamentary scrutiny of the transaction at this delicate point of the process would seriously jeopardise the outcome.

The issue was raised during the debate on the legislation enabling the sale of the Pipelines Authority of South Australia to proceed and it was agreed that the Industries Development Committee and the Auditor-General would be briefed on the sale arrangements after a decision on a preferred purchaser had been made.

I stress that the Government has a clear mandate to sell non-core assets and that Cabinet approval is required at the conclusion of each stage of the sale process. In addition, major asset sales require legislative changes before they can proceed, thereby giving an opportunity for Parliamentary scrutiny and debate.

The Government will be discussing these issues with the Auditor-General as a matter of urgency.

ASSET MANAGEMENT

In reply to **Hon. A.J. REDFORD** (17 October 1995).

The Hon. R.I. LUCAS: The Treasurer has provided the following response.

Consultants are used by the Asset Management Task Force where necessary to fill gaps in its own skill base or to provide additional resources to cope with the extensive workload.

The amount shown for consultancy fees for the year ended 30 June 1995 includes:

- the salaries of many of the AMTF staff (who are employed on contracts and therefore listed in the AMTF accounts as consultants);
- fees paid to other departments such as Crown Law and the Department of Environment and Natural Resources for services provided to the Task Force; and
- any consultancy expenses incurred by a Government enterprise being readied for sale. Under the Government's transparent reporting policies, payments to consultants by these entities in relation to the sale process are charged back to the Task Force.

Notwithstanding this comprehensive approach to the accounting of consulting fees by the Asset Management Task Force, the costs of consultants as accounted by the Task Force amounts to less than 3 per cent of the total cost of asset sales, which is substantially less than the consultancy costs incurred on comparable public sector asset sales programs in other States.

A breakdown of the $7.3 million paid to consultants in the $50 000 plus category, and the type of advice given, is provided as follows:

$50 000-$100 000	Phillips Fox (legal)
	Johnson Winter Slattery (legal)
	Deloitte Touche Tohmatsu (accountants)
	Horwarth and Horwarth (accountants)
	Potter Warburg (stockbrokers)
	M.J. Kimber (technical)
$100 000-$300 000	Finlaysons (legal)
	Pipelines Authority of S.A. (technical)
	Trowbridge Consulting (actuary)
	County Natwest (merchant banker/ consultant on Forwood Products sale)
	Nick Dyki (technical)
$300 000-$500 000	Minter Ellison (legal)
	Coopers and Lybrand (accountants)

DETAFE

In reply to **Hon. A.J. REDFORD** (17 October 1995).

The Hon. R.I. LUCAS: The Minister for Employment, Training and Further Education has provided the following information.

The Minister is aware of the comments on page 249 of the Auditor General's report to Parliament regarding compliance with Treasurer's Instructions and the Department's Accounting Manual in relation to the use of corporate credit cards in DETAFE.

At this stage it should be noted that neither the audit investigation nor the department's own subsequent review of compliance has found any evidence of fraudulent use or abuse of credit cards.

The Minister has been advised that the following action has been taken by the department to ensure that procedures are sound and that there is appropriate compliance:

- The department has followed up the discrepancies cited by the Auditor General to obtain the necessary documentation or implement other corrective action, as appropriate;
- Accountability of delegated officers has been reviewed and directors have been advised of their responsibilities under existing procedures. Additional guidelines have been issued;
- Credit card limits have been reviewed and new limits determined;
- Accounting procedures have been reviewed and new requirements have been promulgated to facilitate a better understanding of requirements and a consistent approach.

To evaluate the effectiveness of the corrective measures a further review of compliance is being undertaken and the Chief Executive has advised that he will take decisive action where any evidence of abuse is established.

GUERIN, Mr BRUCE

In reply to **Hon. A.J. REDFORD**.

The Hon. R.I. LUCAS: The Premier has provided the following response.

The person referred to is Mr Bruce Guerin, former Chief Executive of the Department of the Premier and Cabinet. Mr Guerin was initially appointed Chief Executive in 1983.

From September 1991 Mr Guerin undertook the role of acting Chief Executive of the MFP.

Subsequently, in October 1992, Mr Guerin was formally transferred from the position of Chief Executive of the Department of the Premier and Cabinet to the position of Special Adviser, in the Department of the Premier and Cabinet.

In October, 1993 the former Government entered into an arrangement with the Flinders University of South Australia for a five year period involving:

- the secondment of Mr Guerin to the University;
- the commitment by the Government to meet the total cost of Mr Guerin's remuneration package (including on-costs) for the period;
- a further commitment that should Mr Guerin move to another post during the period the Government would pay an equivalent annual amount to the University for the remainder of the period; and
- a one-off grant payment to the Flinders University of $100 000.

Upon coming to Government in December 1993, the Government sought advice regarding Mr Guerin's appointment and the arrangements with the Flinders University. That advice, including the opinion of the Crown Solicitor, confirmed that at the conclusion of his current appointment in October 1998, Mr Guerin would remain entitled to some position in the public service at a salary not less than that which applied to his former position of Chief Executive, Department of the Premier and Cabinet. That situation will continue for as long as Mr Guerin remains a public servant. The continuing cost to the State Government of these arrangements amounts to approximately $150 000 p.a.

In February 1994, as Mr Guerin and his role at Flinders University were not linked to the activities of the Department of the Premier and Cabinet, Mr Guerin was formally reassigned to the Unattached Unit until October 1998. As such Mr Guerin continues as the Director, Institute of Public Policy and Management, at Flinders University.

The value to the State and the South Australian Government from Mr Guerin's role at the Flinders University is not clear.

REMUNERATION

In reply to **Hon. A.J. REDFORD** (17 October 1995).

The Hon. R.I. LUCAS: The Treasurer has provided the following response.

The remuneration paid in the $370 000 to $380 000 band relates to payments to the previous General Manager who had been an employee of the Commission for a period in excess of 27 years. The components include salary while employed from 1 July 1994 to 20 January 1995, substantial accrued and recreation leave and a separation package. The separation package was consistent with normal arrangements.

STUDENTS, FEE PAYING

In reply to **Hon. A.J. REDFORD**.

The Hon. R.I. LUCAS: The figures referred to in the questions relate to the income from fees for students from overseas who are studying in South Australia.

The reduction in reported income from this source is related to the timing of payments. The 1995 figures are likely to reflect this with a complementary increase in income.

INDOCHINESE AUSTRALIAN WOMEN'S ASSOCIATION

In reply to **Hon. R.R. ROBERTS** (22 November 1995).

The Hon. R.I. LUCAS: The Premier has provided the following response.

1. No.
2. No.

MUSIC EDUCATION

In reply to **Hon. CAROLYN PICKLES** (21 November 1995).

The Hon. R.I. LUCAS:

3. There are no plans for further reductions at this time.
4. The figure of 2 000-2 500 students missing out is a simplistic interpretation of the fact that approximately 10 000 students currently access the service and a 25 per cent reduction in that number is 2 500.

The working party has indicated that a priority must be given to ensure that students already in the program who wish to continue get every opportunity to do so. We are also working to reduce the number of students affected by the planned reduction.

It will not be possible in every case to do that but certainly most students will be able to continue. Some students may, for example be in groups of three rather than two. This will not cause a reduction, merely a change in teaching and learning.

We will not be able to give a final figure until after the beginning of term 1, 1996, because we will have some students who choose during the school holidays not to continue an instrumental music program.

7. The budgeted savings from the approximately 98 to 100 above formula positions is about $5 million, to go towards the significant salary increases for teachers and school support staff. The reductions in music will amount to approximately $1 million.
8. The Government is obviously not on a path of phasing music out of State schools. We have retained some 80 salaries to continue a free instrumental music instruction program and music remains an important part of the school curriculum.

The instrumental and vocal music instruction program is in addition to and supportive of the general music curriculum in most schools. This is part of the Arts learning area.

This relationship is demonstrated most clearly in the criteria being used to determine a school's access to the instrumental and vocal music program. In secondary schools the number of students undertaking classroom music is the first determinant and in primary schools a viable classroom music program across the school is one of the main criteria.

MENTAL HEALTH

In reply to **Hon. CAROLYN PICKLES** (22 November 1995).

The Hon. R.I. LUCAS:

1. The mental health screening program indicated students who scored highly on a composite index, suggesting they may have mental health problems such as depression or anxiety. The precise nature of any problem was not highlighted and neither was its source, which might be in any one of a range of issues such as peer relationships, family crisis or academic difficulty.

   Due to confidentiality, the team undertaking the survey was able to identify students only by initials and date of birth. Student counsellors were given initials and birth dates of students who scored highly, and cross matched this information with their records.
2. Students, parents and principals were all advised by letter and newsletters that if the survey indicated possible mental health problems counsellors would be informed and further assessment and support would be offered. This information was also given to students verbally on the day the questionnaire was completed.

SCHOOL LIBRARIES

In reply to **Hon. ANNE LEVY**.

The Hon. R.I. LUCAS:

1. It has been established that some of these copies have been forwarded to Government schools and it is the intention of the organisation to provide copies to all secondary schools.
2. Schools examine carefully any materials coming into the school before making a deliberation as to their use. As part of this deliberation, schools consider any questions of balance that need to be addressed.

   To assist schools in their deliberations, the Department for Education and Children's Services has issued a booklet 'Selection and Access for Books and Learning Materials: Guidelines for Schools' 1987. Each school also has copies of the administrative instructions and guidelines which outline procedures to observe when discussing contentious issues and/or using resources which address controversial matters. Section 3, paragraph 92, parts 1 and 2 details the rationale and obligations of principals/teachers. A copy is attached.
3. School libraries operate according to a selection policy which takes into account the administrative instructions and guidelines, a balance of viewpoints, relevance to the curriculum, age structure, and other factors related to local context. Schools are constantly assessing materials for use by the school community and as such are aware of their responsibilities in this area.

MULTICULTURAL AND ETHNIC AFFAIRS OFFICE

In reply to **Hon. P. NOCELLA** (28 November 1995).

The Hon. R.I. LUCAS: The Premier has provided the following response.

1. A decision will be made soon.
2. The appointment to fill the position will be made by Her Excellency the Governor in Executive Council, on the recommendation of Cabinet, observing the requirements of the South Australian Multicultural and Ethnic Affairs Commission Act.
3. Yes.

In reply to **Hon. P. NOCELLA** (21 November 1995).

The Hon. R.I. LUCAS: The Premier has provided the following response.

1. A final decision has yet to be taken.
2. Once a decision has been taken to fill the position, the most appropriate selection process will be adopted to ensure that the requirements of the Public Sector Management Act are observed.
3. Yes.

FLINDERS TECHNOLOGIES PTY LTD

In reply to **Hon. A.J. REDFORD** (17 October).

The Hon. R.I. LUCAS: The Minister for Employment, Training and Further Education has provided the following information:

1. Purpose of the Transaction

Flinders Technologies Pty Ltd has a monopoly over intellectual property developed by Flinders University. The company had no paid up capital and its start up costs were funded by loans from the shareholders, Flinders University and Enterprise Investments, and from operating revenue. Thus, Enterprise Investments gained a 50 per cent interest in that intellectual property free of consideration.

The University advises that this was resented by the staff and difficulties were anticipated in obtaining enthusiastic disclosure of intellectual property and in working towards its commercialisation. For example, the University believes that its inability to conclude

agreements with the Flinders Medical Centre about the exploitation of intellectual property were due largely to concerns about the ownership of Flinders Technologies.

In addition, the University found that prospective collaborators on commercially promising research would not work with it if intellectual property rights were encumbered or if they could not deal directly with the University on intellectual property questions. Consequently the University decided to purchase the remainder of the shares in Flinders Technologies when the opportunity arose.

2. Supervision Mechanisms

The University Council appoints all directors of Flinders Technologies and receives all reports and exercises controls normally in place over a subsidiary company.

The university reports annually to the Governor and its Annual Report contains financial statements audited by the Auditor-General. As a controlled entity the outcome of the operations of Flinders Technologies will be included in the financial statements.

The University's most recent annual report includes a favourable audit opinion, dated 7 August 1995, from the Auditor-General on the consolidated accounts for the year ended 31 December 1994.

EDS CONTRACT

In reply to **Hon. T.G. ROBERTS** (11 October).

The Hon. R.I. LUCAS: The Premier has provided the following response:

· In relation to the EDS deal:

The Government had a strong experienced and knowledgable negotiating team within the Office of Information Technology, and a legal team led by the Crown Solicitor's office and supplemented by internationally recognised advisers, including Shaw Pittman Potts and Trowbridge, lawyers of Washington.

Based on the capabilities and thoroughness of the negotiating team, the quality of the consultants, advisers and the assistance of the Auditor-General where appropriate, the Government is satisfied that the contract which has been signed with EDS is at best practice by global standards.

In respect of the assets to be sold to EDS, independent valuations confirm that the price obtained is at least equal to fair market value.

· In relation to asset sales:

The responsibility for overseeing the sale of the major assets earmarked by the Government rests with the Asset Management Task Force (AMTF).

The work of the AMTF is overseen by a highly qualified seven-member board with experience in merchant banking, corporate management, law, retail banking, property, public administration, insolvency and accounting.

The Chairman of the AMTF was previously executive director of one of the world's leading international merchant banks and is Chairman of a locally based investment bank. He is regarded as a highly skilled negotiator with extensive experience in takeovers, divestments, corporate advice and financial strategy, both nationally and internationally.

Dr Sexton has worked as an adviser on Government asset sales in many parts of the world, including the UK and Asia, and was head of the Privatisation Unit with the Australian arm of his former merchant bank employer.

The Auditor-General's report noted that the AMTF had been created in a well structured manner. He said it was evident that the sale process had been derived and developed from wide consultation with parties experienced in similar processes both interstate and overseas. Approval of Ministers/Cabinet had been obtained as necessary. It is also evident that the AMTF has sought appropriately skilled personnel to achieve its objectives.

The Auditor-General stated that there were clearly benefits to be had from ensuring a coordinated and disciplined approach to the management of asset sales. This would also ensure that a focus remained on the overall Government's budget and debt reduction strategies.

The work of the AMTF has been widely commended in the market place and by those involved in the sale process.

The purchaser of the Pipelines Authority, for instance, has stated publicly that the sale process undertaken by the AMTF was one of the most professional processes that the company had been involved in anywhere in the world. The consistent achievement of prices well in excess of valuation is further proof of the success of the AMTF.

The Asset Management Task Force applies a consistent and systematic approach to asset sales, using a methodology established at the outset. This approach ensures that the sales process is transparent and clearly understood by the various interested parties.

STAMP DUTIES (VALUATIONS—OBJECTIONS AND APPEALS) AMENDMENT BILL

In reply to **Hon. CAROLYN PICKLES** (21 November).

The Hon. R.I. LUCAS: The Treasurer has provided the following response:

It is not considered prudent to split the appeal process and direct one aspect of the appeal, valuations, to the District Court leaving the Supreme Court to consider other issues. Greater costs may be involved if two separate Courts are to consider different aspects.

As to the suggestion that all types of stamp duty assessment disputes go to the District Court, given the legal complexities of the issues raised, the amounts of money involved, and the flow on revenue and precedent implications of these decisions, it is appropriate that the Supreme Court hear these appeals.

From time to time consideration has been given to the appropriateness of the various steps in the objection and appeal process. Retention of the present processes has continued because the current objection mechanisms provide an inexpensive and expeditious means of obtaining a review. Advice is sought from the Crown Solicitor and invariably the Treasurer acts upon that advice.

AUDITOR-GENERAL'S REPORT

In reply to **Hon. T. CROTHERS** (11 October).

The Hon. R.I. LUCAS: The Premier has provided the following response:

Currently the focus is for the Auditor-General to provide advice to Parliament through his annual report after the event as set out in Section 36 (1) of the Public Finance and Audit Act 1987.

The Auditor-General has highlighted in his report that we have a Public Service which is expected and is endeavouring to become more commercially oriented. I believe that in order to ensure better government he is able to play an important role in this process, while at the same time protecting his independence, and his reporting role to the Parliament.

The Premier can see benefit in being able to obtain independent, expert advice before major transactions or contracts are completed. The Auditor-General has the capacity to provide such advice and this would be of substantial value both to the Government and Parliament.

In reply to **Hon. T. CROTHERS** (12 October).

The Hon. R.I. LUCAS: The Minister for Infrastructure has provided the following response:

The Final Executed Agreement has specific clauses which preserve the Government's audit rights and SA Water's ability to disclose confidential information to the Minister for Infrastructure, Parliament, the Treasurer and the Auditor-General in accordance with SA Water's reporting and auditing obligations under the Public Corporations Act and South Australian Water Corporation Act. These Acts are the major sources of statutory reporting and auditing obligations which SA Water is required to observe. Particularly, the Public Corporations Act preserves the Auditor-General's right to audit the accounts and financial statements of a public corporation.

The Final Executed Agreement provides that the contractor shall give to SA Water, or its audit representative, access to the Contractor's facilities, Contractor's personnel including subcontractors, data, records and systems relating to the services and the calculation or allocation of costs related to the services, for the purpose of performing audit, inspection and verification of the service charges, information systems and performance of the services.

FORESTS

In reply to **Hon. R.R. ROBERTS** (30 November 1995).

The Hon. R.I. LUCAS: The Premier has provided the following response.

The Government's policy to retain public ownership of State forests has not changed.

BUS SERVICE, OUTER NORTH

The Hon. T.G. CAMERON: I seek leave to make a brief explanation before asking the Minister for Transport a question about a bus contract in the northern region.

Leave granted.

The Hon. T.G. CAMERON: On 24 October 1995 I asked the Minister, 'Will the Minister detail the total savings to the taxpayers over the 2½ year term by accepting Serco's bid over the tender submitted by TransAdelaide?' The Minister stated, 'I am not able to provide the total savings figures.' On 25 October I said:

> The Minister has stated that Serco's price resulted in savings of $7.5 million over current operating costs. As she has released this information, will she tell us what the estimated savings would have been if TransAdelaide had been awarded the contract?

The Minister replied, 'I can seek information from the Passenger Transport Board.' On 30 November the Minister replied:

> In regard to the estimated savings outlined by the companies that were unsuccessful in the tender for the operation of the services in the outer north, I am advised by the Chairman of the Passenger Transport Board that all such details are commercially confidential. Each company bid for the work on the understanding that their bids would be regarded as commercially confidential. Such terms have been the standard practice in tendering situations for many years in both the public and private sectors.

On page 5 of today's *Advertiser* there is an article by Greg Kelton headed 'Parliament watchdog on contracts', in which the following statements are made:

> State Parliament will have access to all new commercial contracts negotiated by the Government under new financial controls.

The article continues and makes a number of statements, such as:

> Sensitive commercial details will remain secret because of fears that their disclosure could scare off new industries.

That is a good quote given to the *Advertiser*. The article outlines that Liberal sources said each department would have to submit to Parliament a number of factors as listed, one of which relates to benefits of the contract. I notice today, although I have not had time to fully digest it, that a ministerial statement has been issued by the Premier regarding Government accountability—and not before time.

The Hon. M.J. Elliott: Government accountability on the Government's terms.

The Hon. T.G. CAMERON: On the Government's terms, but again that document states that a lot more information will be coming to Parliament and to the Industries Development Committee. Again, the document sets out details of the private sector participant, the duration of the arrangements—

The Hon. A.J. Redford: Better than anything Bannon ever did.

The Hon. T.G. CAMERON: Well, we didn't get into so much trouble like you people have got into, like on the water contract.

The Hon. K.T. Griffin: You sold the Electricity Trust, electricity on Torrens Island, to the Japanese.

The Hon. T.G. CAMERON: Whom are you going to sell off the forests to? It also says—

Members interjecting:

The PRESIDENT: Order!

The Hon. T.G. CAMERON: It is all right, Mr President. I cannot hear them and read at the same time. It is all going over the top of my head. It also talks about the benefits of the contract, so, even though to quote the Hon. Mr Elliott that it is Government accountability on its own terms, at least it is a recognition that the Government has not been accountable and is taking some steps to repair the electoral damage it has done to itself over a number of contracts that it has entered into. My questions are:

1. In view of this Government initiative and the fact that the Minister outlined the potential savings of the Serco bid, will the Minister detail the savings that would have been achieved had TransAdelaide been awarded the contract?

2. Will the Minister ensure that the Passenger Transport Board submits to Parliament all details relating to the contract for the northern region in accordance with the guidelines approved by Cabinet yesterday?

The Hon. DIANA LAIDLAW: The honourable member made a comment during his question that some of the reflections on contracts generally were over the top of his head. In his question—

The Hon. K.T. Griffin: Beyond him.

The Hon. DIANA LAIDLAW: Well, perhaps they are beyond him, because certainly in his question he confused a number of issues. The response that I gave to the honourable member last year from the Chairman of the Passenger Transport Board was in relation to tenders. These were the five tenders for the outer north area and the four for the outer south. There has never been any suggestion at any time from the Opposition, and I hope there is not now, that we should be releasing tender documents to the Parliament or publicly. That was the matter to which I referred when I replied on behalf of the Chairman of the Passenger Transport Board in terms of the tenders. In terms of the contract, I can certainly put the honourable member's mind to rest because in respect—

The Hon. L.H. Davis: He has no mind.

The Hon. DIANA LAIDLAW: He has no mind? Perhaps that is right, as the Hon. Mr Davis said. I would like to provide some details, if the honourable member would calm down and wish to listen.

The Hon. T.G. Cameron: When you answer the question, I will.

The Hon. DIANA LAIDLAW: I am. I am happy to sit down and not provide information if the honourable member does not wish to listen.

The Hon. T.G. Cameron: I would like to hear what you say.

The Hon. DIANA LAIDLAW: Well, if you stop talking you might hear. I can advise the honourable member that it now appears that the whole of Government cost to provide these services in the outer north—the contract run by Serco—over the three year life of the contract will be approximately $43.3 million. This represents a saving of approximately 12 per cent over awarding the contract to TransAdelaide; that is a 12 per cent saving over the PTB's awarding that contract to TransAdelaide.

The tender from TransAdelaide, as the honourable member would be aware, was at a price offered by TransAdelaide which was much less than that for which it had been operating the service. TransAdelaide put in a bid for the service for the outer north at a much reduced price than TransAdelaide had been operating that service. I am able to highlight to the honourable member that, in terms of the whole of Government costs over the life of the contract, three years, Serco is 12 per cent less than TransAdelaide's bid. That is compared to TransAdelaide's operating costs prior to its putting in that bid and some months prior to Serco's taking

over, because I respect the fact that the TransAdelaide work force at Elizabeth did implement quite a number of labour saving and cost saving reforms prior to Serco's taking over. So, the 12 per cent that I have highlighted is the difference between awarding the contract to Serco compared to the bid made by TransAdelaide.

The Hon. T.G. CAMERON: As a supplementary question: as the Minister has previously stated that there were savings of $7.5 million accruing to Serco, does the Minister still hold to the view that the Government will save $7.5 million over the term of that Serco contract or is there now an amended figure?

The Hon. DIANA LAIDLAW: I have received no information from the PTB to change the announcement that I made earlier.

LOBSTER FISHERY

In reply to **Hon. R.R. ROBERTS** (21 November).

The Hon. K.T. GRIFFIN: The Minister for Primary Industries has provided the following response:

In developing measures to control recreational catches of rock lobster in South Australia, departmental officers examined measures that apply in other states. The concept of cutting the middle tail fan of rock lobster has been introduced in Western Australia as a means of identifying recreationally caught rock lobster and reducing the illegal selling of lobster by amateur fishers. Tasmania has introduced a requirement for the middle tail fan to be punched with a hole (minimum diameter 10 mm) or to be clipped. For identical reasons, South Australia decided that the middle tail fan should be clipped.

Although the requirement has on occasions been expressed in general terms that the middle tail fan must be removed, the regulations which have been gazetted are quite specific. In particular, the regulations stipulate that the recreational fisher who takes the lobster '. . . must, before the rock lobster is brought ashore or landed, clip its middle tail fan in half horizontally (across the tail) and remove it.'

Under these circumstances the lobster would not be distressed. The tail fans of lobster are chitinous (horny growth) in nature, and clipping a tail fan would be analogous to a human clipping a finger nail.

It is in no way intended that the tail fan be forcefully removed by tearing it away from the body of the lobster.

In response to the questions raised by the honourable member, the Minister for Primary Industries did not consult with the Animal Welfare Advisory Committee, nor did he consult with the RSPCA. The reason for not consulting was simply because it was known that clipping a lobster's tail fan would not cause the animal any distress and the regulations were drafted in this specific manner.

WORKCOVER

In reply to **Hon. R.D. LAWSON** (29 November).

The Hon. K.T. GRIFFIN: The Minister for Industrial Affairs has provided the following response:

1. The figures reported in the WorkCover Corporation Annual Report are indeed a matter of concern, representing as they do estimates of payments due to injured workers over the next 40 years.

2. The figures represent a trend reported in the 1993-94 Annual Report, which was addressed in legislation passed in April and July 1995. It is hoped that this legislation has addressed the concerns, but the situation will be carefully monitored in 1996 and reported to Parliament as to its effectiveness to resolve the concerns.

TOURISM, VFR PROGRAM

In reply to **Hon. P. NOCELLA** (25 October).

The Hon. K.T. GRIFFIN: The Minister for Tourism has provided the following response:

May I firstly correct the honourable member in his statement that South Australia is not benefiting from the increasing number of tourists into Australia. In fact, according to the latest available statistics, the International Visitor Survey prepared by the Federal Bureau of Tourism Research (March 1995), South Australia is well ahead of the national average for international arrivals of 10%, recording an overall increase of 15%. Specifically, Asia is 27% up against the national increase of 29%, Europe 14% up against a national increase of 8%, North America 14% up against a national increase of 2% and New Zealand up 8% against a national decline of 5%.

While the honourable member is correct in his statement that VFR accounts for 17% of all arrivals, most of these are actually from UK/Ireland, a large segment which unfortunately was not included when the campaign was proposed.

The honourable member may recall that while Chief Executive of the OMEA, his office received considerable financial and staff support from the South Australian Tourism Commission for a VFR campaign which targeted Greek, Italian, German and Chinese residents of South Australia.

The linguistically and culturally appropriate material to which the honourable member refers is a motivational brochure produced by the Commission, which was included in a kit also containing a personal letter from the Premier inviting the overseas friends and relatives, and a letter from Mr Nocella and the Chief Executive of the Tourism Commission explaining to the resident how the campaign was to work. No description of how these kits were distributed was received except that they were to be distributed 'through Community Clubs', therefore making it impossible to tell how many of the brochures and invitation letters from the Premier actually made it overseas.

In order to ensure that taxpayers' funds are being spent in the most effective way to increase visitation to South Australia, a coupon system was incorporated into the campaign to measure its effectiveness. Regretfully, only 71 coupons were returned (of some 45 000 supposedly distributed) and, in fact, no bookings were received.

The South Australian Tourism Commission is not keen to continue the campaign in its present form, due to the poor results. It is, however, looking seriously into implementing a VFR campaign which initially targets UK residents through their friends and relatives in South Australia with a very special air fare in conjunction with an overseas wholesaler and an airline partner. Should this prove successful, as indeed the last campaign of a similar nature did, then this may be extended to other ethnic markets, mainly within Continental Europe and Asia.

ABORIGINAL DEATHS IN CUSTODY

In reply to **Hon. T.G. ROBERTS** (10 October).

The Hon. K.T. GRIFFIN: The Minister for Correctional Services has provided the following response:

In responding to Mr Roberts on 10 October 1995, I indicated that I would bring back a reply to the questions which were specifically within the portfolio responsibility of the Minister for Correctional Services. Of the eight questions raised, only questions 5, 6 and 7 are relevant.

5. The death of the Aboriginal prisoner at Port Augusta was indeed a tragedy and, like any death in custody, is to be deplored.

The circumstances of the death have already been the subject of an extensive Departmental Inquiry and the Coroner is currently conducting his Hearing into the matter. The Departmental findings have been forwarded to the Coroner to assist him.

As a consequence of the Royal Commission into Aboriginal Deaths in Custody, the Department for Correctional Services has intensified its review of existing practices and procedures to ensure that the Department is actively responding to its 'duty of care'. This review has identified that whilst much has been done toward implementing the Recommendations into Aboriginal Deaths in Custody, some initiatives are still to be fully resolved. These are now being addressed.

In conjunction with Aboriginal Agencies, the Department for Correctional Services is seeking new ways in which to respond to the needs of Aboriginal offenders.

6. Health Services to prisoners is a major issue currently being addressed by the Department for Correctional Services.

Several reviews have been conducted including a review of Health Services to Aboriginal offenders. This review was completed in 1994 and is currently before the Board of Management of the Modbury Hospital who have responsibility for Prison Medical Services.

The most recent review of the services offered by the Prison Medical Services of the S.A. Health Commission has been carried out by the Department for Correctional Services. The review is directed at seeking competitive tenders from Prison Health Services Providers who are capable of supplying a complete medical service

to prisoners. One of the main criteria will be the requirements of special needs groups such as Aboriginal and women offenders.

Subject to approval, the Department would be most keen to see the recommendations of this review implemented by July 1996.

7. The provision of drug and alcohol programs and services for correctional institutions has been the joint responsibility of the Drug and Alcohol Service Council and the Department for Correctional Services with services being provided by the Prison Drug Unit of the Drug and Alcohol Services Council under NCADA funding.

Until recently, the Drug and Alcohol Services Council had five staff providing a direct assessment and counselling service to prisoners who were identified as having substance abuse problems. This service was considered inadequate for the number of offenders in prison and has been discontinued.

An extensive training program will soon be introduced to give all staff within Correctional institutions the skills to identify and assist these offenders.

The Department for Correctional Services is also currently trialing a social education/alcohol education program specifically for Aboriginal prisoners.

The Aboriginal Drug and Alcohol Council is confident of securing additional funding under the National Drug Strategy with which they hope to develop additional drug and alcohol programs for Aboriginal prisoners. The Council has indicated to the Department's Aboriginal Unit that it is confident two full-time Aboriginal drug and alcohol counsellors will be working in SA Prisons as a consequence of attracting a grant under Drug Strategy funding.

TUNA FARM NETS

In reply to the **Hon. ANNE LEVY** (28 November).

The Hon. K.T. GRIFFIN: The Minister for Primary Industries has provided the following response:

1. Yes.

2. The meeting of 7 November 1995 was attended by Mr Steven Clarke—Senior Research Scientist Aquaculture (SARDI); Mr Alistair Smart—Research Scientist (SARDI), based in Port Lincoln; Dr Catherine Kemper—Senior Curator on Mammals, SA Museum; Mr Ross Allen, Regional Manager West, DENR; Mr Vic Neverauskas—Acting Manager Aquaculture, PISA.

The report indicated that 21 entanglements occurred during the 18 month period referred to above.

The meeting also discussed the results of a survey of predator nets used in Boston Bay; the use of deterrent devices; deployment of the predator nets; biology of local dolphin populations; a liaison program.

All features of the tuna farming operations were consistent with international best practice with the possible exception of the actual mesh size and type.

The meeting resolved that the best preventative measure may be the adoption of a standard mesh size and type. No data were available to indicate the type of mesh which would result in a minimal entanglement rate.

3. The meeting resolved to develop a research project aimed at a comparison of existing nets with particular reference to mesh size and type of net. The research program will necessarily have a monitoring component.

RABBITS

In reply to **Hon. A.J. REDFORD** (30 November).

The Hon. K.T. GRIFFIN: The Minister for Primary Industries has provided the following responses:

1. Wardang Island was chosen for field testing of RCD in quarantine after consideration of a number of islands around Australia (and New Zealand) because of the suitable temperate environment which was sufficiently arid to match mainland environments where rabbits were creating the greatest problems.

The island was considered to be sufficiently remote with ownership by the Aboriginal Lands Trust providing a secure location.

Experience from the early field testing of myxoma virus in the 1930's also suggested that Wardang, where myxomatosis could not be spread, would be ideal for the tests.

2. Six islands were considered in the temperate waters of Australia and included Wardang, North Islet (near Port Lincoln), Swan and Passage Islands in Bass Strait, and Lady Juliet Island.

Islands near New Zealand were not seriously considered because CSIRO was the contracting agent to the Australian New Zealand Rabbit Calicivirus Disease Program and preferred an Australian location.

3. The discovery of the disease at Yunta, 250 kilometres from Wardang Island, suggests that the extra logistical problems posed by a more remote location would have been no more successful in preventing an unplanned escape.

4. The Australian Quarantine Inspection Service only sanctioned the use of Wardang Island after a very thorough scrutiny of a detailed statement by CSIRO of the protocols to be adopted.

CREUTZFELDT-JAKOB DISEASE

In reply to **Hon. SANDRA KANCK** (10 October).

The Hon. K.T. GRIFFIN: If the State Coroner directs a post-mortem examination in a known or suspected case of CJD then that post-mortem will be carried out. If the tissue diagnosis has already been made there is little basis for a post-mortem examination merely to re-confirm the diagnosis.

There are two circumstances where a post-mortem is justified:

- to confirm the diagnosis when the condition is simply suspected. In this case the brain only is examined;
- when the circumstances are unnatural or suspicious. In this case a full post-mortem examination is indicated.

The procedures are as follows: (Forensic Science Centre Mortuary Procedure Manual)

- Autopsies are not performed when a tissue diagnosis of Creutzfeldt-Jakob Disease (CJD) has been made. If CJD is suspected then the brain only will be examined.
- The number of people in the mortuary area should be restricted to those which are required for the case.
- The instruments to be used are kept separate to usual instruments. The required instruments are: 1 scalpel, 1 pair of long curved scissors, 1 hand saw, 1 mallet, 1 skull key, 1 needle. At the conclusion of the autopsy the instruments are to be immersed in a 10% hypochlorite for 12 hours then cleaned and returned to storage.
- All personnel involved in the procedure should wear the following protective clothing and equipment: boiler suit and boots, disposable plastic apron, theatre gown, double gloves, a steel mesh glove on the non preferred hand and a full face respirator mask or twin canister respirator mask and a full face visor or protective goggles.
- The brain is taken out in the normal fashion using the hand saw instead of the desouter saw.
- The brain is not weighed but transferred immediately to a ready prepared bucket containing concentrated formalin which is clearly labelled indicating the risk of CJD. The bucket is placed in a plastic bag awaiting collection.
- The head is restored and sewn in the usual manner.
- The body, the autopsy table and the theatre area are then washed with a 10% hypochlorite solution.
- The body is rinsed with water and returned to the body storage area and the theatre bay is cleaned in the usual way.

CJD is potentially infectious. Nevertheless, there is presently no established evidence that professional health care workers bear higher risk than other members of the population. While CJD is a notifiable infectious disease, it is not contagious in the usual sense. Successful transmission requires penetrating contact of the recipient with tissue from or adjacent to the brain.

SCHOOL FEES

The Hon. P. HOLLOWAY: I seek leave to make a brief explanation before asking the Minister for Education and Children's Services a question about school fees.

Leave granted.

The Hon. P. HOLLOWAY: Until now, school fees have been voluntary, to pay for extras not funded by the Government's annual operating grants to schools. The Minister has announced that part of school fees will now be compulsory. We might call it the Lucas school tax. In 1992 the Solicitor-General's senior legal adviser on education matters had this to say about school fees:

The short answer to this question is that councils do not currently have power to impose fees at all. They are clearly not empowered to do so by regulations. The role of school councils is not currently

to provide educational services and accordingly fees could not be characterised as a fee for service so as to enable councils to collect such fees. The department itself does not have such power. If it were thought desirable to charge fees, the apparent inconsistency with the compulsory nature of education would have to be examined.

My questions to the Minister are, first, in view of the Minister's announcement that he intends to regulate for compulsory school fees, will he now table a copy of the Crown Solicitor's latest advice? Secondly, in view of the advice given in 1992 to which I have just referred, does the Minister intend to change the role of school councils and make them responsible for the delivery of school services? Finally, before making his decision, what advice did the Minister receive on the question of the compulsory nature of education?

The Hon. R.I. LUCAS: The honourable member knows that Crown Solicitor's advice is not tabled in this Chamber. The advice was not received from the Crown Solicitor, anyway: it was from the then Solicitor-General, John Doyle, who is now the Chief Justice. In the media statement I referred to the essential nature of the advice that the now Chief Justice, the then Solicitor-General, gave to the Government. I do not have a copy of that press statement with me at the moment, but I would be very happy to provide a copy of that press statement to the Hon. Mr Holloway to confirm the general nature and tenor of the advice provided to the Government. Certainly, contrary to the Hon. Mr Holloway's position, it is not the Government's view that school fees or materials and services charges were voluntary, which was the assumption made by the honourable member in his question. Indeed, for a number of years under the previous Labor Government many school councils, in particular those in the southern suburbs, had been successfully using our legal system to enforce payment of school fees or materials and services charges. The current legal system was allowing some jurisdictions—school councils in the southern suburbs, for example—to enforce payment of fees and charges. That is contrary to the assumption in the honourable member's question upon which he then bases two further questions. So, if that assumption is wrong, the rest of his questions fall over as well.

I will provide to the honourable member the copy of the press statement I made which summarised generally the nature of the Solicitor-General's opinion but, in summary (and I am going on memory here), it basically confirmed that essential tuition fees could not be charged by Government but that it was possible for schools to levy materials and services charges, as indeed they had done for many years. Members will be familiar with materials charges for some subjects, in particular art and technology, which have been levied by school councils for some time, and camps and excursion fees.

It certainly has been a longstanding practice within our schools. Frankly, our schools in South Australia would not survive if it were not for the voluntary effort of parents working through our school councils over many decades, under Labor and Liberal governments. For any member of Parliament or political Party to pretend otherwise is foolhardy, as it would be for any member of Parliament or political Party to suggest that our system in South Australia could survive without the voluntary contribution of parents as it has applied for many decades, together with Government.

I am sure the Hon. Mr Holloway would be delighted to know that this Government spends more money per student on education than any other State Government in Australia. It certainly cannot be that this State Government is not putting in more than its fair share of the taxation dollar to education in South Australia if we have the most impressive record of all State Governments in Australia in terms of education funding per student on our schools in South Australia. I am sure the Hon. Mr Holloway, the Hon. Mr Elliott and others who have asked questions will be equally delighted to know that, contrary to their suggestions, even in 1995 we had the lowest or best student to teacher ratio of all State Governments in Australia.

Members interjecting:

The Hon. R.I. LUCAS: No; this was after the changes made by the State Government. After the difficult budget decisions of 1994-95, we still have the best student to teacher ratio of all State Governments in Australia. I have been provided with a copy of the press release, which I can now provide to the honourable member. I will quote one particular section. In doing so, I am delighted to inform members that, as I am sure they would have read, the Government's announcement has the full support of the Secondary Principals Association of South Australia, the Primary Principals Association of South Australia, the Area Principals Association of South Australia, the Junior Primary Principals Association of South Australia, and the peak parent body in South Australia, the South Australian Association of State School Organisations. They all acknowledge the difficulty that school councils were having in terms of the collection of bad debts. The press statement reads:

When legal questions about the validity of school fees and charges were raised last year, the Government referred the issue to the then Solicitor-General (John Doyle) for legal advice. The Solicitor-General concluded that, whilst it was probably not essential to clarify the legal situation, it was his opinion that it would be preferable to put the matter beyond any doubt. He also confirmed there was power in the Education Act to regulate and no change to the Education Act was required. The Solicitor-General has confirmed the Government's view that schools could charge for materials and services provided to students, but could not in fact charge tuition fees. Whilst it is the Government's view based on its legal advice that it would have won any legal battle, such a situation would have involved a period of uncertainty for schools whilst the courts resolved the issues. For these reasons, the Government has decided to put the issue beyond doubt and clarify the legal position.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION BILL

Adjourned debate on second reading.

(Continued from 16 November. Page 465.)

The Hon. ANNE LEVY: I support the second reading of this Bill, but am pleased to see that certain amendments will be moved that the Attorney-General has just, two seconds ago, put on file. They are not unknown to me as they have been developed by consultation between me and the Registrar of Births, Deaths and Marriages, and officers from the Attorney's office. Overall, we very much welcome the introduction of this new births, deaths and marriages Bill. It is streamlining the legislation, making it much more modern in approach than the very antiquated Act that currently applies, and it contains some very welcome improvements.

There has been consultation between all the States to develop a common approach to births, deaths and marriages registration, and this legislation will be similar, though not identical, to legislation on this matter introduced in all States and Territories. Furthermore, a major plank of this legislation is to have corresponding cooperation between the different States and Territories. This will mean that the powers and functions of the Registrar here can be undertaken by the corresponding Registrar in another State, and vice versa. This will greatly simplify procedures for people who are not resident in the State where their birth or marriage is registered. It will be of great benefit to many Australians, particularly as more and more people live in other than the State where they were born or married.

I would ask the Attorney to indicate when these corresponding arrangements between the States will become operative. Obviously ours can become operative as soon as our legislation is proclaimed, but for the complete scheme to apply the corresponding legislation will have to be passed in all other States. As I understand it, so far only New South Wales has done so, and I wonder whether he has any particular timetable as to when the other States would expect to pass their new legislation so that the full cooperative scheme between all States can become fully operative.

A major change in this legislation is a formal recognition of stillbirths. This is one recommendation made by the Select Committee on the Disposal of Human Remains, that famous select committee of which the Hon. Mr Lucas and I are the only remaining members and which made a great number of recommendations a number of years ago, very few of which have yet been translated into legislation. I may say a bit more about that later. Until now, we have been the only State which has not registered stillbirths, although I believe we did so 40 years or more ago. When the current legislation was enacted, the registration of stillbirths was abolished. So, I am glad to see that this is coming back into our legislation. It is true, of course, that stillbirths have always been notified to the Health Commission for statistical purposes. Stillbirths and neo-natal deaths are some of the statistics which are collected throughout the world and are one of the pieces of data used for comparisons as to the health status of different nations.

The select committee heard of parents who wished to have a full burial for a stillborn child, who wished to name it and have its birth registered. Indeed, the select committee said, why not, if they wished to. We are very glad to see that this will now become possible in the legislation before us. I stress that it should not be compulsory for a stillbirth to be registered or for a name to be applied to a stillbirth, nor should it be compulsory for a full funeral to be applied to a stillbirth. We feel that the law should be flexible so that the bereaved parents of a stillborn can do as they feel is best for them in the circumstances. Some of the amendments which the Attorney will be moving arise from my suggestions to ensure that this flexibility is permitted and that bereaved parents can make their own decision regarding the degree of recognition for a stillborn child.

One matter which is covered in the Attorney's amendments relates to the definition of a stillbirth. As I said, data on stillbirths is used in international comparisons of the health status of different nations, so it is fairly important that a stillbirth should be defined in an internationally acceptable manner.

I understand that the international definition, which is used by the World Health Organisation, is for any child born not alive which is of at least 20 weeks gestation. This is the definition which is in the Bill before us, but it does intersect with our abortion laws in South Australia where termination of pregnancy is permitted up to 28 weeks of gestation under certain specified conditions. We all know that there are very few terminations of pregnancies done at late gestation periods. In 1993 there were 23 terminations of more than 20 weeks and in 1994 there were 36, all of which were done for foetal abnormality reasons. They were more than 20 weeks, but they were either 21 or 22 weeks.

We must realise that amniocentesis procedures for detecting foetal abnormality can only be done at 16 or 17 weeks of gestation. It can take three weeks for the cultures to grow and be analysed and the foetal abnormality so detected and, if an abnormality is detected, it may well be over the 20 week gestation period before a termination can be performed. I am sure everyone would agree that it would be ridiculous to register such terminations as stillbirths. It is a misuse of the English language and would certainly falsify figures on the incidence of stillbirths, which, as I say, are used in international comparisons.

People can be reassured that all terminations of pregnancies, including the few done beyond 20 weeks gestation have to be notified to the Health Commission, anyway; that is, to the committee which is set up to report on abortions and which reports regularly to this Parliament. The latest report was received in November last year. The whole question of termination of pregnancy is adequately catered for by laws which have been passed by this Parliament. I suggested to the Attorney's officers that an amendment to the definition of a stillbirth would ensure that it does not include the terminations of pregnancies, the rare ones, which are done past 20 weeks gestation.

Certainly, I welcome all the sections in the Bill on access to the register and searching the register, which clearly set out the privacy considerations which should be taken into account in determining whether or not an individual can have access or search the register. No-one wants to hinder genuine research or genealogical inquiries relating to families but, obviously, the privacy of living people must be protected. The Bill refers to a written statement of policies which the Registrar will use in resolving any conflict between freedom of information and privacy of individuals in terms of access to the register. I understand the Registrar already has such a written list of policies. I ask the Attorney to table this statement of policies in Parliament because I am sure I am not the only person who would like to see it.

I certainly hope that the appeals or reviews by the courts of decisions of the Registrar, which are catered for in clause 50 of the Bill, could extend to someone who is refused access or who believes that he or she has a sound and valid reason for access which the Registrar may have denied. It is well that an appeal system exists and I hope that the appeal system set out in clause 50 could apply to decisions regarding access and searches of the register.

Another aspect of the Bill which I very much welcome is that the notification of details of deaths will formally become the responsibility of the funeral director. Funeral directors have been undertaking this responsibility for many years, therefore it is hardly an imposition to require them to do so formally. In law they have not had this responsibility before, but this was a recommendation of the Select Committee on the Disposal of Human Remains and I am glad to see that that one, too, has been picked up in this legislation.

Clause 3 contains a definition of a prohibited name, which includes a name which includes or resembles an official title

or rank. I raised with the Attorney's officers whether this meant that American style names such as Earl, Duke or King, as given names for boys, would become prohibited names, which would perhaps be a little harsh. Certainly, famous Australians have had such names—King O'Malley being a case in point. I understand from the Attorney's amendments that the section concerning what is a prohibited name will be removed from the definition, but there is the safeguard that the Registrar can refuse to register any name if he feels it is in the public interest. For example, if someone tried to register Dame Roma Mitchell Governor as a given name at birth, the Registrar would have the authority to refuse to register such a name without having the specific prohibition on names which resemble official titles or ranks. So, there is the flexibility of using the American style names such as Earl, Duke and King. I am very glad to see that disposal of human remains includes the disposal into a mausoleum. This was another recommendation from the Select Committee on Disposal of Human Remains.

Clause 12 contains the process for notification of births. Under subclause (5)(b), if a child is not born in hospital, the responsible person is a doctor or midwife responsible for the professional care of the mother at the birth. What if the child is born in a taxi, where there is no doctor or midwife present, and the mother and child do not go to a hospital within 24 hours of the event? Will 'at the birth' include the doctor or midwife who sees to the mother soon after the birth, if she does not go to a hospital within 24 hours? Will 'at' be sufficiently flexible to include a doctor or midwife who attends the mother soon after she gets out of that taxi, in the situation that I have cited, or is an amendment required?

Clause 15 provides for the responsibility to have births registered. I am delighted to see that, under the Bill, both parents of a child are jointly responsible for having the birth registered. This is a very welcome indication of the joint responsibility that both parents have for any child who is born. I felt that some amendments were needed to allow flexibility and compassion in some, hopefully very rare, cases. As it reads, the Bill provides that one parent only will be acceptable to register the birth if the Registrar is satisfied that the other cannot take part in the registration either because of death or because they cannot be found, but one can imagine cases where the second parent could be found but where it would be felt undesirable that they should be. An example one could quote is where a child is born as a result of rape.

The Family and Community Services Department tells me that there are cases, other than with a child of rape, where a young mother does not want the father named on the birth certificate. They may include cases of great domestic brutality or cases where the pregnant women have been abandoned, and rape is another example where it would probably be in the best interests of the child not to have the father's name recorded on the birth certificate. I am very glad to see that the amendment drafted by Parliamentary Counsel is being moved by the Attorney and that it will allow some flexibility for the Registrar in deciding when to accept registration from one parent only. With this measure, the Registrar can accept one parent only if it is impossible, impracticable or inappropriate for the other parent to be required to join in the application, whether because of his or her death, disappearance, ill health or unavailability, or the need to avoid unwarranted distress, or for some other reason. That is a very humane and compassionate approach for our legislation to take and I am sure that the Registrar will use the utmost discretion in judging situations in which it is undesirable for both parents to be involved.

I have checked that clauses 18, 19 and 20 deal with changes of details in the birth register and those provisions are perfectly consistent with our current laws on adoption where a court can order an amendment to a birth registration or new birth registration certificate when a child is being adopted. The latter case occurs usually but, as we know, access by that child to the original birth registration is possible when an adopted child becomes an adult if no veto has been imposed by the birth mother. The provisions in those clauses are fully consistent with current adoption practices and, as I understand it, with any suggested changes to the adoption legislation so that there is no incompatibility.

I have already discussed the case of the tragedy of stillbirth, that naming of the stillborn child should be optional, and this is covered in the amendment to clause 21, which has been circulated by the Attorney. It raises the question as to whether the naming of a child should be optional in some cases of peri-natal death, and one thinks here of a baby that lives only a few hours after birth. Although the amendments require that a name has to be given, it is clear that the name need not be a given name and a surname; it could be surname only. In the case of a peri-natal death, the parents might well choose not to designate a given name for the child but just have it registered under their surname as a child that existed for a few hours only. I am sure that the Attorney-General agrees with me that we want to keep flexibility so that people in these distressing situations can make decisions as best suits their wishes.

I am very happy with the clauses of the legislation regarding the changing of names. Clause 29, which does not prevent change of name by repute or usage, is included, I presume, to cater for the most general case, where women choose to take their husband's surname on marriage without undertaking any formal name change through the Registrar of Births, Deaths and Marriages. I realise that it is not limited to that, but I presume that would be its most common usage, even though more and more married women are not taking their husband's surname but retaining the name that they have had since birth.

The section on marriage in the Bill is fairly brief, but of course marriage is mainly dealt with under Commonwealth legislation. I do wonder why the definition of an adult in clause 4 is a person who is 18 or above, or is an adult under 18 if he or she is or has been married.

The Hon. K.T. Griffin: The Commonwealth Marriage Act provides different ages.

The Hon. ANNE LEVY: I presume that this is for consistency with Commonwealth legislation. It could also be a fairly quaint leftover from the 19th century when women or girls could marry at age 14, whereas boys could not marry until the age of 16.

The Hon. K.T. Griffin: That is a provision under the Commonwealth Marriage Act at the present time.

The Hon. ANNE LEVY: I thought that had been changed.

The Hon. K.T. Griffin: I don't think so.

The Hon. ANNE LEVY: Yes, I think it has been raised. I think it is 16 without a court order. It does look fairly quaint in the definitions, of course, to suggest that a piece of paper, a marriage certificate, in some way confers maturity which otherwise is not attained without reaching a certain age. I suppose it is necessary to be consistent with the Commonwealth legislation.

Clause 36(1) provides that notification to the Registrar of a death must occur within 48 hours after the death. This is not a case where the Coroner or the police have to be notified, because that is dealt with in other subclauses of clause 36. This involves a death where there are no suspicious circumstances whatsoever, no question of an unexplained death, and certainly no suggestion of foul play. Would it matter if such notification time were extended beyond 48 hours? My reason for asking this relates to the recommendations of the famous Select Committee on the Disposal of Human Remains. Recommendations were made to greatly simplify notification and form filling, one of the consequences of which would mean that all perfectly straightforward deaths would not necessarily be notified within 48 hours.

If the recommendations of that famous select committee are ever implemented, that 48 hours could be changed to provide a longer period before a death need be notified. Certainly, while it remains at 48 hours it would inhibit carrying out some of the recommendations of the select committee.

I am pleased to see that the Attorney has picked up my suggestion of amendments to clause 36 to make clear that a stillbirth should not be notified as a death under clause 36. As clause 36 currently stands, it is optional whether a stillbirth is notified, but stillbirths are catered for under clause 12. They are notified as such: they are stillbirths—both a birth and a death. It would be inappropriate to notify them, as well as deaths, under clause 36. They are a category in themselves.

I mentioned earlier questions of protecting the privacy of individuals in terms of access and search of the register by others. A query arises as to how long after the death of an individual privacy considerations will continue to apply in terms of public access to the birth, marriage or death registration of an individual. This question may be covered in the Registrar's statement of policies, which I am sure the Attorney will be happy to table, although we have not yet seen it.

The Hon. K.T. Griffin: Table what?

The Hon. ANNE LEVY: The statement of policies. In relation to clause 45, how long after somebody dies does that individual's privacy cease to be a consideration so that there can be full public access to births, deaths and marriages of the 19th century or early 20th century. The answer may lie in the written statement of policies, which we have not yet seen.

I mention some other recommendations from the Select Committee on the Disposal of Human Remains. I know that a vast number of the recommendations of that select committee were not within the purview of the Attorney-General. Maintenance and re-use of cemeteries, regulations on memorials, lengths of burial leases, rights on renewals of leases, and so on, are not matters which come within the jurisdiction of the Attorney-General, but, as I understand it, the Cremation Act is under the Attorney-General's control.

The select committee recommended the abolition of the Cremation Act on the basis that it was brought in when cremation was regarded as something rather extraordinary and to which particular attention had to be paid. Of course, a majority of deaths are followed by cremation, particularly in the metropolitan area, and even in the non-metropolitan area, where there are very few, if any, crematoria. However, the majority of deaths are followed by cremation, and the select committee certainly felt that it was quite unnecessary to have a separate Act for cremation: that cremations and burials should be treated in exactly the same way from a legal and administrative point of view. In fact, recognising that some safeguards are required when cremation is to occur, this meant that the procedures for burials should be improved to become similar to those for cremation. I feel that it is a shame that the opportunity has not been taken to abolish the Cremation Act and put those sections of it, which would still be necessary, into other appropriate Acts as recommended by the select committee.

Another aim of the select committee was to simplify the enormous plethora of certificates that are currently required relating to a death. There is notification; there is a certificate from the doctor on the cause of death; and there is a certificate for a second doctor, where there is a cremation—and the second doctor, I may say, does not even need to have seen the deceased. Quite what purpose that serves at the moment, I do not know. There must be an identification certificate; there must be a disposal permit; there must be a certification of disposal; and there must be information regarding the deceased, etc. The select committee counted a total of 19 different forms that could be involved, and one of our great aims was to simplify these various forms.

What we proposed was replacing most of them with one certificate only with different sections, which would follow a deceased through the various stages up to either burial or cremation. The doctor would certify death; another doctor would either need to see the deceased or examine the medical records of the deceased and also sign; there would be a different section to be filled in regarding details of the deceased; there would be a section to be filled in by the funeral director; there would be another section to be filled in after cremation or burial; and this one certificate would follow the body with the different people filling in the appropriate sections until it would finally end up with the Registrar of Births, Deaths and Marriages.

Even if one certificate cannot replace 19, I am sure that the current 19 could be simplified enormously, perhaps to two or three. Much of this simplification could be achieved with the new Bill that is now before us if the regulations that accompany it are completely redrafted. I hope that the Attorney will ask those who will be drafting the new regulations to accompany this Act to take account of the recommendations of the Select Committee on Disposal of Human Remains with regard to these various certificates. Certainly, retention of the Cremation Act goes against the select committee's recommendations and will prevent the full implementation of the desirable simplification of the forms and certificates that the select committee recommended. Perhaps such repeal of the Cremation Act, with consequential tidying up, is still to come. I hope that the Attorney can advise in this matter so that we can look forward to a greater rationalisation of the forms and procedures when someone dies, whilst maintaining all the necessary safeguards that are obviously desirable.

I realise that the Attorney-General may not have at his fingertips the answers to some of the questions that I have asked, but if he wants to proceed through the Committee stage I would be very happy to receive answers to these at a later time. I support the second reading.

The Hon. SANDRA KANCK: I, too, support the second reading of this Bill. In many ways it has been a long time coming. Two things that stir me to say that are the recording of stillbirths (which is now finally bringing us into line with other States and Territories) and the references to legitimacy. The stillbirths matter, obviously, will be gratefully accepted by many people, particularly by women who have given birth to babies that were stillborn and who have not been able to

have them officially acknowledged. I believe that, for those women, to allow the registration of such births will be a completion of the grieving process.

As regards the references to legitimacy, it is a very good example of how far behind Parliaments can be in regard to public standards, because I suggest that for 25 years the concept of legitimacy and illegitimacy in births has not really been one of great moment to most people, yet the law has still, to some extent, in one way or another continued to make that concept exist. It is very good that it is at last being removed.

The Hon. Ms Levy raised with me back in December her concerns that this Bill would cause pregnancy terminations to be recorded as stillbirths, and I was most concerned about that and have kept in contact with her to find out what has been occurring in this regard. It is important for people who read *Hansard* to recognise that women who have abortions in what is known as the second trimester do not do it as a method of birth control. It is almost always done because there is some sort of foetal abnormality.

A few years ago friends of mine found, as a result of amniocentesis, that the child the woman was carrying had been, in one of those rare occurrences, fertilised by two sperm so that, instead of having 46 chromosomes, it had 69. Under our old laws, the abortion that took place as a consequence would have had to be recorded. That particular case really stirred the pot for me when Ms Levy brought to my attention the prospect that such pregnancy terminations could have to be recorded as stillbirths. I know that that couple to whom I referred would certainly not have wanted that recorded as a stillbirth, so I am very pleased that the Attorney-General has listened to what the Hon. Ms Levy has had to say and has brought in appropriate amendments. The Democrats support the second reading.

The Hon. K.T. GRIFFIN (Attorney-General): I thank members for their indication of support for this Bill. The changes that are proposed are a significant improvement on the present legislation and, whilst the Hon. Sandra Kanck says that some of the amendments might have been a long time coming, I am pleased that they are here and that members will support them. In seeking to answer the questions raised by members, if there are any matters that I have not adequately dealt with I will undertake to obtain some answers and clarification and provide that to the members. I have some anxiety to move on with the business, including this Bill, and I appreciate the indication of the Hon. Anne Levy that she also will seek to accommodate that desire.

The Hon. Ms Levy makes a number of remarks about the abolition of the Cremation Act. I note the points that she makes about the multiplicity of forms that might be required in any given death and cremation, and I share the view that we ought to be making these sorts of processes as simple as possible. Quite obviously, there need to be safeguards, but the multiplicity of forms may reflect a desire, when the Cremation Act was first enacted, to deal with what was then a relatively novel approach in this country to the disposal of human remains.

I confess that I do not know the stage at which some review of that Act may be, but I undertake to follow it up and let the honourable member have some responses. The Hon. Anne Levy asks, 'When will corresponding legislation become operative across Australia?' We have not followed up what is happening in other jurisdictions. I will have that done and, when I have the responses, I will let members know. The honourable member makes the observation about the recognition of stillbirths and the need for some flexibility as a desirable component of the legislation, particularly to deal with family stress and I think that, by the time the Bill passes this Council, that will be appropriately recognised.

In so far as the written policy relating to access to the register is concerned, both in relation to births as well as to deaths, there is no reason at all why that should not be tabled. It is information by which the Registrar operates and to which the public should have ready access. I will make some arrangements with the Registrar to have that policy (at least the existing policy) made available. Under this new legislation it may be that the policy has to change. Registrars around Australia have been in very close consultation about this Bill as well as about policies so that they can move towards a greater level of consistency of approach.

The Hon. Anne Levy asks whether clause 50, which relates to questions of review, applies to the Registrar's decision on access to the register. My interpretation is that it does, because it refers to dissatisfaction with a decision of the Registrar made in the performance or purported performance of functions under this Act, and provides that a person who is so dissatisfied may apply to the court for a review of the decision. I think that that applies to everything the Registrar does in the administration of this legislation.

The Hon. Anne Levy refers to prohibited names—Duke, Earl and King—and quite rightly indicates that discussions with the Registrar and with one of my legal officers has led to amendments which I think will adequately address that and will enable some discretion to be exercised by the Registrar according to the name which is proposed to be registered as a matter of administration rather than as a matter of legal interpretation. It is obvious that there does need to be flexibility with respect to those sorts of names.

The Hon. Anne Levy refers to clause 12(5), in particular the definition of 'responsible person', and makes her observation in relation to that clause which deals with notification of births, whereby, if a child is born in, say, a taxi, and there may be no doctor or midwife or the child may not get to the hospital within 24 hours after the birth, what happens? It is important to recognise that clause 12 deals with notification of births. Division 2 of Part 3 deals with the registration of births, so that there are two different functions. The notification of births places an obligation upon hospitals, medical practitioners and midwives. With respect to registration, clause 15 deals with the responsibility to have the birth registered, and clause 16 deals with the obligation that the person responsible for having the birth registered must ensure that a birth registration statement is lodged with the Registrar within 60 days after the date of the birth.

It is my interpretation that, because there are two different functions—one relating to notification and one relating to registration—the problem to which the Hon. Anne Levy refers is not really a problem because, whilst the birth may not be notified in the exceptional circumstances to which the honourable member refers, nevertheless there is still an obligation for the birth to be registered. I think that that is then adequately catered for: ultimately the birth gets on the public register.

The Hon. Anne Levy: As I understand it, the notification is more likely to happen than the registration, and the Registrar, if he is notified of a birth and then it is not registered, can follow up to make sure that it is registered.

The Hon. K.T. GRIFFIN: I think that that is probably correct, but in this life there are always exceptions to the rule. I think you cannot guard against the exceptional circumstance in which maybe there is not a doctor or a midwife present or the child is not taken to a hospital within 24 hours. I am not sure what the proportions of children would be but they will not be large numbers. In those circumstances, I do not think it will be a major practical problem.

The issue of peri-natal births has been referred to by the Hon. Anne Levy. I do not think I need to pursue that issue further. The Hon. Anne Levy refers to clause 36, and that is the clause relating to the notification of deaths by doctors, and has asked whether the 48 hour period within which a medical practitioner has to notify the death could in fact be longer than 48 hours.

The Hon. Anne Levy: Notification, not the registration.

The Hon. K.T. GRIFFIN: Notification. It is probably more important in relation to deaths because there you have issues of the criminal law and homicide—

The Hon. Anne Levy: These are not Coroner's or police cases.

The Hon. K.T. GRIFFIN: I know they are not. That is the other point that I want to make, that if you look through Division 3 of Part 6 it is notification of deaths by doctors, notification by the Coroner and notification by the funeral director; and registration is dealt with in a separate division. I draw the honourable member's attention to the point that 48 hours is the time period in the current Act. It may not make any difference if that were extended beyond 48 hours, but it is consistent with the law at the present time. I confess that I have not addressed my mind as to whether it should be any different. It seems that it has worked adequately up to the present time. I do not know of any complaints about the relatively short time—

The Hon. Anne Levy: There are 19 different forms: that is the thing. You try to cut down the number of forms.

The Hon. K.T. GRIFFIN: In relation to that point—

The Hon. Anne Levy interjecting:

The Hon. K.T. GRIFFIN: In relation to the notification of death?

The Hon. Anne Levy: In relation to the whole procedure when somebody dies.

The Hon. K.T. GRIFFIN: I understand the honourable member's point. I do not know whether this is one of those forms that should be removed, but I am happy to take that up with the Registrar.

The Hon. Anne Levy: Ask Dr Ritson. As a doctor he was beside himself when he had to fill out those forms.

The Hon. K.T. GRIFFIN: I do not have any difficulty with the principle of eliminating forms. In relation to the point I made earlier, I will certainly follow up the issue of the Cremation Act. In relation to privacy, I do not know how long the information about a death registration remains private, but I will undertake to have it followed up and a reply brought back for the honourable member. Again I thank members for their indications of support for this Bill.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Definitions.'

The Hon. K.T. GRIFFIN: I move:

Page 2, line 30—Leave out paragraph (c).

All these amendments result from the consultation by the Hon. Anne Levy with the Registrar and my officers. The amendments are in my name and I am happy to move them on the Government's behalf, but I indicate that they result from that consultation process. This amendment relates to the normal use of established names such as Duke, Earl or King. I have indicated that the public interest provisions of paragraph (d) should be quite sufficient to pick up any undesirable use of an official title or rank, and this amendment therefore removes the specific reference to the official title or rank in a name being refused registration.

The Hon. ANNE LEVY: I support the amendment and appreciate the cooperation of the Registrar who, with Parliamentary Counsel, devised this solution to the problem. It still ensures that the public interest is maintained but prevents what could be an unfortunate problem.

Amendment carried.

The Hon. K.T. GRIFFIN: I move:

Page 3, line 13—Insert 'but does not include the product of a procedure for the termination of pregnancy' after 'birth'.

The Hon. Anne Levy has made specific reference to the interrelationship of this legislation to the Criminal Law Consolidation Act and the provisions relating to abortion. I think it needs to be very clear that this Bill is about registration. This amendment is not about the issue of abortion: it is endeavouring to ensure the proper interrelationship of the Bill before us as it relates to stillbirths and the law relating to abortion. So, the debate about the policy and the principle of abortion is not something that ought to be pursued in this amendment or this Bill.

The Hon. ANNE LEVY: I support the amendment and reiterate that this amendment makes quite clear that stillbirths and abortions are quite separate matters, and that this legislation is dealing with stillbirths and not with abortions. The amendment makes that perfectly clear.

Amendment carried; clause as amended passed.

Clauses 5 to 14 passed.

Clause 15—'Responsibility to have birth registered.'

The Hon. K.T. GRIFFIN: I move:

Page 7, lines 15 and 16—Leave out 'the other parent cannot join in the application because he or she is dead or cannot be found, or for some other reason' and insert 'it is impossible, impracticable or inappropriate for the other parent to join or be required to join in the application whether because of his or her death, disappearance, ill-health or unavailability or the need to avoid unwarranted distress or for some other reason'.

This will widen the Registrar's discretion to accept a birth registration statement from one of the parents. For example, where the birth results in a sexual assault and the father's whereabouts are known, to require him to be named and to sign the statement would cause great distress to the mother. There are other circumstances in which the discretion which is built into the amendment might be appropriate.

The Hon. ANNE LEVY: I support the amendment wholeheartedly and congratulate Parliamentary Counsel for having found the words which so beautifully express what the Registrar and I were concerned to convey.

Amendment carried; clause as amended passed.

Clauses 16 and 17 passed.

Clause 18—'Alteration of details of parentage after registration of birth.'

The Hon. ANNE LEVY: Clause 18 refers to alteration of a birth registration after the original registration. In general, any change to a birth registration must have the approval of both father and mother of the child, but this clause allows one parent only to make a change to the child's name in certain circumstances. I wondered whether the

wording of clause 18(1)(b) should reflect the new wording of clause 15(1). Currently, it has exactly the same wording as clause 15(1) had originally. However, I am satisfied that it is not really necessary, although I would be interested if the Attorney-General felt otherwise. I did discuss this matter with the Registrar and he said that, obviously, in the sort of extreme case where registration had been permitted by one parent only, to change the given name of the child or add another given name would require only one parent's approval, because only one parent was named on the certificate.

Any change requires the concurrence of the parents named on the certificate. If there is only one on the certificate, that matter is already covered. Although the wording here is the wording which did apply in clause 15, but has now been altered for flexibility, it is probably not necessary to alter clause 18(1)(b). However, if the Attorney feels otherwise, perhaps it can be looked at when the Bill is considered in another place.

The Hon. K.T. GRIFFIN: It may be that that is an appropriate way to deal with it. It may be there is a different approach, because this relates to change of name, and if you have father trekking in the Himalayas, who can be found and who might be back in a couple of months, then it is a person who could join in the application. On the other hand, you also have the cover-all provision, 'or some other reason'.

The Hon. Anne Levy: I think that only applies to the 'cannot'.

The Hon. K.T. GRIFFIN: '. . . or cannot join for some other reason'.

The Hon. Anne Levy: Undesirable that they be joined.

The Hon. K.T. GRIFFIN: The honourable member has raised it. I undertake that I will have the issue looked at, rather than deal with it on the run. Before it is finalised in the House of Assembly, we will ensure that that issue is resolved. I think that is the appropriate approach.

Clause passed.

Clauses 19 and 20 passed.

Clause 21—'Name of child.'

The Hon. K.T. GRIFFIN: I think it would be appropriate if I moved all the amendments together. I move:

Page 9—

Line 3—Leave out 'The birth' and substitute 'Subject to this section, the birth'.

Line 4—Leave out 'However, the Registrar may assign a name to the' and substitute 'The name is a matter of choice for the person or persons lodging the statement[1], but the Registrar may assign a name to a'.

Footnote to be inserted (consequential to amendment to clause 21)

After line 7—Insert:

[1]For example, there is no requirement that the name be made up of both a surname and a given name or given names.

The net effect of the amendments is to emphasise that the parents' choice of their child's name is limited only by the prohibited names provisions, to define the term 'name' for the purposes of registering a birth, as a combination of surname and given name or names, or a surname or a given name or names alone, and to state quite clearly that a stillborn child need not be named. The power given to the Registrar to assign a name to a child in certain circumstances is intended to ensure that he or she—whoever the Registrar may be—has the means to retrieve the record from the birth registration system.

The Hon. ANNE LEVY: I certainly support these amendments. It not only makes clear that a stillbirth does not have to have a normal sort of name given, but the new footnote will make it clear that naming a child does not mean that every child has to have a surname and one or more given names, that a single name is sufficient—as Madonna, for instance, indicates.

The Hon. K.T. Griffin: It is certainly not her real name.

The Hon. ANNE LEVY: It may be her real name but not her original name. The footnote will make this clear. It is not changing the law but I think it is making it clearer, because many people I am sure think that, in naming a child, they must have at least one given name and a surname. This is not and never has been required by law. The amendment, as well as being sympathetic regarding stillbirths, will make clear, perhaps for the first time in legislation, just what the situation is regarding the choosing of names.

Amendments carried; clause as amended passed.

Clauses 22 to 35 passed.

Clause 36—'Notification of deaths by doctors.'

The Hon. K.T. GRIFFIN: I move:

Page 14—

Lines 8 to 10—Leave out paragraph (a) and substitute:

(a) need not give a notice under this section if another doctor has given the required notice; and

After Line 19—Insert new subclause as follows:

(4) If a child is stillborn, the child's death is not to be notified under this section[2].

Correction of footnotes (consequential to amendments to clause 36)

Page 14—

Line 12—Leave out '1975[2]' and substitute '1975[1]'.

Lines 20 and 21—Leave out footnotes [1] and [2] and substitute the following footnotes:

[1]See section 31 of the Coroners Act 1975.

[2]In the case of a stillbirth notice must be given to the Registrar under section 12.

The net effect of these amendments is to correct a provision of the Bill which would have allowed the issue of both a notice and doctor's certificate under clause 12, and a doctor's notice and certificate under clause 36 in the case of a stillbirth. Clearly the latter is not required in these circumstances.

The Hon. ANNE LEVY: The amendments are supported wholeheartedly.

Amendments carried; clause as amended passed.

Clause 37 passed.

Clause 38—'Notification by funeral director, etc.'

The Hon. ANNE LEVY: In clause 38 an apostrophe has twice been added where it certainly should not be. I presume that that can be fixed up typographically without having to move an amendment to remove an apostrophe. It says 'the parent's of the stillborn child'. It is not a possessive 's' , it is a plural 's'.

The ACTING CHAIRMAN (Hon. T. Crothers): I see what you are saying. The understanding at the table is that that will require clerical correction, which will be done and I thank the honourable member for drawing the Chair's attention to it.

Clause passed.

Clauses 39 to 47 passed.

Clause 48—'Fees.'

The Hon. ANNE LEVY: Clause 48(2) deals with regulations on fee setting and it suggests that the regulations will allow for fees to be fixed by negotiation. I presume that this is for special situations, perhaps for a special piece of research involving extensive searching on the part of the researcher. I do not mean taking up the time of the staff of the Registrar, but someone carrying out what is obviously a certified piece of research may have a fee negotiated which

is less than the sum of the many fees which could otherwise apply. That seems to me to be perfectly reasonable. Will the Attorney confirm that that is the sort of situation and that, for example, it is not intended to be the 'I do not like the look of you; I am going to charge three times as much for you to obtain a copy of your birth certificate' sort of approach?

The Hon. K.T. GRIFFIN: Certainly, it will not be the latter instance. The former is more than likely to be the position, but I should also point out that sometimes there are fees which are remitted under the general administrative discretionary power which the Registrar has. This gives some flexibility to the process. I can imagine what would happen publicly if there was a suggestion by the Registrar that 'You will have to pay double the fee because you have been a pest, or whatever.' That would be unacceptable publicly and, in those circumstances, the clause is more than likely to relate more to the genealogical researchers and other researchers than anything else.

Clause passed.

Remaining clauses (49 to 55) passed.

Schedule 1 passed.

Schedule 2—'Amendment of Coroners Act 1975.'

The Hon. K.T. GRIFFIN: I move:

Page 22, line 27—Insert 'but does not include the product of a procedure for the termination of pregnancy' after 'birth'.

This is consequential.

The Hon. ANNE LEVY: The Opposition supports the amendment.

The Hon. SANDRA KANCK: We support the amendment.

Amendment carried; schedule as amended passed.

Schedule 3—'Amendment of Cremation Act 1891.'

The Hon. ANNE LEVY: The amendment of section 5—clause 3 of the schedule—relating to the issue of a cremation permit, discusses certificates from two medical practitioners, one of whom was responsible for the deceased's medical care. Certainly, it is not clear from this what the function of the second medical practitioner is for this certificate. Again, I draw the attention of the Attorney and other people to the report of the Select Committee on the Disposal of Human Remains where there is a justification given for having two doctors, not only for cremation but for burial as well as for cremation.

The Hon. K.T. GRIFFIN: I take the point which the honourable member raises. I must confess I am not aware of the reasons for the two medical practitioners. There may be some simple answer to it. It may be that it is just historical and we need to review it. I indicate that I will deal with that issue in the context of the Cremation Act questions to which the honourable member has referred earlier and in respect of which I have indicated that I will bring back some replies.

Schedule passed.

Title passed.

Bill read a third time and passed.

MOTOR VEHICLES (TRADE PLATES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 29 November. Page 660.)

The Hon. SANDRA KANCK: Having read the Minister's second reading explanation, I make the observation that it seems to me to be a very 'in' sort of speech because it assumes a knowledge of what goes on in the industry.

The Hon. Diana Laidlaw: I do have that knowledge.

The Hon. SANDRA KANCK: I am sure you do, and I hope you do.

The Hon. T.G. Cameron: We've just got to get it all out of you.

The Hon. SANDRA KANCK: That's right, so I am going to ask a few questions about the Minister's speech because it did have that 'in' flavour to it. The Minister said that accessory fitters such as liquid petroleum gas tank fitters are excluded from obtaining a trade plate by the existing legislation. I was rather mystified by that and I would like to know why, at any stage, a liquid petroleum gas tank fitter would need trade plates to be fitted.

I approve of the Minister's attempt to get rid of a little rort whereby some traders use a trade plate to get to and from their own residence and workplace and so avoid payment of registration.

The Hon. T.G. Cameron: What about the bigger rort they have put in?

The Hon. SANDRA KANCK: The honourable member can talk about that later. I applaud the Minister for trying to stop that rort. Another statement that left me a little mystified concerned heavy commercial vehicles being able to carry a load for demonstration purposes. The Minister's speech says that this will enable the performance of the vehicle to be more adequately demonstrated to prospective purchasers than is currently the case. I would be appreciative if the Minister could explain what she is talking about in this respect. The expression 'heavy commercial vehicle' sounds fairly wide to me, and I am not sure what is meant by it.

I note also (and this may be the rort that the Hon. Terry Cameron is talking about) that the Bill will enable the Registrar of Motor Vehicles to engage the services of the Motor Trade Association, the Royal Automobile Association or other industry associations to assist in assessing applications for the issuing of a trade plate.

The Hon. T.G. Cameron interjecting:

The Hon. SANDRA KANCK: Yes, I recognise that.

The Hon. Diana Laidlaw: The RAA?

The Hon. T.G. Cameron: No, the MTA.

The Hon. Diana Laidlaw: What is the difference?

The Hon. SANDRA KANCK: In terms of the donations that went into the Liberal Party campaign during the election, it could look that way. This is the introduction of a form of privatisation, about which I have some reservations, but I indicate that the Democrats support the second reading.

The Hon. T.G. CAMERON secured the adjournment of the debate.

SUMMARY PROCEDURE (TIME FOR MAKING COMPLAINT) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 29 November. Page 664.)

The Hon. CAROLYN PICKLES (Leader of the Opposition): The Opposition supports the second reading with some misgiving. We are concerned that the Attorney has not specifically justified the introduction of this legislation. Virtually the only reason given by the Attorney for introducing this Bill is that the seriousness of summary offences, their complexity and our society have greatly changed since 1850.

This bold assertion overlooks the fact that police numbers and detection methods have vastly improved since 1850 as well. The Attorney says that it is an important part of the proposed common expiation scheme that a distinction be drawn between expiable and summary offences. Can the Attorney explain why that is so important?

Just because the expiation fee time limit has been set at six months, why does this mean that the time limit for summary offences should be quadrupled? Is this Bill an admission on the part of the Government that insufficient police resources are being provided to allow the Police Force to do the job of investigating and prosecuting offences within reasonable periods? Surely it is not too much to ask for the police to be able to knock up a summons with appropriate and reasonable charges within six months of the date of an offence being committed, particularly when we are talking about relatively minor offences.

The Opposition would like to hear more from the Attorney of the justification for this Bill before it goes through. Did the Police Force ask for it? Are there specific cases which the Attorney seeks to rope in by bringing in the two year rule? How many cases in the last reporting period went out of time due to the six month time limit? These are the sort of questions that we would like the Attorney to answer before we take the Bill into the Committee stage. However, to expedite matters, we support the second reading.

The Hon. A.J. REDFORD secured the adjournment of the debate.

LAW OF PROPERTY (PERPETUITIES AND ACCUMULATIONS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 29 November. Page 669.)

The Hon. CAROLYN PICKLES (Leader of the Opposition): The Opposition agrees with the Attorney that there is no longer sufficient justification for the law against perpetuities or the law against excessive accumulations. This Bill will not affect charitable trusts or superannuation trusts. It will allow testators to set aside property for future generations. For example, the trust may be for the children and grandchildren of the testator's grandchildren. It is only in a loose sense that one can say that the money is tied up, as trustees now have very great flexibility as to the administration of estates and trusts. Real property can be dealt with and investments can be made in almost any manner, so long as the goal of maximising returns for the beneficiaries is maintained.

The Bill also improves a requirement of the law of trusts that the people or classes of people who might be entitled to a trust must be ascertained before distribution of benefits. As the law in this area has developed over a few hundred years, some weird assumptions have sprung up. For example, there is the assumption that a woman can bear a child at any time in her life, even if the case involves a 90 year old woman. I know that we have had some amazing medical breakthroughs, but that is rather excessive.

New section 60, which is set out in clause 4 of the Bill, contains some reasonable presumptions in relation to child bearing. One of the presumptions raises issues of moral complexity which do not need to be debated in the context of this Bill, although they are of enduring significance for society. In the Bill, it is presumed that children will not be born as a result of an artificial reproductive procedure involving the use of reproductive material from a person who is dead at the time of the procedure. Obviously, with the state of reproductive technology, it is quite possible for this to occur. The point is that the possibility of this should not be discounted when ascertaining the potential members of a trust which, in all likelihood, has been set up by a testator oblivious to the possibility of children or grandchildren being conceived as a result of *in vitro* fertilisation, and so on.

More importantly, new section 60A allows a person to apply to the court to challenge any of the presumptions set out in section 60. One expects that this would ensure that no unfairness arises from the application of a section 60 presumption.

A further point in relation to these reforms is that section 62a preserves the rule as stated in the case of *Saunders v Vautier*, according to which a trust can be distributed to one or more beneficiaries if they unanimously wish the trust to be terminated, even if the person who created the trust intended that it should continue in perpetuity. Essentially, the Opposition takes the view that the Bill appropriately reforms and cleans up an obscure and technical area of the law of trust. We support the second reading.

The Hon. R.D. LAWSON secured the adjournment of the debate.

LIQUOR LICENSING (DISCIPLINARY ACTION) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 30 November. Page 698.)

The Hon. CAROLYN PICKLES (Leader of the Opposition): The Opposition supports the second reading, having consulted with the appropriate representative groups in the liquor industry and no objections having been raised. It is reasonable for the Licensing Court to be able to discipline people other than existing licensees if such people have actually been responsible for wrongdoing in relation to certain premises which supply liquor. Greater flexibility is also provided in respect of fines and disqualification. The Opposition supports this measure.

The Hon. A.J. REDFORD: I support this legislation and rise to take the opportunity to make a number of comments. The issue I raise arises from section 106 of the Liquor Licensing Act, which relates to the prohibition of profit sharing. For the benefit of members who do not have the Act in front of them, section 106 of the Liquor Licensing Act 1985 provides:

(1) Subject to this Act, if a licensee—

(a) enters into partnership with an unlicensed person in relation to the business carried on in pursuance of the licence;

(b) enters into any agreement or arrangement under which an unlicensed person may participate in the proceeds of the business carried on in pursuance of the licence;

(c) remunerates an unlicensed person by reference to the proceeds or profits obtained from the business carried on in pursuance of the licence or by reference to the quantity of liquor sold;

(d) permits an unlicensed person (not being an approved manager of the premises) to conduct, superintend or manage the business carried on at licensed premises in pursuance of the licence;

(e) permits an unlicensed person to hold himself out to the public as a licensee,

the licensee and the unlicensed person are each guilty of an offence.

Mr President, in your previous life you were involved in the hotel industry, and you would be aware that there has been a longstanding prohibition against profit sharing, other than that which might be subsequently approved by the court pursuant to subsection (2). The reason for that is simple: a great onus has been placed on those who choose to hold a liquor licence under this Act. In return, there are certain marketing protections which are given to those people so that they can conduct their business.

I am sure members opposite would agree with me in saying that the standard and quality of hotels in South Australia is probably the best in this country. During the past two years, since the introduction of poker machines, there has been a considerable improvement in the services provided and the quality of premises that have been offered to the general public. That can only be for the good of South Australia and certainly can only enhance our burgeoning tourism industry.

In relation to hotels, and in particular the leasing thereof, there has been almost a complete absence in the determination of rent by a landlord on the basis of the turnover of a hotel. The reason for that is very simple. There has been this prohibition which would possibly—and I know it is arguable—lead both the licensee and the landlord into conflict with this provision, and, therefore, the general practice in the industry has been not to charge or establish or set rents based upon the turnover of a hotel.

During the past few weeks, it has come to my attention that there has been an increasing trend on the part of certain substantial landlords in South Australia to determine or set rents based on gaming machine turnover. If there is a prohibition in terms of profit sharing in the conduct of a licensed premises, that is, in relation to the selling of alcohol and associated products, then a similar provision should apply in the Gaming Machines Act and should be applicable in relation to that.

It has come to my attention that a number of landlords are seeking information about the turnover of poker machines and then seeking to establish a rent based on that figure. By any other name that is, in my view, a back door method of profit sharing. It seems to me that that needs to be considered and needs to be addressed. The Government can look at it in either of two ways: it can either remove section 106 from the Liquor Licensing Act or, alternatively, place a similar prohibition in the Gaming Machines Act.

It is a rather simplistic contribution to a difficult issue, but I have spoken with the Attorney privately, and I would like to be on record as saying that the Government should look at that issue very closely. I know that we will be looking at this Act in the not too distant future. I hope that the Government will be in a position to address the issue at that time. At the moment, I am aware of two cases where rents are being reviewed, and based on poker machine revenue they are being reviewed in a most savage and upward way, putting some hoteliers and their small businesses at great risk. Parliament decided that the ultimate beneficiaries of the poker machine legislation, other than the taxpayers of South Australia—those few who might happen to win from the machines—should be either the hotel industry or the clubs.

The Hon. T.G. Cameron interjecting:

The Hon. A.J. REDFORD: The Hon. Terry Cameron interrupts and says that everyone is trying to get their hands on that money. Obviously, he knows how Party rooms operate. I have no doubt in the world that the ALP Caucus would operate in no dissimilar way. Other than that, I commend the Bill. The provisions that the Attorney has brought to this place deserve support and, certainly, they are mirrored in many other provisions that the Attorney has brought to this place in the two years that he has been the Attorney in relation to disciplinary proceedings.

The Hon. K.T. GRIFFIN (Attorney-General): I thank honourable members for their indications of support for the Bill. With respect to the matter raised by the Hon. Angus Redford, I indicate that I will refer that matter to the appropriate officers within my department and let him have a response. It may be that it has to be the subject also of legal advice. It is an issue of importance, and certainly of concern to some in the industry. This is an appropriate Bill on which to raise the matter, although I will not be able to bring back a reply before the matter goes through to the House of Assembly.

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

LEGAL PRACTITIONERS (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 30 November. Page 700.)

The Hon. CAROLYN PICKLES (Leader of the Opposition): We support the second reading. The Opposition has examined the Bill carefully and consulted with the Law Society and some individual members of the legal profession. The conclusion that we have come to is that the Bill is satisfactory so far as it goes but that it does not go very far in terms of reforming and improving the disciplinary system for lawyers. The Attorney has advised that a review of the disciplinary system for lawyers is continuing and there seems to be a fair chance that there will be further legislation in relation to this issue during the term of this Government. On this basis the Opposition has refrained from moving amendments to this Bill.

When the Government takes the initiative of making more substantial improvements to the disciplinary system of lawyers, the Opposition will then carefully consider the steps taken by the Government and will promote appropriate further reforms at that time. In a way it is curious that this present set of reforms does not go further, for example, to fully take into account the proposals put forward by the Legal Practitioners Complaints Committee itself in recent annual reports. Specifically, clause 10 of the Bill removes the power of the Commissioner for Consumer Affairs to institute proceedings for the taxation of legal costs, yet that power has not explicitly been given to the Legal Practitioners Complaints Committee, as suggested by the committee itself. However, the Opposition sincerely wishes to see these reforms implemented as soon as possible; therefore, we support this Bill without proposing any amendments at this stage.

The Hon. A.J. REDFORD secured the adjournment of the debate.

ADJOURNMENT

At 6.9 p.m. the Council adjourned until Wednesday 7 February at 2.15 p.m.