LEGISLATIVE COUNCIL

Thursday 19 March 1998

The PRESIDENT (Hon. J.C. Irwin) took the Chair at 2.15 p.m. and read prayers.

MUTUAL RECOGNITION (SOUTH AUSTRALIA) (EXTENSION OF OPERATION) AMENDMENT BILL

His Excellency the Governor, by message, intimated his assent to the Bill.

EUTHANASIA

A petition, signed by 79 residents of South Australia concerning voluntary euthanasia, and praying that the Council would reject euthanasia legislation in any form, was presented by the Hon. P. Holloway.

QUESTIONS ON NOTICE

The PRESIDENT: I direct that written answers to the following questions on notice be distributed and printed in *Hansard*: Nos 15, 52 to 56, 59, 62 and 89.

ROAD TRAFFIC STRATEGY

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

1. (a) Does either the Department of Transport or the Police Department, collate the relationships between laser, speed camera and breathalyser unit placement and road facility locations?

(b) If not, why not?

2. What criteria are used by the South Australian Police when placing laser, speed camera and breathalyser units?

3. Of the 181 road fatalities that occurred in South Australia in 1996, on how many occasions have either a laser, speed camera or a breathalyser unit been placed on or near where the road fatality had occurred in the previous 12 months?

The Hon. DIANA LAIDLAW:

1. (a&b) Crash analysis determines the placement of laser, speed camera and RBT units. Fatalities are too low in numbers to give a meaningful pattern for mass deployment, hence most analysis is performed on casualty crash statistics.

Tables are produced for each police division showing details of speed detection, RBT, other drink drive detections, and casualty crash statistics. These were produced for the 1996-97 year and will be updated each six months. Maps of casualty crashes and drink drive detections were also produced.

2. Speed cameras are deployed from a computerised system based on speed weighted crashes. Lasers are operated at the discretion of police patrols, based on speed weighted road crash statistics. Both speed cameras and lasers are also deployed to treat complaint locations. RBT units are delayed in a number of ways, including the treating of high volume roads (to gain a high profile), from drink driving crash statistics and from intelligence gathered concerning problem drink drive areas.

3. A review of the tables mentioned in 1(a) for 1996-97 show that the majority of roads in the metropolitan area with a fatality also experienced traffic enforcement activity. This is not the case in the country, where the 'tyranny of distance' prevails. The tables are made available to divisional police to assess whether adjustment to enforcement activity is warranted.

The presence of police patrols cannot be expected to eliminate crashes, but it does reduce the likelihood of a crash.

SMALL BUSINESS

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

1. As of 31 December 1997, which Government agencies have published and implemented a small business service charter?

2. (a) As of 31 December 1997, which Government agencies have not published or implemented a small business service charter?

(b) When will these be completed?

The Hon. R.I. LUCAS:

1. As of 31 December 1997, 47 Government agencies had published and implemented a small business service charter. This included all major agencies, and there were no plans to require other units to produce charters as they were covered by the lead agencies' charters.

2. With the changes in Departmental structures in November, a number of agencies were amalgamated or moved to other Departments and the immediate relevance of the charter to the new operation required review. The Senior Executive Quality Forum was requested in early 1998 to review the current situation with the charters and to advise whether there should be changes to reflect the new operating arrangements. The Forum has presented some preliminary findings to the Premier and will complete its review in the near future. At that time, a decision on the further implementation of the Charters will be made.

FISHING, NET

53. **The Hon. R.R. ROBERTS:** Can the Minister for Primary Industries, Natural Resources and Regional Development confirm if any research has been undertaken on the effect of school fish stocks, in order to ascertain the effect of the ban on recreational net fishing?

The Hon. K.T. GRIFFIN: The Aquatic Sciences Centre of the South Australian Research and Development Institute (SARDI) has an ongoing research program to provide annual stock assessments on all principal fish species.

Significant biological research projects are currently being undertaken on King George whiting, snapper, garfish, Australian salmon and tommy ruffs.

There has been no research undertaken to specifically assess the effect of the ban on recreational netting of marine schooling fish species, since the ban was promulgated in September 1995. However, it is expected that the ongoing research, although targeted at providing better information on a number of other questions, may be used to provide further insight into the effects of the prohibition on recreational net fishing.

SOUTH-EAST LAND LEVIES

54. **The Hon. R.R. ROBERTS:**

1. Can the Minister for Primary Industries, Natural Resources and Regional Development detail the amount of levies that were collected from landholders for the South Eastern Water Conservation and Drainage Board?

2. Can the Minister detail how these levies were expended?

The Hon. K.T. GRIFFIN:

1. As at 20 February 1998 a total of $865 208 has been collected by the South Eastern Water Conservation and Drainage Board from the local community as its contribution toward the cost of the Upper South East Dryland Salinity and Flood Management Plan. Of the total, $89 446 has been collected from Local Government and $775 762 has been collected from landholders through the drainage levies.

2. Including the State and Commonwealth Governments contribution to the Upper South East Dryland Salinity and Flood Management Plan, the total revenue to date for the project is $3 303 716.

The total expenditure to date is $1 626 107. $1 132 512 has been spent on the design and construction of the Fairview Drain which is the first stage of the drainage works for the scheme. The remainder of expenditure has been on project management ($277 775), biological surveys and monitoring ($139 942), Aboriginal Heritage surveys ($6 765), administration costs of collecting drainage levies ($54 002) and preliminary design of future stages ($15 111).

COMMUNITY BOARDS

55. **The Hon. R.R. ROBERTS:**

1. Can the Minister for Primary Industries, Natural Resources and Regional Development explain the purpose of the Community Boards that are to be established as part of the review of the Soil Conservation and Land Care Act and the Animal and Plant Control Act?

2. Can the Minister outline the cost of these boards and who will pay for them?

The Hon. K.T. GRIFFIN:

1. Both Acts have undergone an extensive review process over the last three years. These reviews and subsequent preparation of white paper outcomes have sought to improve various administrative and legal aspects.

Neither review has given rise to the creation of new Community Boards.

Under the existing Acts there are community bodies established to administer and carry out functions of the Acts. There are currently 27 Soil Conservation Boards and 58 Animal and Plant Control (APC) Boards across the state.

The review process has suggested some changes to the roles and make up of boards but there is no proposal for new boards.

2. There is no proposal for any change to existing funding arrangements for these community boards.

PHYLLOXERA AND GRAPE INDUSTRY

56. **The Hon. R.R. ROBERTS:**

1. Has the Government implemented its Phylloxera and Grape Industry five year plan, as outlined in last year's Estimates?

2. How much money was allocated to this five year plan?

3. If these funds have not been expended, to what area will the moneys be distributed?

The Hon. K.T. GRIFFIN: There has been no material change to the five year plan or its funding arrangements since information was provided during last year's Estimates Committee hearing. Accordingly, I provide the following information, which is essentially the same as that provided for the initial question:

1. Yes, the Government has implemented its Phylloxera and Grape Industry five year plan, through the Phylloxera and Grape Industry Board of South Australia. The five year plan was presented to industry for endorsement in June 1996 and the board has since been working to achieve the objectives and milestones described in the plan.

In addition, the board has appointed an executive officer to facilitate and expedite the implementation of the plan and provide a direct communication link with growers and other stakeholders.

2. The implementation of the five year plan is funded through contributions by industry (grape growers). The total budget is approximately $1.8 million over five year. This is subject to continuous refinement as data on vineyard area are updated.

3. If any monies should not be expended in the early years of the five year plan, then the contribution required from industry in subsequent years will be reduced accordingly, i.e., the board does not accumulate funds over the long term, apart from the maintenance of a containment fund to be used in the even of a phylloxera outbreak.

RURAL INDUSTRY

59. **The Hon. R.R. ROBERTS:**

1. What is the Government's strategy to maximise the industry development impact of the Rural Industry Adjustment and Development Fund?

2. What is the purpose and amount of the interest rate subsidy and re-establishment components of the Eyre Peninsula Regional Strategy?

The Hon. K.T. GRIFFIN:

1. The Rural Industry Adjustment and Development Act, 1985 provides the Minister for Primary Industries, Natural Resources and Regional Development authority to make loans and grants for certain purposes from the Rural Industry Adjustment and Development Fund.

The intent of the act is to assist on farm development and adjustment to improve productivity and to fund projects for the benefit of farmers, the development of farming, or the development for farming of any part of the State.

The current eligibility criteria includes industry development focussed projects with on farm activities, post farm gate value adding, export enhancement, employment generation and adjustment.

The recently formed Industry Development Boards for Wool, Horticulture, Seafood, Meat and Field Crops will play an important role in developing their industry. Potential exists for projects identified by the Boards to be supported under the Rural Industry Adjustment and Development Fund.

2. The Eyre Peninsula Regional Strategy is a joint program developed in consultation with the community and State and Commonwealth Governments to address reconstruction and related natural resource issues on Eyre Peninsula.

Interest Rate Subsidy support of up to 75% of interest costs associated with farm debt, to a maximum of $30 000 per annum per farm enterprise, is available to facilitate the sustainability and profitability of farm enterprises located on Eyre Peninsula.

This can be achieved by implementing on farm initiatives and enhancing on farm resources which have been identified as part of a farm productivity improvement strategy. Funding of $3.78 million has been provided by Commonwealth and State Governments to support this measure.

Re-establishment grants are provided as an incentive to foster the development of a more profitable and competitive farm sector in the Eyre Peninsula by supporting farm families who have taken the decision to leave their farm enterprises and whose farm enterprises do not have reasonable prospects of sustainable long term profitability. A grant of up to $75 000 is payable following the sale of the farm assets. Funding of $3.2 million has been provided by Commonwealth and State Governments to support this measure.

SOUTH AUSTRALIAN RESEARCH AND DEVELOPMENT INSTITUTE

62. **The Hon. R.R. ROBERTS:** As at 1 January 1998, what research programs are being undertaken by the South Australian Research and Development Institute?

The Hon. K.T. GRIFFIN: The attached table summarises current research projects being undertaken on behalf of various funding bodies by the South Australian Research and Development Institute.

Current Research Activity—SARDI

Dairy Research and Development Corporation
- Flaxley Farmlets

Fisheries Research and Development Corporation
- Management model—King George whiting
- Abalone—manufacture diet development
- Fisheries biology of garfish
- Southern bluefin tuna—aquaculture sub program
- Immuno staining of cilitate protozoan
- Condition and assessment of southern rock lobster

SA Fisheries Research Advisory Board Trust Fund
- Parameter evaluation in SA rock lobster
- Abalone database management
- King George whiting breeding

SA Grains Industry Trust Fund
- Investigation the role of root diseases
- Development of brassica oilseed crops
- SARDI Diagnostic Centre
- Biological control of cutleaf mignonette
- Improved oat milling quality
- Expanding the CCN rapid pot test
- Monoclonal antibodies for pratylenchus
- Whole grain near infra red (NIR)
- Pulse quality for food processing
- Pratylenchus resistance test
- Silverleaf night shade control
- Wheat doubled haploids
- Farmer identification of cereal root diseases

Grape and Wine Research and Development Corporation
- Non conventional control—powdery mildew

Pig Research and Development Corporation
- Development of interactive database
- Development of pig meat hygiene program
- Influence of oil extraction
- Tail docking piglets
- Relating airborne pollutants to management, housing factors
- On farm ante mortem
- Extension of Information—sow longevity

Grains Research and Development Corporation

Field crop evaluation programs
- Optimisation of seeder design
- Annual pasture legumes for low rainfall
- Lupin breeding (ACLIP)
- Australian coordination pea improvement program (faba beans)
- Australian coordination pea improvement program (peas)
- Chickpea breeding collaboration
- Early sowing technology
- Persistence of Als herbicides
- Crop and tillage rotations

Stem nematode project
Pratylenchus project
Bacterial blight in field peas
Australian coordination vetch improvement program
Investigating poor wheat performance
Control of cereal fungal diseases
Coordination improvement program for Australian lentils
Development of Diagnostic Centre
National rhizoctonia program probes
National rhizoctonia program DNA assay
Isolated Research Centre—Minnipa
Improving feed grains quality
Alkaline soils pasture
Management of seasonal conditions
Cereal cyst nematode resistance
Crown rot in durum wheat
Soil incorporated herbicides
Improving oat cultivars
Implementation wheat doubled haploids
Fertiliser placement research
Disease resistance & management
Survey of levels of diseased ryegrass in Australian grain
Australian coordination vetch improvement program
Oilseed—brassica breeding
National annual pasture legume improvement program
National wheat marker program—wheat quality
National wheat marker program—disease resistance
Miscellaneous
National barley molecular markers
CRC for Molecular Plant Breeding—resistance
CRC for Molecular Plant Breeding—pathogens
CRC for Molecular Plant Breeding—wheat quality
CRC for Molecular Plant Breeding—doubled haploids
Development of vetches
Perennial legumes for pasture crop/rotations
Establishing demonstration flocks
Seagrass dieback
SA ocean litter surveys
New approaches to combating oleocellosis
National faba bean improvement program
National quality assessment Australian pulses
New valencia clones—common orange varieties
Ascochyta in grain legumes
Monitoring recreational fishing and boating
Pulse quarantine service
Statistics for variety trial
Giant crabs
IPM system for thrips in citrus
Grain Industries Centre For NIR (WADA)
Use of wheat doubled haploids—Australian triticale program
Distribution of agents for curse
ALS resistance in medics
Multibreed EBVs for beef cattle
Noodle processing
Productivity of quality lemons
National mandarin cultivar
Improving imperial mandarin fruit
Transgenic sheep technology
Integrated control of botrytis & lbam
Development of pelleted foods
Genetic markers for wheat quality
Rhizobium research
SA prawn bycatch study
Crop rotations—potatoes
Stock assessment Australian herring
Protein—starch interactions
Phomopsis/grapevine interaction
Medic decline syndrome
Development of narbon beans
Agronomy of lathyrus
Dynamics of phytoplankton
Sheep gene map
Genetic basis of noodle quality
Pea yield decline
Benthic surveys project
SA marine & coastal biodiversity strategy
GAB Marine Park
Apple scab control
Improved scion and rootstock cultivars of almond
Bacterial inoculants for cereals
Development of improved apricot varieties
Apricot orchard management
Horticulture Research and Development Corporation
Development of oils—grape powder mildew
Recently released grapefruit cultivars
Biofumigation of citrus replant soils
Improved nutrient management of potato crops
Nursery accreditation scheme
Potatoes early dying in Australia
National program—evaluation of naval orange
Cherry dwarfing rootstock trial
Potato pink rot in field and storage
Resist of brussels sprouts to root knot nematodes
Postharvest oil disinfestation & mould wastage control
Soilborne diseases in vine nurseries
Advancing the IPM of DBM
Improving IPM for citrophilous mealy bug
Evaluation, updating & reprinting of citrus growing manual
Cool chain stone fruit
Vegetable cool chain
Breeding high quality Australian sweet cherries
Development of new potato genotypes
Rural Industries Research and Development Corporation
Prevent chronic pain
Control of quandong moth
Bacterial wilt of lucerne detection
Ixodia achilleaodies for cutflower production
Profitability of caged layers with poor feather cover
Development of high yielding oat cultivars
Cattle Compensation Committee
Parasitism on dairy cattle
Sustained release vitamin B12
Mineral supplements dairy cows
Swine Compensation Fund
Pig veterinary research
Pig health monitoring scheme

GOVERNMENT EMPLOYMENT

89. **The Hon. R.R. ROBERTS:** How many full time equivalent positions under the Public Sector Management Act or other South Australian Acts, which are the responsibility of the Minister for Primary Industries, Natural Resources and Regional Development and which are located outside of the Adelaide Statistical Division, have been lost in the period from 1 February 1995 to 31 December 1997?

The Hon. K.T. GRIFFIN: Completely accurate information in response to the above question is not able to be provided due to:

- Departmental restructuring and the Government Agencies restructuring.
- The period over which the information is requested also does not match conventional reporting periods, eg: financial years.
- As a result of restructuring there have been a number of positions created and lost in country areas. It is not economical to keep track of all those changes.
- Some positions have been relocated between different country locations or to the metropolitan area indicating a loss in some country areas, with neither a loss to the Department nor to services provided to country areas.
- Primary Industries and Resources have a number of Commonwealth and industry funded short term contract position that may run for 1 to 3 years creating continuous fluctuation in the number of country based FTE's.

CURRICULUM STATEMENT

The Hon. K.T. GRIFFIN (Minister for Justice): I seek leave to table a ministerial statement made by the Minister for Education, Children's Services and Training in another place on the subject of world-class curriculum for South Australians.

Leave granted.

QUESTION TIME

SCHOOL ZONES

The Hon. CAROLYN PICKLES: I seek leave to make a brief explanation before asking the Minister for Transport a question about a ministerial statement she delivered on 17 February.

Leave granted.

The Hon. CAROLYN PICKLES: In her statement, the Minister attempted to explain the legislative debacle regarding the non-enforcement of expiation notices in relation to amendments to the Road Traffic Act. In particular the Minister declared that:

> Since there will be no appeal, the Government proposes that no further proceedings be taken to enforce expiation notices issued in relation to school zone speeding offences.

However, I am disappointed to report that motorists, who should have had their fines waived, are still receiving enforcement orders from the courts. I seek leave to table a copy of a letter from the South Australian Police dated 27 February 1998, 10 days after the Minister's statement was made.

Leave granted.

The Hon. CAROLYN PICKLES: The letter from the South Australia Police, dated 27 February and addressed to a person whose name is not identified, states:

> This Branch is awaiting a direction relating to the appropriate procedure to assess your matter. I apologise for any inconvenience. Your matter has been suspended pending further directions. You will be contacted as soon as possible with a decision.

The Hon. K.T. Griffin: What date is that?

The Hon. CAROLYN PICKLES: It is dated 27 February, 10 days after the Minister's statement. My questions to the Minister are:

1. Why is there still, despite the Minister's statement, widespread confusion in both the bureaucracy and the community?

2. What action did the Minister undertake to ensure the implementation of her decision to waive the outstanding fines associated with school speed zones?

3. Has the Minister, or her representatives, advised the Police Department of her decision to waive, and on what date; and why are enforcement orders still being issued?

The Hon. DIANA LAIDLAW: As my statement made clear on 17 February, it is not my decision in terms of the non-pursuit of the offences and the enforcement notices. That decision is considered by the Commissioner of Police. I will certainly make inquiries in relation to the—

The Hon. Carolyn Pickles interjecting:

The Hon. DIANA LAIDLAW: No, that is right—that we would not be appealing. It is the Police Commissioner's decision. I know that discussions have occurred between police representatives and the Crown Solicitor in relation to this matter. I will refer the remaining elements of the question to the Minister for Police.

Members interjecting:

The PRESIDENT: Order! If there are no further questions, I will call on business of the day.

SEX DISCRIMINATION

The Hon. P. HOLLOWAY: I seek leave to make an explanation before asking the Attorney-General a question about an answer he gave to my parliamentary question on notice on 3 December 1996.

Leave granted.

The Hon. P. HOLLOWAY: On 4 June 1996 I placed a question on notice to the Attorney-General—

Members interjecting:

The PRESIDENT: Order! We cannot hear the question.

The Hon. P. HOLLOWAY: On 4 June 1996 I placed a question on notice to the Attorney-General on behalf of a constituent, Mr Brian Smith, who approached me with complaints that his correspondence to the Attorney-General and the Equal Opportunity Commission had not been answered. Mr Smith had been the subject of a sexual harassment and discrimination complaint—

The Hon. K.T. Griffin interjecting:

The Hon. P. HOLLOWAY: Well, I am not sure—not to my knowledge. It may be; I am not sure of that.

An honourable member: Didn't you check?

The Hon. P. HOLLOWAY: The question concerns my answer in Parliament. It related to a complaint made by an ex-staff member in his employ and his correspondence related to alleged irregularities in the conduct of the subsequent investigation by the Commissioner for Equal Opportunity.

I informed Mr Smith when he first approached me that, without passing judgment on the merits of his case, I believed that he was at least entitled to a response to the matters he had raised in correspondence to the Minister. Consequently, I placed a question on notice in relation to the matter Mr Smith had raised with the Attorney. Part 5 of the question I placed on notice is as follows:

> Why did not the Commissioner of Equal Opportunity, Mrs J. Tiddy, answer Mr Smith's solicitor's letter, dated 22 June 1994, which questioned the relevance of the request by the Commission to supply names of people who had left Mr Smith's employ before the alleged offence?

The answers to my question appeared in *Hansard* on 3 December 1996 at page 646. The answer to part 5 of my question is as follows:

> Commissioner Tiddy believed that the solicitor's letter had been sufficiently answered in the course of telephone conversations between the solicitor and the officer.

Being a persistent individual, Mr Smith pursued this matter further through the Freedom of Information Act seeking copies of documents relating to his case. Minutes from the Commissioner to the Attorney were subsequently declared to be exempt documents. However, under Commonwealth FOI provisions, Mr Smith obtained a copy of his file which had been referred to the Human Rights and Equal Opportunities Commission. His file contained a signed minute from the new Commissioner of Equal Opportunity, Linda Matthews, to the Attorney, which minute was entitled, 'Parliamentary question from the Hon. Paul Holloway.'

This minute was dated 1 July 1996, some six months before the answer appeared in *Hansard*. The Equal Opportunity Commissioner's minute contained the following response to part 5 of my question:

> Commissioner Tiddy has previously informed you that she believed that the solicitor's letter had been answered in the course of telephone conversations between the solicitor and—

the minute then names the investigating officer. This response is virtually identical to the Attorney's response which appears in *Hansard* and which I read out earlier. However, the minute from the Commissioner on question 5 continues:

Materials currently retained on file do not really support this explanation. I believe that the letter should have been answered formally, which it clearly was not.

This further comment from the Commissioner, which substantially qualifies the first sentence of her response, was not part of the answer given to me by the Attorney. My question is: will the Attorney explain, if he can, why key information relevant to his answer and known to him was left out of his answer to my parliamentary question, when he must have known that incomplete information would give a misleading impression?

The Hon. K.T. GRIFFIN: I understand that this matter is *sub judice*. Mr Smith is taking action in the courts, and I therefore decline to answer the question directly at the moment. I will take on board the issues raised by the honourable member. If there is a way in which the matter can be addressed without infringing the rule relating to *sub judice* then I will endeavour to do so. The honourable member quite correctly relates the fact that he did raise the issue in the Parliament, and quite obviously there is some sensitivity about the whole matter, particularly because the matter is the subject of litigation.

WASTE MANAGEMENT

The Hon. T.G. ROBERTS: I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning a question about waste management.

Leave granted.

The Hon. T.G. ROBERTS: It is clear that every member in this Chamber is aware of the difficulty the Government has in choosing a site for a waste management recycling centre in the outer northern metropolitan area. The two preferred sites that appear to be shaping up from which the Government can choose are Dublin and Inkerman.

The Hon. L.H. Davis interjecting:

The Hon. T.G. ROBERTS: At the moment, Mr Davis, the educated money is on Dublin. Certainly the people in that area have run a very vocal campaign against the siting using a number of reasons, including the possible contamination of the Gulf. I do not wish to pass any opinion about whether the opinions of those people in that area are correct, because the environment department is still making assessments and the jury is still out as to whether that is the appropriate site.

Four to five years ago I was approached by the Murraylands council to try to get the Government of the day interested in using a site between Tailem Bend and Karoonda. It appears to me that it takes all the possibilities of contamination, underground water and the gulf being a problem out of the equation, would supply much needed employment in that Murraylands region and would be welcomed by the local government authorities and the regional board of development, as against the opposition that the Government is finding in relation to either the Inkerman or the Dublin dump.

Will the State Government work with local government and all sections of the waste management industry, including the EPA, to investigate the possibility of siting a waste recycling centre and landfill management dump between Tailem Bend and Karoonda and, if not, why not?

The Hon. DIANA LAIDLAW: The honourable member would know that my responsibilities in urban planning are in the assessment of applications. There has been no application in terms of the area between Tailem Bend and Karoonda; therefore, under the Development Act I have nothing to work with. Last year the EPA released a strategy on waste management sites north of Adelaide and elsewhere. I do not have that strategy with me at the moment, but I will convey the honourable member's question to the Minister for Environment and Heritage. I believe that the suggestions forwarded by the honourable member would be entirely appropriate in terms of the EPA's responsibility for the waste management strategy and that the EPA should pursue the matters that the honourable member has raised. I will bring back a reply.

TUNA FARMS

The Hon. IAN GILFILLAN: I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning a question about tuna farm applications.

Leave granted.

The Hon. IAN GILFILLAN: The *Advertiser* this morning, in an article entitled 'Our mystery of the deep', highlighted the sea lion population and its problems adjacent to Kangaroo Island. It also had a feature article extolling the virtue of the koala cull and highlighting Kangaroo Island as a world famous tourist resort. My question relates to applications by A. Raptis and Sons for proposals for tuna farm leases in waters adjacent to Kangaroo Island. They have varied the applications, and those that I believe are before the Development Assessment Commission at the moment are one at Hardstaff Shoal and one in Backstairs Passage within reasonable range of the coast. This latter farm proposal has moved closer than earlier proposals to quite frequently used haul-out points for sea lions and the significant sea lion colony at The Pages.

The Tuna Boat Owners Association states, in its assessment, that if farms are set up near sea lion colonies or haul-out sites—that is, within a range of 20 to 30 kilometres—they are likely to experience at least 40 attacks by sea lions per year. It is quite clear that the unfortunate and deplorable solution to this will be the further killing of sea lions. It is interesting that in the article in the *Advertiser* this morning Dr Shaughnessy noted that one fisherman had told him that he had caught 40 sea lions in one net. So, they are a vulnerable mammal and this evidence that I am putting in the explanation to the question is quite clear: if they go ahead, these proposals will not only cause damage to the farms but will also increase the mortality of the sea lion population. In its submission to the Development Assessment Commission Raptis stated that it regards this application as just a test case. Raptis states quite clearly that if this test case is successful it expects a large number of further applicants to follow.

There are many residents on Kangaroo Island who have written to me expressing their deep concern at the impact that any form of tuna farm anywhere in the coastal waters of Kangaroo Island would have, not only on the environment and on the sea lion population but also on the tourist image of the island as a pristine, unspoilt location, which the Government is so proud to boast of and the island residents are so proud to enhance. It is a green, clean island; the waters are clear. The environmental damage caused by tuna farms is already well documented. The Boston Bay experience has shown that.

Since there is no evidence that sustainable feed stock for blue fin tuna would encourage further expansion of tuna farming, that there is a serious risk of contamination from imported food stocks for such farms and that there is clear evidence of environmental and visual damage in areas where the tuna farms are established, will the Minister ensure that the applications are refused? If not, why not?

The Hon. DIANA LAIDLAW: It is totally inappropriate and, I suspect, legally unsound to ask me to ensure that the applications are not successful. This Parliament, through the Development Act, has set down a very clear procedure which I as Minister must follow in terms of such applications and which the Development Assessment Commission must follow in this instance. It is the Development Assessment Commission which has received the application and which is assessing it. The honourable member has raised a number of issues that I am aware have been raised in terms of these applications, and it is for that reason that the Development Assessment Commission will conduct two public meetings for residents and others to voice their concerns if they so wish. One of them will be held on Kangaroo Island.

There will be a further public meeting in Adelaide for people to voice their objections if they wish. That is part of the public consultation process that the Parliament has asked the Development Assessment Commission to undertake as part of the assessment of the application. It would be wrong—and I will not err in terms of my responsibilities as Minister of Urban Planning—to comment on the honourable member's question or in terms of the explanation and prejudge this issue when there is a legal process and a public consultation process under way at the moment of which the honourable member can avail himself, or anyone else who wishes to protest.

DISABILITY SERVICES

The Hon. J.S.L. DAWKINS: I seek leave to make a brief explanation before asking the Minister for Disability Services a question about rural and regional exhibitions relating to disability services.

Leave granted.

The Hon. J.S.L. DAWKINS: I have read with interest recent press reports of an exhibition which has toured regional and rural areas of South Australia with information about services for people with disabilities. Will the Minister indicate what steps have been taken to keep country people informed about disability services? Is it likely that the use of touring exhibitions will be expanded?

The Hon. R.D. LAWSON: I thank the honourable member for his question and I know of his interest in matters pertaining to the welfare of regional and rural South Australia. It is worth remembering that 20.6 per cent of the South Australian population suffers from some form of disability. The national average is 18 per cent so we in South Australia, principally because of our older population, have a higher proportion than the national average of those with disabilities. That percentage, which is a very high percentage, extends across the whole State, both metropolitan and regional South Australia.

Services in the country are stretched to the limit and it was with that in mind that my predecessor, the Hon. Michael Armitage, established a program called the APN (adult physiological and neurological conditions) Country Expo Program, which involves one of the five options coordination agencies in the disability sector. The purpose of the country expo was to provide additional information in country centres, information not ordinarily available, about some of the lesser known conditions and lesser known services. The idea of the expo was to gather together a number of organisations, and that was duly done, and hold exhibitions in a number of country centres.

The program has taken about a year and there have been visits to Port Lincoln, the Iron Triangle, Kadina, Minlaton, the Riverland, Murray Bridge, and only earlier this week the program finished in the South-East with exhibitions in both Naracoorte and Mount Gambier. The exhibiting organisations have been gratified by the response. The Neurological Resource Centre provides information, education programs, counselling and support for people with a number of neurological conditions, many of which are quite well known—for example, attention deficit disorder, Guillain Barre syndrome, motor neurone disease—and many of which are not terribly well known.

The Parkinson's Association of South Australia had a stand with the Neurological Resource Centre in the expo which toured, as did the Alzheimer's Association, an organisation that is highly regarded nationally and internationally for its work in relation to the support of people with dementia and their carers. Also represented were the Paraplegic and Quadriplegic Association, the Huntington's Disease Association and the Epilepsy Association, and epilepsy is a condition that is spread widely across the community. The Multiple Sclerosis Society also had a stand at the expo.

I am informed that the expo was very widely welcomed in communities. It was a major piece of organisation by the Options Coordinations Agency and it has succeeded in bringing together support groups in various regions to assist those with physical and neurological conditions. The honourable member asked whether it is intended to continue with the expos. At the moment I am awaiting an evaluation report. As I said, we have had positive feedback from them and one suggestion, which I regard as a very satisfactory one, is to incorporate this type of exhibition with the field days, which are well attended in regional South Australia, and that would encourage greater use of the expo, and I intend to examine that question.

Another suggestion is that the disabilities expo should be amalgamated with a health promotion-type expo so that some of the resources across the disciplines of the newly amalgamated Human Services Department can be brought together to bring to regional and rural South Australia the services its citizens desire.

I read a report in the *Border Watch* of this particular event. The report was congratulatory of the initiative and of the success of the event, but I was surprised to see in that paper a large photograph of the member for Gordon and his smiling face, basking in the glory of this Government initiative. In view of the criticism of the member for Gordon of the State Government published in a subsequent edition of the *Border Watch*, I am waiting with interest to receive a note of congratulations from the member for this initiative that has included the whole of regional and rural South Australia.

MMR VACCINATION

The Hon. R.R. ROBERTS: I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning, representing the Minister for Human Services, a question about the vaccine for measles, mumps and rubella in children.

Leave granted.

The Hon. R.R. ROBERTS: There are not too many subjects that attract the attention of members of Parliament more than the health of young South Australians. Recently I was in the United Kingdom as part of a delegation to the CPA, and while there I was startled to hear about a possible

connection between the MMR (measles, mumps and rubella) vaccination and a new syndrome of autism and colitis in young children.

Whilst I was in London the *Lancet* released a paper based on a study in the Royal Free Hospital where a Dr Wakefield found that 12 children rapidly showed the initial symptoms of autism after receiving the MMR vaccination. In some cases it appeared within a few hours and in most cases within a week. That doctor has subsequently seen another 40 children with the syndrome, and a further 700 are waiting to be assessed.

It would seem that there is a causal connection between the regressive form of autism and the MMR vaccination. This syndrome is different from the normal form of autism which is present at birth. In this situation children are normal at birth and then regress. Alarmingly, it seems to occur just after the combination MMR vaccination. Perhaps a better method would be to have the vaccinations administered separately. I noted that many parents in England were taking the option of having three separate injections for these childhood diseases. My questions are:

1. Can the Minister confirm whether the MMR vaccination is used in South Australia only as a combined vaccination program, or is it possible for the three injections to be given separately?

2. Is the Minister aware of any cases of regressive autism appearing in South Australian children?

3. Can parents make the choice to have the vaccinations administered separately in South Australia? If not, will the Minister undertake to ensure that parents have the choice to have the vaccinations administered separately, or in combination, if they choose to have the MMR vaccination?

The Hon. DIANA LAIDLAW: I will refer the honourable member's questions to the Minister and bring back a reply.

WASTE MANAGEMENT

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning): I seek leave to make a very brief statement on waste management.

Leave granted.

The Hon. DIANA LAIDLAW: In answer to a question from the Hon. Terry Roberts early in Question Time, I made reference to the EPA and a waste management strategy. I am not confident that I said that it was a draft strategy released last year, and I want to make sure for the record that it is clarified that it was a draft strategy and that, therefore, there is every reason for the honourable member and the councils to which he referred in the Tailem Bend-Karoonda area to have an input. I want to reinforce that in case I did not make clear that it was a draft strategy—it had not yet been confirmed—and that there was still room to move if they so wished.

JETTIES

The Hon. A.J. REDFORD: Will the Minister for Transport and Urban Planning provide me with an update on the issue of the leasing and maintenance of recreational jetties, particularly as they relate to the South-East?

The Hon. DIANA LAIDLAW: There are about 47 recreational jetties for which the State Government is responsible, in terms of ownership, a number of which have been leased to councils for a nominal rent. However, we are negotiating longer term maintenance contracts with councils generally as part of transferring ownership and maintenance responsibilities, on the understanding that State Government funds—taxpayers' funds—of some $12.8 million are spent over three or four years to upgrade those jetties to recreational standard, which is about 30 per cent of the earlier commercial standard to which they were built in the days when shipping was so critical around our coastline. Our roads were simply non-existent at that time for the small communities.

Agreements have been signed with councils in respect of 20 jetties, and we anticipate that there will be an additional four in the very near future. A strong interest, particularly from the Eyre Peninsula, has been expressed, in terms of 17 jetties. Work has been completed and handover arrangements made in terms of Meningie, Narrung, Goolwa and Port Elliott. Work is currently underway at Morgan wharf and at the jetties at Port Vincent, Ardrossan and Port Augusta West. Tenders are being called for the Port Hughes jetty, and I believe that discussions are taking place today with Eyre Peninsula councils.

I understand that approaches have been made to councils in the South-East but there has been little interest, in terms of State Government investment in those jetties and the handover arrangements, compared to that on Yorke Peninsula and Eyre Peninsula in particular. The interest from the South-East has not been as strong, but I inform the honourable member that, if he wishes to promote such interest from the councils, we would be very pleased to take part in discussions with them. I know that the councils are activating themselves, in terms of recreational boating facilities, and an issue has been raised about the amount of money in the Recreational Boating Fund that has been spent in the South-East compared to elsewhere in the region. However, in both these areas it is not possible to act from a Government level or to spend any of the funds that are available from the State Government level unless the councils participate and take the initiative, either as a sponsored project or in terms of an agreement that they would be prepared to grant planning approval for the nominated project if that project were nominated by a third party. The money is there, and we await expressions of interest. If the honourable member can encourage support we would be very keen to enter into discussions, either through the recreational boating facilities or with the consultant engaged by Transport SA.

The Hon. A.J. REDFORD: Have any of the South-East councils approached the Minister in relation to jetties, suggesting any initiatives and, if so, what have those suggested initiatives been?

The Hon. DIANA LAIDLAW: When I went to the South-East, I visited the Beachport jetty, and there were discussions with the council in relation to that jetty. I have not received further advice since that time. It does not mean that the consultant who has been working with Transport SA in relation to recreational jetties has not received further advice, but certainly no scheme has come forward to me. One of the issues there is that the jetty is used both for commercial fishing purposes as well as recreational use, and I understand that there may be some concern about the proportion of money from the jetty fund to that facility because of the industry use. However, we are keen to engage in discussions in relation to any of these jetties.

TELEPHONE TOWERS

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning a question about telecommunications towers and aerial cables.

Leave granted.

The Hon. M.J. ELLIOTT: Following the widespread community concern about the health risks associated with the location of telecommunications towers and the visual pollution of aerial cables, I introduced last year a Bill in relation to this issue which sought to ensure that local government had planning powers in this regard, and it was probably covered within the Development Act. It lapsed at the end of the previous Parliament. Since that time, the Government has held various discussions on this issue. Concern has been expressed about the subsequent delay of any move to tackle these issues and, in the meantime, the erection of further towers in that time. My questions are:

1. Will the Minister advise on the Government's progress in the establishment of an adequate regulatory framework for telecommunications towers and aerial cables, as I understand that it has been clearly delegated back to the State Government?

2. Given community concerns about the proximity of towers to schools, child-care centres and other similar establishments, will this framework include provisions which give due regard to the health implications in the siting of towers?

3. What is the time frame that the Minister intends to work on in relation to this issue?

The Hon. DIANA LAIDLAW: There is a PAR being prepared, in terms of telecommunications towers and cabling, and considerable progress has been made on this. I, too, have been particularly interested in the issue of the towers and the siting, mainly because people have argued that we must take account of various health issues. As the honourable member would know, this is an area in which health authorities have not indicated the degree of health risk that some people in the community would argue.

I also highlight very strongly the fact that, if the health issues were included in a PAR, because health authorities have provided for no such sign off that there are such health risks, we would find that that PAR would be taken through the legal processes. I also highlight very strongly the fact that, because of the aesthetic questions in terms of siting and urban design, it is less likely that you will find them in many of the built-up areas. Therefore I believe you will find that, if we stick to the planning positions and urban design issues as we should in a PAR—we have no authority to deal with the health issues—

The Hon. M.J. Elliott interjecting:

The Hon. DIANA LAIDLAW: No—especially when it is contrary to health advice. Therefore, I believe that many of the questions of these towers being in close proximity to housing or schools will be dealt with to the honourable member's satisfaction, even if it is indirectly, through the urban design process.

WEST BEACH TRUST

The Hon. T.G. CAMERON: I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning a question about the use of reclaimed effluent water by the West Beach Trust.

Leave granted.

The PRESIDENT: It is the tendency of some members asking questions to tail off at the end of the question. I cannot hear it; I hope *Hansard* can. I do not want to take up time, but I make the point that it is difficult to hear the question.

The Hon. T.G. CAMERON: Under the South Australian reclaimed water guidelines, which were prepared by the South Australian Health Commission in conjunction with the EPA and the LGA, the reclaimed effluent water currently being used by the West Beach Trust to irrigate its golf course, caravan park and holiday village is classed as category B. Restrictions apply to class B water. The South Australian reclaimed water guidelines, page 28, section 3.2.2, under the heading 'Warnings', state:

> When spray irrigation is used with class B water display notices are required indicating: reclaimed water being used—no access when sprinklers in operation.

Section 3.2.3 states:

> Do not use sport grounds and playing fields while they are wet from spray irrigation with class B reclaimed water. Lock or fit with removable controls on all valves and controls on the site.

Section 3.2.4 states:

> Control or spray drift is of particular importance when reclaimed water is being used for irrigation both for users of facilities and for users of adjacent areas.

The draft guidelines are due to come into effect within the next 12 months. Until then the West Beach Trust is obligated to comply with interim guidelines agreed to by both the South Australian Health Commission and the West Beach Trust in October of last year. These interim conditions include: minimising public exposure; watering between 12 p.m. and 6 a.m.; not watering under windy conditions; restricted use of impact sprinklers; adequate signage; and advising tenants not to use or come into contact with the reclaimed effluent water.

Quite clearly, right up until yesterday some of these conditions were being openly flouted by the West Beach Trust management. For example, none of the available brochures advertising the caravan park and holiday village contained any warnings at all that reclaimed effluent water was being used on site and that people should avoid coming into contact with it. Even as late at 1 p.m. yesterday reclaimed effluent water was continuing to be used, according to advice that has been given to my office, contrary to many of the South Australian Health Commission interim guidelines.

In yesterday's *Messenger* newspaper Mr Ron Shattock, the West Beach Trust Chief Executive, is quoted as saying:

> 'He [Terry Cameron] makes us out to be flouting rules and regulations but we're not, we're just not.'

I should also add that three years ago all the ground staff at the West Beach Trust were given hepatitis B vaccinations as a preventative measure against possible infection from the reclaimed effluent water.

Yesterday in a reply to my questions without notice of Thursday 26 February and 17 March the Minister made a number of statements. The Minister said there was no evidence of a team of marching girls being sprayed by treated effluent water. Maybe the Minister is unaware that a number of teams are staying at the West Beach holiday units, six as I understand it. My office was advised on two separate occasions regarding that incident. The Minister also said that there was no incident of two men playing golf under umbrellas at the West Beach Trust golf course due to the water sprinklers. She tried to deflect the matter by stating that they

were just trying to stay out of the 39° sun; it was a hot day. According to the information I received, the incident occurred at 6.45 a.m. in the morning—they were early golfers.

The Minister also referred to the difficulty of children drinking from taps and playing under sprinklers. I hope that the Minister and the management of West Beach Trust realise that not all young children would be able to read these notices. However, I am pleased to report that my sources have informed our office that the West Beach Trust staff have been very busy over the past few days—both yesterday afternoon and this morning—erecting signs and attaching disks to all the water taps warning people of the dangers of using reclaimed effluent water. So at last, Minister, we have some action.

My office has just received a fax from the West Beach Trust inviting me to go and have a look. I notice in the fax, which I have just been given, that the Chairman of the Board is a Mr Julian Miles. I know Mr Miles on a personal basis. I will gladly take up the offer and go and have a look. My question to the Minister is: would the Minister like to come and visit the site with me?

The Hon. DIANA LAIDLAW: I think it is a pity, if Mr Miles is known personally to the Hon. Mr Cameron, that Mr Cameron did not take the opportunity—

The Hon. T.G. Cameron: I didn't know he was the chairperson until today.

The Hon. DIANA LAIDLAW: That is how much interest the honourable member has taken in this whole issue other than receiving advice, I understand, through his office. Is it true that a person working in the honourable member's office is also married to one of the workers at the West Beach Trust?

The Hon. T.G. Cameron: No, it is not true.

The Hon. DIANA LAIDLAW: Not to your knowledge.

The Hon. T.G. Cameron: No, not true. He is sitting up there; ask him if he is married to one—.

The Hon. DIANA LAIDLAW: No, I just asked.

The PRESIDENT: Order! This is out of order.

The Hon. DIANA LAIDLAW: It is just interesting to see how the information has been filtering to the honourable member. I add, from wherever the information is coming, how relaxed Mr Cameron has been with the information that he has received. For instance, in terms of the beat up that we have just heard about all ground staff being required to take hepatitis shots some three years ago, I can certainly confirm that it is occupational health and safety practice at West Beach Trust. It was introduced following a kitchen worker who cut a finger at the time when all of us were greatly concerned about AIDS, hepatitis B and all such questions. For good, sound occupational health and safety practice people working in the kitchen were asked to be inoculated against hepatitis B. Then, after general consultation with the staff, it was considered that it would be good occupational health and safety practice to invite all staff to be inoculated, including ground staff. It was never a matter of saying that it was ground staff only. It is important to put a correct perspective on the way in which matters have been presented in this place.

It is certainly also the case that that continues to be offered to all new employees. So it is people who come in contact with irrigation water, people who work in the kitchen, the assistant park caravan managers and the cleaners of the accommodation units—everyone. It is important to give some perspective. I indicate that I nominated just one Mrs Lightburn, I think it was, in terms of comments about one team that was playing and training at the reserve at the time. It was important that that was the team that was contacted because it was the only team training in the area that was being manually watered. I highlight, too, that there were other teams. One was on the top of the hill which was an area watered by automatic sprinklers that only operate at night. There were other teams that trained in different areas of the reserve which were either not irrigated or which are irrigated by an automatic system and again at night. Therefore, the information that I gave yesterday was correct because it was the only team that was training in an area that was watered manually.

The honourable member says that the West Beach Trust is at last taking action: it is running around erecting signs and attaching discs. The honourable member may not wish to know but it is correct that both the Health Commission and the EPA were at the site a couple of weeks ago. Both were satisfied with the operations of the West Beach Trust in terms of its compliance with the licences under which it waters, and it has provided the Minister for Environment and Heritage with that advice. I can table the minute if the honourable member would care to read the facts in this case.

In terms of staff being busy yesterday, again, that is an absolute beat up. One disc had to be applied to one tap and that had been missing only very recently. All other taps had been marked and disced to meet the requirements of the EPA and the Health Commission. It is rewarding to see that the honourable member is pleased to take up the invitation from the West Beach Trust, and I hope he does so pretty quickly.

The Hon. T.G. Cameron: Why don't you come along?

The Hon. DIANA LAIDLAW: I will go when I wish.

MUSIC INDUSTRY

The Hon. NICK XENOPHON: I seek leave to make a brief explanation before asking the Minister for the Arts a question about the impact of gaming machines and the Liquor Licensing Act on this State's live music industry and, in particular, original live music.

Leave granted.

The Hon. NICK XENOPHON: In December last year Adelaide radio station 5MMM surveyed over 100 local musicians. The survey indicated that over 60 per cent of the musicians surveyed reported a decline by at least 50 per cent of the number of available live music gigs, with the overwhelming majority attributing the introduction of gaming machines into hotels as a primary cause for the reduction. I further refer the Minister to comments made to me earlier today by Ms Emily Heysen, Chair of the South Australian Music Industry Association. She told me that her members are concerned about the impact of gaming machines and last year's changes to the Liquor Licensing Act on the State's live music industry.

Another leading figure in the South Australian music industry, who did not want to be named and with whom I spoke today, told me that there is a widespread feeling of crisis in the live music industry and, in particular—

The Hon. A.J. Redford: Rubbish! That is absolute poppycock.

The Hon. NICK XENOPHON: The Hon. Mr Redford says, 'Poppycock.' I suggest that the honourable member goes out and sees—

The Hon. A.J. Redford: Yes, I do. I probably meet more people in a week than you—

The PRESIDENT: Order!

The Hon. A.J. Redford: They say that it is the best in the country and the best they have had for 10 years, so I do not know where you get that rubbish from.

The PRESIDENT: Order!

The Hon. NICK XENOPHON: I am referring to rock and roll, not Perry Como imitators. There is a big difference between original live—

The Hon. A.J. Redford interjecting:

The Hon. NICK XENOPHON: I am talking about original live music, not Perry Como. The source informs me that there is a widespread crisis in the industry, and further that the Minister's initiatives with respect to live music last December, whilst welcome, had failed to achieve any appreciable benefit to the live music industry as a whole. My questions to the Minister are:

1. Will the Minister agree to an extensive survey on the impact on the live music industry with respect to gaming machines and changes to last year's Liquor Licensing Act?

2. What strategies does the Minister have for bolstering this State's live music industry, given the significant decline in live music venues, and particularly original live music venues and opportunities, since July 1994?

The Hon. DIANA LAIDLAW: I have taken a keen interest in the state of the industry in this State in terms of air play, live music opportunities, recording, and the like and, as the Hon. Angus Redford stated by way of interjection, there has been great growth and certainly plenty of activity, such as the group Superjesus—

The Hon. A.J. Redford: Tell him what Phil Tripp says about the State and you and how good the industry is. I have never seen the honourable member at any functions.

The PRESIDENT: Order!

The Hon. DIANA LAIDLAW: That is true in that many interstate commentators, ARIA board members, and the like, have noted the initiatives undertaken in this State to promote live music, original music, industry air play and promotions, the Real Music Chart, the sponsorships associated with Battle of the Bands, and a range of other initiatives. So the Hon. Angus Redford is sound in his support for the activities of this Government to promote the industry. The Hon. Angus Redford and I met with Emily Heysen, Warwick Cheatle and others, together with the Attorney-General and the Liquor Licensing Commissioner, late last year to raise these concerns.

The Hon. A.J. Redford: Twice.

The Hon. DIANA LAIDLAW: Yes, I think we met on two occasions. The industry, Ausmusic, was given the challenge to meet on a regular basis with the Liquor Licensing Commissioner in an effort to understand what was happening in terms of the amendments to the Liquor Licensing Act as well as opportunities for live music, particularly original South Australian local music. I would be very keen to hear, in terms of the representation made by Ms Heysen to the honourable member today, whether she has taken up that invitation. Certainly I will make inquiries of the Liquor Licensing Commissioner through the Attorney-General in terms of those meetings.

That opportunity has been provided and I hope it has been actively taken up by Ausmusic. I know that issues of noise have been a great concern in many local council areas. St Leonards in the Holdfast Bay area has closed. A number of venues along the coast, such as surf lifesaving venues, no longer feature live music—Perry Como or South Australian original music. In terms of noise pollution, ratepayers complain to councils and councils are very conscious of ratepayers' concerns. Councils have not been as active in promoting the interests of younger people in their communities and their wish to gather and hear music.

It is not only a dilemma for our councils but for our community as a whole. Many people in council areas will complain about kids being on the streets but will not allow them to gather to hear live music because there may be a level of music which they find irritates them if they cannot sleep beyond 9 p.m. All these issues are something that, as a community, we should be addressing. We must look at what is in the best interests of kids if our community is to continue to be a relevant place in which younger people can live and enjoy themselves and in which they want to work and have fun in the future. Certainly, I will speak again with Ausmusic and the South Australian Music Industry Association to determine how they wish to progress this issue. I suspect that they could undertake any survey they wish. Perhaps some facts from local councils in this matter might be useful because that is essentially where the issue lies—local councils and local venues.

BARLEY MARKETING (APPLICATION OF PARTS 4 AND 5) AMENDMENT BILL

The Hon. K.T. GRIFFIN (Attorney-General): I move:

That this Bill be now read a second time.

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

Leave granted.

The purpose of this Bill is to amend the *Barley Marketing Act 1993* to extend, for one year, the marketing powers of the Australian Barley Board.

The *Barley Marketing Act 1993* has complementary legislation in Victoria. A one year extension to the Victorian legislation is being proposed by the Government in that State.

The Bill proposes to extend Part 4 and Part 5 of the Act. It is from these provisions that the Australian Barley Board is granted single desk authority in export marketing of barley and oats and the authority to issue licences and permits for domestic marketing of barley. Currently, these Parts are due to expire on 30 June 1998.

Part 4 and Part 5 of the Act are the principal components being considered for reform under the National Competition Policy Review of Legislative Restrictions on Competition. This review is now ongoing and is expected to be completed by September 1998.

The one year extension of the marketing powers of the Australian Barley Board will permit the best possible accommodation of the outcomes of the National Competition Policy Review. Extending these provisions for one year will permit the Australian Barley Board to continue to operate, without disruption to barley and oat markets, while the Competition Policy review is completed and any resulting reforms are put in place.

I commend the Bill to the House.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Amendment of s. 5—Application of Parts 4 and 5

Section 5 currently applies Part 4 (Marketing) and Part 5 (Stockfeed Permits and Maltsters Licences) of the Act to barley and oats harvested in the season commencing on 1 July 1993 and thereafter for each of the next 4 seasons. The amendment proposes to extend the application of those Parts for a further season (*ie:* that season commencing 1 July 1998).

The Hon. P. HOLLOWAY secured the adjournment of the debate.

WORKERS REHABILITATION AND COMPENSATION (SELF MANAGED EMPLOYER SCHEME) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 25 February. Page 463.)

The Hon. T. CROTHERS: Mr President, I draw your attention to the state of the Council.

A quorum having been formed:

The Hon. T.G. ROBERTS: The Opposition supports the Bill. There are certainly enough cynical views around to establish that we are doing it in a cooperative spirit with the Government but have some deep-seated feelings that it is another nail in the coffin of the 1986 WorkCover Act that was introduced by a previous Government. The Workers Rehabilitation and Compensation Act was put together over a long period of time. It evolved into an Act that had slightly different principles in relation to a changed philosophical position, if you like, from previous Workers Compensation Acts, in that rehabilitation was a major part of the Act. Many amendments to the original altered the reason for changing the Act, which was to make some compromises to workers compensation by eliminating the reliance on common law.

When the move towards a fully comprehensive Workers Rehabilitation and Compensation Act was being made there was a lot of discussion within trade unions, within the legal profession, amongst employers and the Government of the day, trying to get a set of principles that took into account occupational health and safety and workers compensation and rehabilitation. A whole package of measures was put together to make sure that there was a defined industry position and a defined position in relation to those representatives of salaried and wage earners, workers in industry and in the front line, who were all potential victims of industrial accidents and illness and who would be covered once common law had been taken out.

It was argued that the common law system had reached a point where it had served its time, and a comprehensive set of packages would look, to an enlightened community, a lot better than using the legal profession and just throwing money at a particular claimant. Now the common law is starting to look more attractive than the current package, because the package system we have now is so watered down, so fragmented, and certainly not practised as a whole package of events and protective measures for people in the front line of industry and at work that we now have practitioners in occupational health and safety and workers compensation rehabilitation saying that compromises that have been made through the changes to the Act now make common law look attractive.

People are making some approaches to law firms and practitioners in the industry to start to look at what can be done if further inroads are made to the protection of potential and actual victims if those attacks on the WorkCover continue. This amendment Bill continues the outsourcing privatisation principles that the Government believes will assist WorkCover to administer the current Act in a more effective way. It is difficult to argue that the current circumstances will not be assisted by the measures included in the Bill; that is, that self-managed employers and outsourcing of claims in relation to how employers are able to manage claims will not assist the current structure. Overall, I guess that what we are doing now is relying on the ability of employers in workplace arrangements to become the managers of the claims.

We are almost getting back to moving away from a no-fault claim system. It must be managed properly by practitioners in the field. I was a practitioner once myself in the previous system. Some employers, organisations and individuals will be well able to manage these systems and will do a good job on behalf of their employees, but there will be others who will use the watering down of the Act to take advantage of a lowering of their claims, by making it very difficult for individuals to present claims and to have their claims administered.

It is a reliance, and almost a blind faith, that this amendment will operate principally in the real world. There is some role and responsibility for trade union practitioners to assist employers to manage claims. Let us hope that we do get an amalgam of views moving in the same direction, which has occupational health, safety and rehabilitation built into the intention of the changes to the Act by this amendment. With those few words, we support the Bill.

The Hon. R.R. ROBERTS: This Bill seeks to extend the pilot scheme of self-managed employers (SMEs). Essentially, it means that SMEs will be responsible for the management of claims made by their workers. A given person in the work force will be designated as the claims manager. As highlighted by the Minister in his second reading explanation, the pilot scheme was introduced in 1994 and eventually 20 employers took part. A reduction in the levy fee was also introduced—down by 4.4 per cent for those employers who were part of the pilot scheme. The Government envisages that the SMEs category will be particularly appropriate for employers contemplating exempt employer status for self insurance. To date, four of the pilot group have moved from SME to exempt employer status. Others have expressed an interest in doing so.

The Bill provides that a registered self-managed employer will enter into a contract of arrangement with WorkCover in relation to the management of claims. There are a number of issues that will be considered by the corporation before employers can move over to this category; for example, the resources of the employer, the employer's record in relation to the rehabilitation of disabled workers and the employer's record in providing suitable employment to workers who suffer compensable disabilities. If that contract or arrangement is breached, the employer's registration must be revoked.

However, we have a number of concerns with the Bill. First, it would appear that the status of a self-managed employer will preclude workers from accessing the Freedom of Information Act for the purpose of applying for their claims files. Section 4 of the Freedom of Information Act 1991 is the relevant section when looking at the relationship between WorkCover and the individual employee concerned. A person can only access documents that are in the possession of an agency. An 'agency' is defined under section 4 to include, for example, a Minister of the Crown or a person who holds office established by an Act or a body corporate. Here we have a problem because it would appear that the self-managed employer does not fit into the definition given to 'agency' as per the Freedom of Information Act. It will not be a body corporate established by an Act: it will be a private sector body administering a function that can be carried out by the public body, notably, the WorkCover Corporation.

As highlighted by the Ombudsman in his most recent annual report, private sector exempt employers are not agencies for the purpose of the Freedom of Information Act. An associated problem with the FOI issue is the legal argument about whether the corporation would have an immediate right of access to the relevant records as prescribed under the Freedom of Information Act. If there is no immediate right of access, which there probably would not be under the SME scheme, the employee has no redress to his or her records. An immediate right of access does not mean that the documents must physically be on the premises, but in this situation WorkCover itself is not, in effect, handling the claim; so, it would not have a right of access.

The situation is fine where the exempt employer is a Government department, because the Government department is an agency under the Freedom of Information Act. So, a person does not have to go through WorkCover for an FOI application. Again, as highlighted by the Ombudsman in his most recent annual report:

> Many claimants in the workers compensation system exercise their rights of access to their claim files under the FOI Act and, quite understandably, those who are unable to do so simply by virtue of their employer being exempt under the Workers Rehabilitation and Compensation Act in the private sector, remain most aggrieved.

I also draw members' attention to the Ombudsman's comments on this exact issue. He said:

> I recommend that the Government take note of this apparent discrimination, and promote such measures as would enable, through the Corporation, a clear legally enforceable right of access to claims files held by private exempt employers, in order to address the problem.
> (SA Ombudsman Annual Report 1996-97, page 189.)

The Opposition will seek an amendment which I have put on file so as to provide that workers, through the corporation, have the right to request their claims files. We would envisage in all likelihood that there will be a certain amount of information exchanged between WorkCover and self-managed employers, but this information may not relate to the claims file of an employee. We do not want any worker to be worse off under an SME than they would have been under WorkCover. Likewise, this should also apply to those employees who find themselves working under an exempt employer. Our amendment seeks to redress this.

We do not want to create a situation where there are different rights for workers. We do not believe that it is correct for one group of employers able to access FOI while another group cannot access their files. This amendment will provide an avenue to correct this anomaly. We will move a clause to provide that, at the request of the worker, the corporation or a delegate of a corporation must within 45 days after the date of the request provide the worker with copies of all documentary material in possession of the corporation or the delegate relevant to the worker's claim. There is also a provision for inspection of these documents by the worker. The amendment provides that 'delegate' will include an exempt employer, a self-managed employer or a claims manager for a group of self-managed employers.

My attention was drawn to the anomalies within this Bill by my colleague in another place Robyn Geraghty MP. As members of the Legislative Review Committee we both had the opportunity to take evidence from the Employee Ombudsman. He pointed out that on a number of occasions he has encountered exempt employers who have presented him with this problem where workers have not been able legally to access information on their files. The Opposition sees the passage of this Bill as an opportune time to correct this obvious anomaly. It gives equal opportunity for workers under any WorkCover scheme who have fallen through the net because of the corporatisation policies of this Government. I ask all members to support the amendments that I will move in Committee, and I indicate, as did the Hon. Terry Roberts, the Opposition's support for this Bill.

The Hon. NICK XENOPHON secured the adjournment of the debate.

ABORIGINAL LANDS TRUST (NATIVE TITLE) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 18 March. Page 556.)

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning): I thank all members for their contribution to the debate.

Bill read a second time.

In Committee.

Clause 1.

The Hon. T.G. ROBERTS: In discussions I have had with Aboriginal groups and with representatives on their behalf, concern was expressed about the explanation given by the Government. On further investigation, after discussions with those representatives, I was satisfied that the terminology that was used in relation to native title holders did not disadvantage any potential claimants or those who contended claims over land. It has been negotiated with Aboriginal representatives and with the Government, and, as I said in my second reading speech, this is a necessary amendment to allow for facilitation. I do not think that the Bill will cause any complications. The representatives of those Aboriginal groups have indicated to me that they support the Bill in its current form.

Clause passed.

Remaining clauses (2 and 3) and title passed.

Bill reported without amendment; Committee's report adopted.

The Hon. DIANA LAIDLAW: I move:

That the Standing Orders be so far suspended as to enable the Bill to pass through the remaining stages without delay.

The Council divided on the motion:

AYES (15)

Cameron, T. G.	Crothers, T.
Davis, L. H.	Dawkins, J. S. L.
Griffin, K. T.	Holloway, P.
Laidlaw, D. V. (teller)	Lawson, R. D.
Redford, A. J.	Roberts, R. R.
Roberts, T. G.	Schaefer, C. V.
Stefani, J. F.	Xenophon, N.
Zollo, C.	

NOES (3)

Elliott, M. J. (teller)	Gilfillan, I.
Kanck, S. M.	

Majority of 12 for the Ayes.

Motion thus carried.

Bill read a third time and passed.

NATIONAL WINE CENTRE (LAND OF CENTRE) AMENDMENT BILL

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

The Hon. K.T. GRIFFIN (Minister for Justice): I move:

That this Bill be now read a second time.

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

Leave granted.

This Bill provides for amendment of the *National Wine Centre Act, 1997*, to reflect the change of site for the National Wine Centre, the administration of the Botanic Garden, the State Herbarium and the location of the new Adelaide International Rose Garden.

On the 21 August 1997, the *National Wine Centre Act, 1997* was proclaimed, designating the site commonly known as the Old Hackney Bus Depot as the location for the National Wine Centre development.

Following discussion with the wine industry and a number of local community and special interest groups, the Government now believes that an even better proposal has been identified.

This revised and expanded proposal offers scope for a project of even greater national significance than first envisaged, incorporating the creation of the National Wine Centre, the Adelaide International Rose Garden and Rose Trial Garden whilst providing a seamless transition to and from the adjacent historic Botanic Garden.

This integrated development will reinforce Australia's growing reputation as a world-class wine producer, provide a national focus for Australia as a rose growing destination and enhance existing adjacent attractions.

The location of these new rose features in close proximity to the National Wine Centre mirrors the historical and practical links that exist between the production of wine and the propagation of roses.

Co-location will also increase the financial viability of all operations within the precinct, through the attraction of additional visitors and the efficient sharing of resources and common facilities.

The Government believes the total development of the site will attract more people to the heart of the city and assist in the vitalisation of Adelaide's East End food and wine precinct.

The location of the rose gardens, immediately adjacent to the Bicentennial Conservatory, will provide a significantly enhanced setting for this internationally renowned building and at the same time provides the opportunity to restore a significant section of Adelaide City green space.

The national wine industry, the Botanic Garden Board and the National Rose Society of Australia have given their support to the amended proposal, as has the Adelaide City Council.

As part of the revised proposal, the National Wine Centre would be re-positioned to the site currently occupied by the Botanic Garden administration and service area and State Herbarium with these functions to be relocated to the retained Goodman Building and Tram Barn A.

In order to facilitate this new expanded proposal it will be necessary to redefine the areas under the care, control and management of the Botanic Garden and the National Wine Centre authorities.

It is proposed for the transfer of the land between the two statutory authorities to take place on a date to be fixed by proclamation to coincide with the practical completion of the new facilities of the Botanic Garden administration and the State Herbarium and prior to commencing construction of the National Wine Centre.

I commend this Bill to the House

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides for the commencement of the measure on a day to be fixed by proclamation.

Clause 3: Amendment of s. 5—Land dedicated and placed under care, control and management of Centre

This clause is a minor drafting amendment clarifying the reference to the relevant area of land depicted on the plan in the schedule of the principal Act.

Clause 4: Substitution of schedule

This clause repeals the existing schedule of the principal Act and substitutes a new schedule. Under section 5 of the principal Act the schedule specifies the land that is to be taken (under the *Crown Lands Act 1929*) to be dedicated for the purposes of the National Wine Centre and declared to be under the care, control and management of the Centre. The new schedule specifies a different area of land for that purpose.

Clause 5: Transitional provision

This clause deals with a transitional matter. It is designed to make it clear that the land previously put aside for the National Wine Centre that is no longer to be put aside for the Centre is to be treated as land dedicated for the purposes of the Botanic Gardens and State Herbarium.

The Hon. P. HOLLOWAY secured the adjournment of the debate.

LOCAL GOVERNMENT (MEMORIAL DRIVE TENNIS CENTRE) AMENDMENT BILL

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

The Hon. K.T. GRIFFIN (Minister for Justice): I move:

That this Bill be now read a second time.

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

Leave granted.

This Bill provides the basis for facilitating the upgrade of the Memorial Drive precinct into an integrated tennis-based leisure complex.

Memorial Drive is widely recognised as the centre for peak local and international competition tennis in South Australia.

This is reflected in the presence of the centre court stadium, the Memorial Drive Tennis Club and the annual staging of the Australian Men's Hardcourt Championship – Adelaide's event on the men's professional tennis circuit.

The complex adjoins the world-renowned Adelaide Oval to create a peak and community sporting resource that has the potential for shared benefits through resource management, hospitality facilities and event marketing.

In recent years, the quality of tennis infrastructure at Memorial Drive has lagged behind community demands. Centre court facilities for players, spectators and the media are below standard with possible impacts on Adelaide's ability to stage major tennis events. The Memorial Drive Tennis Club is not meeting current expectations in terms of the quality or range of services and facilities.

Not addressing these issues could result in the loss of the Australian Men's Hardcourt Championship and cause Adelaide to be overlooked as a venue for international and peak national events (such as the Davis Cup). This unfortunately, has been the recent experience for Brisbane and Perth.

Tennis SA and the Memorial Drive Tennis Club have responded to these challenges with a proposal that draws together their assets, with those of the SA Cricket Association, to create a new focus for tennis and leisure in this state.

The proposed upgrade of Memorial Drive involves three discrete elements:

- the upgrade of the centre court stadium,
- the redevelopment of the Memorial Drive Tennis Club, and
- indoor tennis centre/ function room within the boundaries of Adelaide Oval.

The centre court upgrade will involve new seating to the north and south grandstands and a new roof to be placed over the south grandstand. Funds will also be used to improve the internal areas for the media and players.

The Government has approved $1 200 000 to be spent on upgrading the centre court stadium before the next Hardcourt event in January 1999.

The proposed redevelopment of the Memorial Drive Tennis Club will involve demolishing the current clubrooms and their replacement with a purpose-built centre having squash courts, indoor/ outdoor lap pools, outdoor tennis courts, fitness centre, child care and undercover car parking. Three indoor courts and a function room are proposed within the SACA lease on the site of under-used bowling green.

The construction cost is between $16—$19 000 000 with some 70 people being employed at the centre. This project will be funded entirely by the private sector.

Memorial Drive will be the first in a network of tennis leisure centres proposed in other capital cities across Australia by David Lloyd Leisure Australia.

Reflecting the significance of the projects, all three have been declared a "Major Development" precinct by the Minister for Transport and Urban Planning.

Tennis SA and the Memorial Drive Tennis Club operate from land that forms part of the Adelaide parklands.

Under the Local Government Act, the City of Adelaide has granted separate leases to these groups for the maximum permissible term of 21 years. These separate leases both commenced on 1 July 1994 and conclude on 1 July 2015.

Tennis SA and the Memorial Drive Tennis Club have expressed their requirement for lease terms that are longer than the current 21 years.

The reasoning for the longer lease terms involves:

- consistent land management framework in a "Major Development" precinct,
- security of tenure for future investment,
- consistent timings for proposed agreements between the parties, and
- amortising private sector funding of the Memorial Drive Tennis Club project.

The Government's consultation with stakeholders such as the City of Adelaide and SA Cricket Association has identified in-principle support to the proposed lengthening of the lease terms.

It is noted that the Local Government Act currently provides for the granting of long term leases for specific instances—such as the SA Jockey Club for Victoria Park, and the SA Cricket Association which has been granted a 50 year term over the land comprising Adelaide Oval.

The Bill will empower the City of Adelaide to deal with Tennis SA and Memorial Drive Tennis Club to negotiate fresh leases of up to 50 years in duration.

Key points arising from this amendment are:

- the land affected by the amendment will remain part of the Adelaide parklands
- no new areas of parkland will be brought under lease by this amendment
- public access will remain on a user-pays basis,
- an increase in the range of recreation facilities and services within the parklands with new water, fitness and racquet sport areas.

Not extending the lease terms will significantly harm the progress of the Memorial Drive Tennis Club redevelopment because of the difficulty in securing private sector financing on a shorter lease time frame. This may have the impact of stopping the proposal because of the reduced viability arising from a shorter lease.

The proposed redevelopment of the Memorial Drive precinct is an important element in the growth of tennis and the recreation industry in this state. It will act to retain the Australian Men's Hardcourt Championships in Adelaide and assist in future bids to bring Davis Cup fixtures to Adelaide on a more frequent basis. The vitality of the precinct will add to the tourism experience around the River Torrens and create fitness and leisure opportunities for residents.

I commend the Bill to the House.

Explanation of Clauses

The provisions are as follows:

Clause 1: Short title

This clause is formal.

Clause 2: Insertion of s. 855b

It is proposed to insert a new provision in the Act that will allow the council from time to time to lease certain land at Memorial Drive for a term of years not exceeding 50 years for certain specified purposes. The land has been identified by a G.R.O. plan. The provision also contains certain express powers that may be included in a lease, including the power to erect new facilities on the leased land, to regulate admission to the land, and to authorise a sublease of the land (consistent with the specified purposes). The provision will operate to the exclusion of section 457 of the Act.

The Hon. P. HOLLOWAY secured the adjournment of the debate.

HIGHWAYS (MISCELLANEOUS) AMENDMENT BILL

Returned from the House of Assembly without amendment.

CRIMINAL LAW (FORENSIC PROCEDURES) BILL

Returned from the House of Assembly with the following amendments:

No. 1 Clause 15, page 6, lines 16 and 17—Leave out paragraph (c).

No. 2 Clause 16, page 6, lines 32 to 34—Leave out paragraph (f) and insert:

(f) that, if the person does not consent to the proposed procedure—

(i) if the proposed procedure is an intrusive forensic procedure and the suspected offence is a summary offence—the person cannot be compelled to undergo the procedure; or

(ii) in any other case—an application may be made to an appropriate authority for an order authorising the procedure and the use of force reasonably necessary for the purpose of carrying it out; and

No. 3 Clause 20, page 8, line 27—After 'application' insert:

or, if it is not reasonably practicable to fax the application, the application may be read to the appropriate authority over the telephone (however, in such a case, a copy of the application must be provided to the appropriate authority as soon as practicable after the application is made).

Consideration in Committee.

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

That the House of Assembly's amendments be agreed to.

The amendments arose from a late communication from the Commissioner of Police. Although there are three amendments, only two substantive results are sought by them. Although they were somewhat belated in being placed on file, nevertheless I did formally communicate the amendments to the Opposition, the Australian Democrats and the Independents in both Houses.

The first amendment will allow a suspect to give informed consent to the taking of intrusive forensic procedures. As the Bill is currently worded, that is not possible. There were, and remain, sound reasons for this position but, in the end, I am persuaded that the protections legislated by the Bill in relation to the informed nature of the consent and the creation of an objective record of the event suffice to allow the focus to be moved to the suspect in this way. The second amendment is a consequential one on that to which I have just referred. The whole clause deals with the informed basis of any consent that is given for the police to perform a forensic procedure by specifying the information that must be given to the suspect before a meaningful consent is given. Since it is, by virtue of the first amendment, possible for the suspect to consent to an intrusive procedure but it remains not possible for an appropriate authority to order an intrusive procedure in relation to a summary offence, it is important that the suspect be given this information. That is what the amendment is designed to do.

The third amendment has the purpose of allowing urgent orders, referred to in the Bill as interim orders, to be made by telephone where a facsimile machine is not available. Again, while I am of the opinion that our laws should reflect advances in accessible technology and that an electronic interchange of the required documents is highly desirable, I accept that provision should be made for the exceptional case where it is not reasonably practicable to make electronic

communication by facsimile and where, therefore, the procedure will have to be carried out by telephone. The details of the forms to be used in such a case will be specified in the regulations.

As I indicated when I introduced the Bill, it had been the subject of quite long consideration and consultation with a variety of interest groups. The gestation period was long but, notwithstanding that, there were these issues which were drawn to my attention, belatedly, but which I believe warrant the amendments. So, I commend the amendments to members. I believe that they make an improvement to the Bill that we first passed through this Council.

The Hon. P. HOLLOWAY: The Opposition supports the amendments.

Members interjecting:

The Hon. K.T. GRIFFIN: Can I put everyone's mind at rest. I have had a conversation with the Hon. Ian Gilfillan—as I said, these amendments were communicated to all interest groups in the Parliament—and he has indicated to me that he is relaxed about these amendments being carried.

The Hon. NICK XENOPHON: I pose the following question to the Attorney in relation to clause 3—and I apologise for not raising this earlier; it is something that has just occurred to me. In relation to the faxing of the application, that obviously makes sense but given that we are entering the information age and the increasing use of e-mail, what is the Attorney's attitude to e-mail being incorporated?

The Hon. K.T. Griffin interjecting:

The Hon. NICK XENOPHON: Yes. It seems to me that, if this piece of legislation is to last into the next century, that may be an amendment that the Attorney may wish to consider.

The Hon. K.T. GRIFFIN: I did consider that, but one of the difficulties was that, because this was received so late, I was not prepared to propose e-mail, for the simple reason that it is much more difficult to establish proof of who is sending the e-mail. That is one of the difficulties that we have right across the board with electronic commerce: how do you identify both the sender and the agreed outcome? There is talk in the commercial arena of digitised signatures, and there is a whole range of technology which is all directed towards identifying that you are the party who has agreed to what ultimately the other party says you have agreed, rather than running the risk that it may be changed in the process without your knowledge and agreement.

So, I understand the point that the honourable member makes about e-mail. It is an issue of proof, remembering that we are looking to put the emphasis upon the rights of the citizen. It is difficult at this stage to formulate a process which will use e-mail in a way which will validate the identity of the applicant and the authority which is ultimately given. I am happy to have another look at that over the period of time that we come to look at implementation, but the telephone was put in to facilitate the country locations where faxes would not be available—and there are still some locations where they are not available.

The Hon. M.J. Elliott interjecting:

The Hon. K.T. GRIFFIN: At least you have a representation of a signature.

The Hon. M.J. Elliott interjecting:

The Hon. K.T. GRIFFIN: You cannot do it easily.

An honourable member interjecting:

The Hon. K.T. GRIFFIN: You can, but not so easily as with facsimile. I understand the issue. Faxes have been in the Bill for some time. The telephone communication was in order to facilitate it where there was not access to a facsimile. If there is not access to a facsimile, there will not be access to e-mail either. Looking at e-mail in the broader context—

The Hon. M.J. Elliott: You can have e-mail and not fax.

The Hon. K.T. GRIFFIN: Of course you can. We are looking at remote locations more than anything else. Ultimately, we want to put the emphasis upon the person who is to be the subject of the forensic procedure being able to exercise his or her rights to either prevent it or question it or argue in some way against it, and the more we branch out into different technologies, which might put at risk the coming together of the applicant with the magistrate, I believe the more it impinges upon the rights that we are trying to protect. So, in so far as the issue of e-mail has been raised, I indicate that that is something that I will undertake to look at in more detail but it is not something that ought to hold up this Bill.

The Hon. R.R. ROBERTS: I ask the Attorney to go back to the second proposed amendment from the House of Assembly. I absolutely agree with the proposed amendment as has been indicated by the Deputy Leader in this place on behalf of the Opposition. Two days ago I had the opportunity to talk to Father John Fleming, whom most people in South Australia would know of, and we were chatting about DNA testing. I am glad that this amendment has come back, as it gives me the opportunity to ask a question—and I do not know whether the Attorney would know the answer now. Father John Fleming has had experience within indigenous communities, and he tells me that the right to take blood from Aborigines is something which is taboo. It seems to me that the second part of this clause could lead to an instance whereby a forensic test for DNA or for some other test may be necessary. How does the Attorney-General view the laws of indigenous people in relation to this taboo, and how would this impinge on them? I do not know whether it will cause a problem. It may not be a problem in relation to a saliva test, for instance, but it could be where blood has to be taken. We were commenting about this in an airport and Father John Fleming raised this matter with me. So, I take the opportunity, on behalf of him, as a member of the community, to ask the question.

The Hon. K.T. GRIFFIN: Paragraph (f)(ii) of referred to in amendment no. 2 is really what is in the Bill at the present time. What we are seeking to do is to recognise that but, more particularly, to recognise that an intrusive procedure can be carried out where a person volunteers that that should occur. So, that is the reason for the reframing of paragraph (f). In terms of how one collects forensic material, there are significant advances around the world. There is some suggestion that DNA material might even be capable of being identified in a fingerprint, and that there will be a move away, ultimately, from using blood as the basis for obtaining a DNA profile. A swab of the mouth may be a better way of doing it, a more acceptable way of doing it. However, at the present time, my information is that taking a blood sample is by far the most effective way of getting material for the purpose of DNA testing.

The honourable member referred to indigenous people. It may be that religious groups and others from different cultural backgrounds may have objections to giving forensic material in particular ways. That is something that, if it is an intrusive procedure (as this is likely to be), the magistrate will take into account in determining whether or not to make an order for an intrusive procedure. What will be the outcome, I do not know. Each case will be judged on its merits and, if there are alternative ways for collecting DNA material or

forensic material from which a DNA profile can be obtained, I am sure that that will be presented. Each case will have to be determined on its merits. There is no sort of blanket rule which would apply which says, 'You cannot take blood from an Aboriginal person.'

The Hon. T. CROTHERS: I do not want to necessarily delay proceedings. What my honourable colleague is saying is: how will the situation of European law versus Aboriginal tradition shape up? In the Northern Territory, and indeed parts farther north, the magistrate and judiciary have always looked kindly upon matters where an overlap has occurred of, I suppose, Aboriginal tradition versus European law. The fact is that most Aboriginals who live in the traditional style of their ancestors hide the clippings from their toe nails. The same behaviour applies with their hair and their faeces because the fear was that the kadaicha man, if given any element or any part of their physical being, could sing them to death. That really is the nub of the question. The question is: under those circumstances, how much right would the magistracy or the judiciary give to an Aboriginal who still holds those beliefs and who refuses the blood sample? I put that observation on the record.

Motion carried.

FREEDOM OF INFORMATION (PUBLIC OPINION POLLS) AMENDMENT BILL

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

MFP DEVELOPMENT (WINDING-UP) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 18 March. Page 555.)

The Hon. K.T. GRIFFIN (Attorney-General): I seek to close the debate. Members have indicated support for the second reading of the Bill. There may be some issues to which I will want to refer at the Committee stage, but there were two matters raised by the Hon. Mr Elliott to which I wish to respond briefly so that the responses are on the record. He is proposing two amendments and we will deal with those in the Committee stage. However, clause 10 proposes to repeal section 12 of the principal Act and is an issue that I want to address. Section 12 provides:

> The corporation must not cause or permit any work that constitutes development within the meaning of the Development Act 1993 to be commenced within the part of the MFP core site shown as area A in schedule 1 unless the development is of a kind contemplated by proposals for development in relation to which an environmental impact statement has been prepared under division 2 of part 4 of that Act.

An EIS for the core site was completed previously. In the view of the Government, therefore, there is no need to retain the section as it has served its purpose. I suppose one should acknowledge that, if the section is not repealed, it will only be a potential problem if, during the short period of about two months between the Act coming into effect and its expiry, some major project were proposed and an EIS were triggered. My information is that that is extremely unlikely. We have to remember that this Bill is really in the winding up phase of the MFP. It is likely, I am told, only to be in operation for about two months. Of course, in relation to any EIS one would be amazed if an EIS could be completed in anything like that short period.

In relation to clause 11, the Hon. Mr Elliott is proposing to leave out the clause and to insert a new clause. It relates to section 13 of the principal Act and he is proposing that that be repealed. Section 13(1) provides:

> The corporation may, with the consent of the State Minister, acquire land within a development area compulsorily.

Subsection (2) provides:

> Where land acquired compulsorily by the corporation is within the area of the MFP core site defined in schedule 1, the value of the land must be assessed for the purpose of determining the compensation payable in respect of the acquisition as if the MFP core site were not subject to development under this Act.

I indicate to the Council that the section was left in to deal with any potential problems arising from the acquisition of the former technopolis land which was before the courts.

I understand that that has now been resolved. As the Minister becomes the corporation there was no need to retain the words 'with the consent of the Minister', and that was the only amendment which the Government proposed. As I said, in respect of the first amendment proposed by the Hon. Mr Elliott this Bill, when it becomes an Act, amends the principal Act which, it is proposed, will not stay in operation for more than several months. If other matters need to be addressed I propose to deal with those during the Committee consideration of the Bill, which I indicate to the Council will not be today.

Bill read a second time.

CHILDREN'S SERVICES (CHILD CARE) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 17 March. Page 502.)

The Hon. K.T. GRIFFIN (Attorney-General): I thank members for their indication of support. I understand that a number of issues were raised in the course of the debate. I propose briefly to address those and then again deal with the Committee consideration of this Bill next week. Recognising that, in this Chamber, the Treasurer would normally be handling this Bill, I think it is important to get some responses on the record at this stage so that we can facilitate dealing with the Committee consideration next week. A number of issues were raised in the Legislative Council. The first observation that requires some comment is that, in the past 12 months, eight child care centres have closed in South Australia.

The response is that 13 child care centres have faced closure of which eight have amalgamated with other centres and five have remained closed. An observation was made in relation to weekly charges for child care centres and a suggestion that they can be up to $190 to $200 per week. My information is that the average weekly fee for full-time care in a child care centre is $165 per week.

A question was raised about consultation on the proposed amendment. I am informed that the proposal to increase the licensing period from one to two years has been widely canvassed and strongly supported by the child care centre operators. The development of family day care national standards was undertaken with widespread public consultation.

Some comment was made on the two year licence period. One must observe that licence fees are not currently paid by child care centre providers. The review of the child care centre regulations, however, proposed fees to recover the

administrative cost of providing a child care licence. A determination of this issue has not yet been made either by the Minister or the Government; however, proposals were that an initial licence would cost $600 and $200 for renewal. It should be noted that the majority of respondents, through the consultation process on the regulations review, supported the introduction of a licence fee but disputed the level of fees to be charged.

Questions were raised about the length of licence periods in other States. I am informed that in the Australian Capital Territory there is a two year legislated period but it is an annual renewal in practice; in New South Wales it is three years; in Queensland it is two years; in Tasmania it is annual; in Victoria it is three years, effective from June 1988; and in Western Australia it is two years. Costs of child care licences in other States and Territories are: nil for the Australian Capital Territory, New South Wales, Northern Territory, Tasmania and Western Australia; in Queensland it is $1 500; and in Victoria it is $673 for a child care centre of 60 places or less.

The remaining issue related to the question as to whether or not seven children was too many for the purposes of home care. I am informed that seven is the current limit for children in care with a care provider. The proposed amendment will include the carer's own children in the allowed maximum and also establish a limit of seven in legislation instead of the department's policy where it currently rests. Of the seven children only four can be of pre-school age. This means that, during school hours, these four children will be the carer's only responsibility. There will be only seven children in the times outside school hours in a normal week. During school vacations it is quite likely that there will be full days with seven children. Seven is the maximum. However, a lesser number may be approved after a care provider's premises are assessed and the ages of the children taken into consideration, as well as the carer's own family's needs. The key issue, however, relates to the number of children who have not yet started school. The present requirements mean that children under the age of six must have a care place reserved for them.

That gives a bit of background, which I hope members will find helpful. As I indicate, we can provide further information next week when we deal with the Committee consideration of this Bill.

Bill read a second time.

FINANCIAL INSTITUTIONS DUTY (DUTIABLE RECEIPTS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 17 March. Page 504.)

The Hon. K.T. GRIFFIN (Attorney-General): I thank members for their support. As they have recognised, this is a Bill to close a loophole. Quite obviously everyone is in the business of trying to do that wherever possible.

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

PETROLEUM PRODUCTS REGULATION (LICENCE FEES AND SUBSIDIES) AMENDMENT BILL

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

The Hon. K.T. GRIFFIN (Attorney-General): I move:

That this Bill be now read a second time.

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

Leave granted.

This Bill repeals those provisions of the *Petroleum Products Regulation Act 1995* that relate to *ad valorem* licence fees and inserts provisions to support the ongoing payment of subsidies to the petroleum industry to ensure that the price of fuel 'at the pump' does not increase as a result of the introduction of the Commonwealth excise surcharge safety net arrangements.

The High Court's decision in the *Ha and Lim* case in August 1997 has cast doubt on the validity of State legislation imposing *ad valorem* franchise fees on liquor, tobacco and petroleum products.

In order to remove uncertainty, the Commonwealth Government has, at the request of the States and Territories, undertaken to make good any loss of revenue if the States and Territories repeal the relevant provisions.

It will, therefore, be necessary to remove the taxing impact of those provisions relating to *ad valorem* licence fees under these Acts. Tobacco and liquor are being dealt with in separate Bills.

It is now proposed to repeal those provision that relate to *ad valorem* licence fees under the *Petroleum Products Regulation Act 1995.*

The *Petroleum Products Regulation Act 1995* also contains regulatory provisions which deal with such matters as the control and distribution of petroleum products (eg safe storage, etc) and it is appropriate that these provisions remain in force. Nominal licence fees relevant to those activities will remain.

It will also be necessary to modify the regulatory powers contained in the Act to provide for the payment of subsidies following the implementation of the Commonwealth safety net arrangements.

Under the replacement revenue arrangements implemented following the *Ha and Lim* case, a Commonwealth excise surcharge of 8.1 cents per litre applies to all petroleum products produced and imported into Australia. The surcharge applies to petrol consumed in all jurisdictions, including Queensland, which did not previously have a State petrol tax.

As part of the safety net arrangements agreed with the Commonwealth, subsidies are payable on excess revenues raised under the surcharge relative to the State taxes that previously applied to ensure that the price of petrol at the pump does not increase over that previously payable under State business franchise Acts.

This means that in South Australia the following subsidies will apply:

	Subsidy Rate CPL			
	Leaded Petrol	Unleaded Petrol	On Road Diesel	Off Road Diesel
Zone 1	—	—	—	8.10
Zone 2	0.66	0.82	—	8.10
Zone 3	3.17	3.33	1.94	8.10

Other States and Territories are also paying subsidies to ensure that the Commonwealth surcharge does not contribute to an increase in the pump price of petrol that existed before *Ha and Lim.*

Although subsidy payments have been made on an interim basis by agreement between the government and the relevant oil companies, it is essential to formalise the subsidy scheme to ensure that subsidies intended for country areas of South Australia are not exploited.

Consultation has occurred with the oil companies and distribution representatives who support the development of a legislative-based subsidy scheme as set out in the Bill.

The Commonwealth Government has implemented the safety net arrangements on the clear understanding that States and Territories will repeal the relevant sections of their State Franchise Acts and that overall there be no additional revenue collected as a result of the arrangements.

This Bill puts that commitment into effect in respect of petrol, and separate amending Bills deal with the removal of the *ad valorem* license fee components of the Tobacco Products Regulation and Liquor Licensing Acts.

I commend the Bill.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides for commencement of the measure on a day to be fixed by proclamation.

Clause 3: Repeal of s. 3

This clause repeals the objects provision. This change is consequential on the removal of *ad valorem* licence fees.

Clause 4: Amendment of s. 4—Interpretation

This clause removes definitions that are no longer necessary because of the removal of *ad valorem* licence fees and adds definitions of 'bulk end user certificate', 'certificate', 'Commonwealth customs duty', 'Commonwealth excise duty', 'eligible petroleum products', 'off-road diesel fuel user certificate', 'retail licence', 'wholesale' and 'wholesale licence'.

Clause 5: Insertion of ss. 4A to 4D

4A. Retail quantity

The proposed section defines 'retail quantity' for the purposes of the Act.

4B. Bulk end user

The proposed section defines 'bulk end user' for the purposes of the Act.

4C. Off-road diesel fuel user

The proposed section defines 'off-road diesel fuel user' for the purposes of the Act.

4D. Notional sale and purchase

The proposed section provides a power to make regulations to allow certain notional sales and purchases of petroleum products to be taken to be sales and purchases for the purposes of specified provisions of the Act.

Clause 6: Repeal of Part 2 Division 1 heading

This clause repeals a Division heading.

Clause 7: Amendment of s. 8—Requirement for licence

This clause makes changes that are consequential on the removal of *ad valorem* licence fees. It also distinguishes between retail and wholesale selling of petroleum products and provides that a licence is not required for the sale of petroleum products as a bulk end user.

Clause 8: Amendment of s. 9—Issue or renewal of licence

This clause makes changes that are consequential on the removal of *ad valorem* licence fees.

Clause 9: Amendment of s. 10—Licence term, etc.

This clause amends the Act so that—

- all licences under the Act are annual licences; and
- a licence is not transferable except by way of variation of the licence under section 12.

Clause 10: Amendment of s. 11—Conditions of licence

This clause expands the Minister's power to impose conditions on licences to include—

- conditions for the purpose of ensuring that a vendor of petroleum products cannot recover from a purchaser that part of the sale price equal to the amount of the subsidy paid or payable under the Act in respect of that quantity of petroleum products for that sale;
- conditions as to terms that contracts between manufacturers or importers of petroleum products and purchasers must contain in relation to the time of payment for that component of the sale price of the petroleum products referable to Commonwealth excise or customs duty paid or payable by the manufacturer or importer.

Clause 11: Amendment of s. 13—Form of application and licence fee

This clause amends the Act so that an application for the issue or renewal of a licence cannot be granted except on payment of the appropriate fee under the regulations. This change is consequential on the removal of *ad valorem* licence fees.

Clause 12: Repeal of Part 2 Division 2

Clause 13: Insertion of Part 2A

PART 2A

SUBSIDIES

20. Entitlement to subsidy

The proposed section provides that, subject to the section, the following persons are entitled to a subsidy:

- the holder of wholesale licence for eligible petroleum products sold by wholesale in accordance with the licence to the holder of a retail licence who purchased the petroleum products for sale pursuant to the retail licence;
- the holder of a wholesale licence for eligible petroleum products sold by retail pursuant to a retail licence held by the wholesaler;
- the holder of a wholesale licence for eligible petroleum products sold in accordance with the licence to the holder of a bulk end user certificate;
- the holder of a wholesale licence for diesel fuel sold in accordance with the licence to the holder of an off-road diesel fuel user certificate or bulk end user certificate that bears an off-road diesel fuel user endorsement;
- the holder of a retail licence for eligible petroleum products purchased for sale pursuant to the licence, if sold to the holder by wholesale and the wholesaler has no entitlement to a subsidy under the Act in respect of the transaction;
- the holder of an off-road diesel fuel user certificate or bulk end user certificate bearing an off-road diesel fuel user endorsement for diesel fuel purchased from the holder of a retail licence.

Only one subsidy is payable (whether under the Act or a corresponding law) in respect of one quantity of eligible petroleum products.

The rate of subsidy is set out in the section.

21. Claim for subsidy

The proposed section requires that a claim for a subsidy be made in a manner and form approved by the Commissioner and contain the information required by the Commissioner. It also requires a claimant to provide any further information that the Commissioner requires for the purposes of determining whether the claimant is entitled to a subsidy and the amount of subsidy payable to the claimant.

22. Payment of subsidy

The proposed section requires the Commissioner to pay a subsidy in respect of a claim if satisfied that the claim has been made in accordance with the Act and the claimant is entitled to a subsidy in respect of the sale or purchase of eligible petroleum products to which the claim relates.

23. Amounts recoverable by Commissioner

The proposed section sets out the cases in which a person must repay a subsidy to the Commissioner or pay to the Commissioner an amount equal to a subsidy. The section also requires an additional payment of a penalty of an amount equal to the amount of a payment or repayment required by the Commissioner under the section, but empowers the Commissioner to remit the penalty for proper cause.

23A. Bulk end user certificate

The proposed section empowers the Commissioner to issue a bulk end user certificate to an applicant if satisfied that the applicant will, during the period for which the certificate is to be in force, purchase eligible petroleum products for use as a bulk end user. The section sets out the conditions that a certificate will be subject to.

23B. Off-road diesel fuel user certificate

The proposed section empowers the Commissioner to issue an off-road diesel fuel user certificate to an applicant if satisfied that the applicant will, during the period for which the certificate is to be in force, purchase diesel fuel for use as an off-road diesel fuel user. The section sets out the conditions that a certificate will be subject to.

23C. Off-road diesel fuel user endorsement on bulk end user certificate

The proposed section empowers the Commissioner to make an off-road diesel fuel user endorsement on a bulk end user certificate if satisfied that the person will purchase diesel fuel for use as an off-road diesel fuel user during the period for which the certificate is to be in force or during the unexpired period of a certificate if a certificate is already in force. A certificate with such an endorsement will be subject to the same conditions that an off-road diesel fuel user certificate is subject to.

23D. Variation of certificate

The proposed section empowers the Commissioner to substitute, add, remove or vary a condition of a bulk end user certificate or off-road diesel fuel user certificate, either on application or at the Commissioner's own initiative.

23E. Expiry of certificate, etc.

The proposed section provides that a bulk end user certificate or off-road diesel fuel user certificate expires on the third anniversary of the date of issue of the certificate and can be renewed on application for successive terms of three years. It also provides that the holder of a certificate may surrender it to the Commissioner at any time and that a certificate is not transferable.

23F. Form of application for issue, renewal or variation of certificate

The proposed section requires an application for the issue, renewal or variation of a bulk end user certificate or off-road

diesel fuel user certificate or for the making of an off-road diesel fuel user endorsement on a bulk end user certificate to be made in a manner and form approved by the Commissioner and contain the information required by the Commissioner. It also requires an applicant to provide any further information that the Commissioner reasonably requires for the purposes of determining the application.

23G. Form of certificate

The proposed section provides for a bulk end user certificate or off-road diesel fuel user certificate to be in a form determined by the Commissioner.

23H. Offence relating to certificate conditions

The proposed section makes it an offence for a person to contravene or fail to comply with a condition of a bulk end user certificate or off-road diesel fuel user certificate and fixes a maximum penalty of $10 000.

23I. Cancellation of certificate, etc.

The proposed section empowers the Commissioner to cancel a bulk end user certificate or off-road diesel fuel user certificate or remove an off-road diesel fuel user endorsement from a bulk end user certificate by notice in writing to the holder. It also empowers the Commissioner to require the return or production of the certificate, makes it an offence for a person to refuse or fail to comply with such a requirement and fixes a maximum penalty of $5 000.

Clause 14: Amendment of s. 35—Controls during rationing periods

This clause makes minor consequential amendments.

Clause 15: Amendment of s. 42—Appointment of authorised officers

This clause provides for authorised officers under the *Taxation Administration Act 1996* to be authorised officers under the Petroleum Products Regulation Act.

Clause 16: Amendment of s. 44—Powers of authorised officers

This clause amends the Act to empower an authorised officer to require the holder of a bulk end user certificate or off-road diesel fuel user certificate to produce the certificate for inspection.

Clause 17: Amendment of s. 47—Appeals

This clause amends the Act to include a right of appeal to the District Court against a decision by the Commissioner relating to a bulk end user certificate or off-road diesel fuel user certificate, a claims for a subsidy or the issue of a notice under section 23 requiring payments to the Commissioner. The clause also makes changes that are consequential on the removal of *ad valorem* licence fees.

Clause 18: Repeal of Part 10

This clause repeals Part 10 which deals with the application of *ad valorem* licence fees.

Clause 19: Amendment of s. 50—Register

This clause amends the Act to require the Minister to keep a register of holders of bulk end user certificates and off-road diesel fuel user certificates.

Clause 20: Substitution of s. 52

52. Records to be kept of bulk transport of petroleum products

The proposed section requires a person transporting a quantity of petroleum products other than a retail quantity by road in a vehicle to carry in the vehicle a record containing the prescribed particulars and fixes a maximum penalty of $2 500 and expiation fee of $200 for non-compliance.

Clause 21: Amendment of s. 53—Records to be kept

This clause amends the Act to require persons who purchase eligible petroleum products pursuant to bulk end user certificates or off-road diesel fuel user certificates to keep invoices, receipts, records, books and documents as required by the Minister from time to time by notice in the *Gazette* for five years after the last entry is made and fixes a maximum penalty of $2 500 and expiation fee of $200 for non-compliance.

Clause 22: Insertion of s. 53A

53A. Falsely claiming to hold licence, certificate or permit, etc.

The proposed section makes it an offence for a person to falsely claim or purport to be the holder of a licence, certificate or permit and fixes a maximum penalty of $10 000.

Clause 23: Amendment of s. 56—Confidentiality

This clause amends the Act so that confidential information obtained by persons engaged in the administration of the Act can be disclosed in connection with the administration or enforcement of a corresponding law or for the purpose of any legal proceedings arising out of the administration or enforcement of a corresponding law.

Clause 24: Amendment of s. 61—Prosecutions

This clause amends the Act so that prosecutions for expiable offences against the Act must be commenced within the time limits prescribed for expiable offences by the *Summary Procedure Act 1921*.

Clause 25: Amendment of s. 62—Evidence

This clause amends the Act so that a certificate given by the Commissioner stating that a person was or was not the holder of a certificate of a specified kind at a specified date is, in the absence of proof to the contrary, proof of the matters stated in the certificate.

Clause 26: Amendment of s. 64—Regulations

This clause amends the regulation-making power to enable the making of regulations authorising specified powers conferred by or under the Act to be exercised for the purposes of the administration or enforcement of a corresponding law.

Clause 27: Amendment of Schedule 1

This clause amends schedule 1 to change the reference to the *Stamp Duties Act 1923* to the *Taxation Administration Act 1996*.

Clause 28: Repeal of Schedule 2

This clause repeals schedule 2 of the Act. This is consequential on the removal of *ad valorem* licence fees.

The Hon. P. HOLLOWAY secured the adjournment of the debate.

INTERNATIONAL TRANSFER OF PRISONERS (SOUTH AUSTRALIA) BILL

Returned from the House of Assembly without amendment.

ADJOURNMENT

At 4.38 p.m. the Council adjourned until Tuesday 24 March at 2.15 p.m.