LEGISLATIVE COUNCIL

Wednesday 12 April 2000

The PRESIDENT (Hon. J.C. Irwin) took the chair at 2 p.m. and read prayers.

TRANSPORT TAXI SUBSIDY SCHEME

A petition signed by 10 508 residents of South Australia concerning access by legally blind South Australian citizens to the South Australian transport taxi subsidy scheme, and praying that this Council will use its powers and allow legally blind citizens of South Australia to access the benefits of the South Australian transport taxi subsidy scheme; the scheme would provide legally blind citizens of South Australia with vouchers to subsidise their taxi fares, thereby bringing South Australia into line with the majority of other states and territories, was presented by the Hon. Sandra Kanck.

Petition received.

LEGISLATIVE REVIEW COMMITTEE

The Hon. A.J. REDFORD: I lay on the table the 14th report of the committee and move:

That the report be read.

Motion carried.

The Hon. A.J. REDFORD: I lay on the table the 15th report of the committee.

SCHOOL ZONES

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning): I seek leave to make a ministerial statement on the subject of school zones.

Leave granted.

The Hon. DIANA LAIDLAW: I seek leave to table a copy of the School Zone Review report.

Leave granted.

The Hon. DIANA LAIDLAW: The government and I believe that all members of parliament are committed to ensuring the safety of children on and near our roads. In May 1998 the government funded the installation of new school zone signs on all roads in South Australia. These distinctive signs require drivers to observe a speed limit of 25 km/h whenever a child is present in the school zone. Zig zag road markings were also installed to alert drivers to the presence of the zone.

These new signs and road markings were developed with the assistance of a group of key stakeholders comprising representatives from the following: Transport SA; South Australia Police; the Local Government Association; the RAA; the Institute of Municipal Engineering Australia; the South Australian Pensioners Association Incorporated; the Department of Education, Training and Employment; the Australian Institute of Traffic Planning and Management; and the South Australian Association of State School Organisations Incorporated. The legislation which introduced these school zones also required that a review be conducted after 12 months of operation and for a report to be tabled in both houses of parliament. The review was conducted by the same group of key stakeholders who assisted in the development of the school zones proposal in 1998.

The first part of the review process involved a market research survey to determine the level at which children, parents and drivers support, understand and recognise school zones. This survey was undertaken in three parts: first, a random door-to-door survey of 600 drivers in metropolitan Adelaide and 400 in regional South Australia; secondly, 10 group discussions—six in the metropolitan area and four in regional centres—with nine people in each group discussion, and each group included students. The third arm of the market survey was interviews with stakeholders.

The second part of the review process included a speed survey to determine the effect of the signs on driving behaviour and the percentage of vehicles exceeding the school zone limit.

The report I have tabled was prepared by the review group, and it identifies overwhelming support for school zones as an effective measure for improving the safety of children, a strong awareness and recognition of zones, the 25 km/h limit, the signs and the zig-zag line markings. The review group found that school zones are providing protection to children as indicated by speed reductions when children are within a school zone and that the good safety record associated with school zones in South Australia has continued.

The group noted the findings from the market research survey that most in the community are well aware of the 'When Children Present' rule. However, the review group felt that education is needed to regularly inform the community that the rule operates 24 hours per day, seven days per week. It was found that some clarification is needed also in respect of the terms 'children' and 'present' in relation to the operation of school zones. To assist with the community education campaign, school zone press releases were issued at the start of the 2000 school year. I intend to continue that process. I can also confirm that school zones will continue to be promoted through avenues such as the *Child Safety* handbook, Neighbourhood Watch publications and Parent's Say publications. Specifically, the speed survey found:

1. Speeds were lowest when a child was present in the school zone, with mean speeds reduced from between 6 km/h and 19 km/h across the representative zones surveyed.
2. That drivers do reduce their speed significantly in a school zone when a child is present.
3. School zones are performing well as a treatment to keep children safe, so no changes are required to current practices.

Meanwhile, I advise that the government has accelerated its program to upgrade school zones on arterial roads with a crossing facility (pedestrian actuated, Koala and Emu). At these crossings a driver must stop and allow the pedestrian to cross the road with maximum safety. Some 10 new crossings were installed in the first half of this financial year and another 10 will be completed by the end of this financial year. In fact, I can confirm that by the end of the 2000-01 financial year all school zones on roads under the care, control and management of Transport SA will be upgraded with the installation of appropriate school facilities. Transport SA is also progressing its Safe Routes to School program. The most recent examples are schools in the Walkerville council area and in Wallaroo. This program is another initiative that is maximising safety for our children.

INDUSTRIAL RELATIONS COMMISSION AND EMPLOYEE OMBUDSMAN

The Hon. R.D. LAWSON (Minister for Workplace Relations): I seek leave to move a motion without notice

concerning the appointment of a nominee of this Council to the panel to consult with the Minister for Workplace Relations about appointments to the Industrial Relations Commission of South Australia and the Employee Ombudsman.

Leave granted.

The Hon. R.D. LAWSON: I move:

That, pursuant to sections 29, 30, 34 and 58 of the Industrial and Employee Relations Act 1994, a nominee of this Council to the panel to consult with the minister about the appointments to the Industrial Relations Commission of South Australia and the Employee Ombudsman be the Hon. A.J. Redford.

Motion carried.

QUESTION TIME

TRANSPORT, PUBLIC

The Hon. CAROLYN PICKLES (Leader of the Opposition): I seek leave to make a brief explanation before asking the Minister for Transport a question about public transport safety.

Leave granted.

The Hon. CAROLYN PICKLES: I refer the minister to the future of the traffic control centre in the new privatised regime. TransAdelaide currently operates this centre which is responsible for monitoring and coordinating traffic flow for the public transport system. For instance, if a bus is running late, the driver will contact the traffic control centre, which will advise any connecting services. The same applies if there are any safety breaches. Now that there are a number of private operators and seven contract areas, it is unclear who will perform the function in the future. My questions to the minister are:

1. Who will be responsible for the integration and flow of public transport services now that there are a number of private operators?

2. Will the Passenger Transport Board take over the traffic control centre and, if so, how much will it cost to do so?

3. Who will be responsible for the conduct of regular safety audits and inspections?

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning): I will seek to reassure the honourable member that all these matters are being addressed. They have been raised with me also. The Passenger Transport Board (PTB) is ultimately responsible for the integration of the services across all modes, irrespective of the operator. It was equally responsible when TransAdelaide was the sole operator, then TransAdelaide, Serco and Hills Transit as is the current situation, and then with the new operators as from 23 August. As I do not know the details, I will obtain for the honourable member the cost of the new arrangements.

In terms of safety, there are discussions between the PTB and all operators, including TransAdelaide in a most cooperative sense in respect of its bus knowledge, and also as the operator of rail services, because we must make sure of the coordination of operations plus safety, not only across the bus system but with the trams and trains which TransAdelaide will continue to operate.

I highlight the fact that TransAdelaide, if it had retained all of the business that it has now, would have undertaken to change the current arrangements because the bus drivers themselves have expressed concern that, when they have reported difficulties, it has been to a faceless group of individuals at the traffic control centre who do not understand the situation and with whom they cannot identify readily and who do not respond immediately to the concerns that they experience on a bus at a particular moment.

What they were seeking (and TransAdelaide had agreed to this and the PTB is now carrying it forward) is that the traffic control in terms of its area of operation would be the responsibility of and conducted from the depot, so the bus drivers know who is at the end of the phone when they call in to say that there is trouble. I understand that wives and family members of the bus drivers also supported that change of arrangements, and that is why TransAdelaide was going to implement that system. It is not a new issue that has arisen because of the new operators, because TransAdelaide was going to do it any way. It is a matter that we must now make sure we manage effectively for the bus drivers and across the rail system now that we do have more operators.

The Hon. CAROLYN PICKLES: As a supplementary question, does that mean that the traffic control centre as it exists now will disappear?

The Hon. DIANA LAIDLAW: Certainly it will be scaled back. It will continue to be operated by TransAdelaide for the tram and rail system as I understand, but responsibility for the other bus services will go to the depots from where the companies are operating, as TransAdelaide had planned to do if it had maintained all of the operations. However, we know that it did not win that business in its own right.

LOTTERIES COMMISSION

The Hon. P. HOLLOWAY: I seek leave to make a brief explanation before asking the Treasurer a question about the Lotteries Commission.

Leave granted.

The Hon. P. HOLLOWAY: The government has announced its intention to sell the Lotteries Commission, an income earning asset whose income stream is dedicated through the hospitals fund to South Australia's public hospital system. Last year, the Lotteries Commission contributed $82 million to South Australia's hospitals, and the commission has made a total contribution of $1.1 million since its establishment. That amount of $1.1 million is a nominal figure which, if adjusted for inflation, would be seen as representing a much larger contribution to the health budget.

For this reason, amongst others, the ALP opposes the privatisation of the Lotteries Commission. Although sometimes honoured in the breach, it has been the government's policy that all net proceeds from asset sales should go directly towards the reduction of debt or other liabilities. My questions to the Treasurer are:

1. What stage has the sale process reached?

2. Is it the government's intention that all proceeds from the sale of the Lotteries Commission be used for debt reduction?

3. Will the public hospital system be compensated in full and in perpetuity for the loss of this revenue stream?

4. By what specific mechanism, such as a hypothecated net financial benefit from the privatisation, will the public hospital system be compensated?

The Hon. L.H. Davis interjecting:

The PRESIDENT: Order! The Treasurer has the call.

The Hon. R.I. LUCAS (Treasurer): My colleague the Hon. Mr Davis rightly points out the hypocrisy of the Labor party (both state and federal) in respect of the issue of privatisation. Whilst the Hon. Mr Holloway has a gallery to

play to today, his cleverly crafted question makes no reference to the TAB or the Ports Corporation, but it is sufficient to throw to the gallery.

However, as I said, and as my colleague the Hon. Mr Davis points out, the hypocrisy of the Labor Party in relation to asset sales knows no bounds. It has led the charge at a state and a federal level regarding the privatisation of assets. I will not go through the list of 10 or 20 asset sales that commonwealth and state Labor governments have supported over the past 10 years.

Regarding the Lotteries Commission, I am happy to refer the honourable member's question to the Minister for Government Enterprises who is responsible for this process and bring back a reply. I am aware of some comforting and sympathetic noises that the minister has made on behalf of the government in respect of hospital funding. I do not have those statements by the minister with me at the moment, but I will be delighted to obtain a copy and expeditiously provide it to the honourable member.

The Hon. NICK XENOPHON: By way of a supplementary question, has the government or its advisers undertaken any assessment of the potential impact on problem gambling in this state if the Lotteries Commission is in either public or private hands?

The Hon. R.I. LUCAS: I am happy to refer the honourable member's question to the appropriate minister and bring back a reply.

LOCAL GOVERNMENT ELECTIONS

The Hon. T.G. ROBERTS: I seek leave to make a brief explanation before asking the minister representing the Minister for Local Government a question about the local government elections.

Leave granted.

The Hon. T.G. ROBERTS: I suspect that the minister may have an opinion of her own—

The Hon. A.J. Redford interjecting:

The PRESIDENT: Order!

The Hon. T.G. ROBERTS: Nominations have closed, the nominations are in, and some figures have been released on the number of candidates who are standing. This is an indication of the interest that has been shown in the forthcoming local government elections. A number of sitting members have spoken to me, particularly during the past 12 months—

The Hon. A.J. Redford interjecting:

The Hon. T.G. ROBERTS: Sitting council members.

The Hon. A.J. Redford interjecting:

The Hon. T.G. ROBERTS: Are you referring to the mayor of Wattle Range?

The Hon. A.J. Redford interjecting:

The Hon. T.G. ROBERTS: I think the honourable member is referring to the mayor of a local South-East council. Questions that have been raised with me by sitting members relate to the hours of time that they put in in their local community in a voluntary capacity whilst claiming expenses relating to their duties. It is an age old problem where very busy people end up being made a lot busier by the dedication that they show to their local communities. The workload that state governments are continually transferring to local government is impacting on the hours that many local government elected individuals have to bear. They are not calling for an increase in their allowances but I think they would be able to use an increase in a salary declaration, if you like, for much of the time that they spend and many of the expenses that they pay out of their own pocket.

To retain the best quality elected representatives in those local councils and to ensure continuity of decision making and an understanding of the responsibilities that local government members have to bear is a problem for both sides of the parliament. My questions are:

1. Is the minister or the government concerned by the number of retirements and resignations of sitting members at local government level?

2. Are they concerned about the number of sitting members who are not renominating?

3. Is the minister concerned about the number of uncontested positions in local government at the next election?

4. Will the government consider a post-election survey to analyse the results and the consequences of the forthcoming election?

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning): I will, with enthusiasm, forward those questions to the appropriate minister and seek a prompt reply.

WANDILO FOREST

The Hon. J.F. STEFANI: I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister for Primary Industries, a question about the fire in the Wandilo forest earlier this year.

Leave granted.

The Hon. J.F. STEFANI: On 19 February a $2 million major fire occurred in the Wandilo forest in the South-East, burning more than 800 hectares of pine forest plantations and scrubland. In the fire, two Forestry SA workers suffered burns, one being seriously injured. I understand that, during the fighting of the fire, Forestry SA and National Parks and Wildlife Service authorities were present and were reluctant to allow the firefighters to use bulldozers to clear a fire break through the forest. The fire was threatening adjoining private forest plantations as well as government-owned plantations, and these were saved by the initiative of the firefighters. My questions are:

1. Will the government establish specific guidelines giving clear authority to Forestry SA and National Parks and Wildlife Service officers to give permission to the CFS to create necessary fire breaks in order to control fires?

2. Will the minister establish clear procedures to be followed by the three departments involved during fire emergencies?

The Hon. K.T. GRIFFIN (Attorney-General): Those questions probably need to go to about three ministers, particularly the Minister for Government Enterprises, who has the responsibility for the forests. I will ensure that the questions are referred to the appropriate ministers and bring back a reply.

The Hon. T.G. ROBERTS: As a supplementary question, is the Attorney-General prepared to ask the question in relation to the placement of an extra water bomber in the South-East on particularly hot days and days when there are fire bans, because my understanding is that there is only one operating—

The PRESIDENT: The honourable member can only ask the question.

The Hon. K.T. GRIFFIN: That one will have to go to the Minister for Police, Correctional Services and Emergency

Services. I will ensure that that occurs and that a response is supplied.

NATIVE TITLE

The Hon. SANDRA KANCK: I seek leave to make an explanation before asking the Attorney-General a question on the subject of native title in South Australia.

Leave granted.

The Hon. SANDRA KANCK: South Australia has long prided itself on being a leader in Aboriginal affairs. We were the first state of Australia to return land to its traditional owners and the first state to appoint an Aborigine as a governor. Most recently this was the first parliament in the country to offer an apology to Aboriginal people for the injustice of the stolen generation. This parliament has heard many fine speeches regarding the desirability of reconciliation between Aboriginal and non-Aboriginal people. Recently the Minister for Aboriginal Affairs, the Hon. Dorothy Kotz, made a ministerial statement to the House of Assembly stating:

> Reconciliation is about a shared commitment to finding a way which promotes a real future for all South Australians without losing sight of the lessons from the past. This government will continue to support and to lead the reconciliation process, and I encourage every South Australian to take this journey with Aboriginal people.

A negotiated resolution regarding the extent and effect of native title is also crucial to the reconciliation process. The Attorney-General made this point in a ministerial statement to the Council in May 1997. He said in respect of native title:

> This state wishes to explore with interested parties whether these issues can be resolved by agreement. To this end the state government is at this moment engaged in negotiations with representatives of Aboriginal people to come to a statewide agreement on native title matters.

Hence, I was dismayed to learn that in the De Rose Hill case currently before the Federal Court in South Australia the South Australian government is arguing that native title was completely extinguished by the Colonisation Act of 1834. My questions to the Attorney-General are:

1. How can the state of South Australia negotiate a statewide agreement on native title in good faith while simultaneously arguing that native title is extinguished?
2. How will a ruling that the Colonisation Act of 1834 extinguished native title affect the reconciliation process in South Australia?
3. What is the estimated cost for both parties of arguing the point in the Federal Court?

The Hon. K.T. GRIFFIN (Attorney-General): It was made clear to the Aboriginal Legal Rights Movement and to native title claimants right from the start that, while the government was negotiating in relation to a resolution of disputes, nevertheless it had a public duty to deal with any litigation according to the interests of all the citizens of South Australia, and that may mean that we would be at odds with claimants in relation to particular native title claims but, on the other hand, would still be seeking to resolve the outstanding issues.

The Hon. Sandra Kanck interjecting:

The Hon. K.T. GRIFFIN: There is no conflict in relation to that. Had the honourable member followed the debate she would know that I have said right from the start that the government is anxious to avoid, both for the taxpayers of South Australia and for litigants, the extraordinary cost of litigating native title claims. I have estimated those to be at least $5 million per case, and there are at least 20 of those for the state alone. If the honourable member believes that we should not make any argument against native title claims regardless of the merits of the claim, then she is on the wrong boat. We have a public duty to put before the court all of the issues which are relevant to a determination as to whether native title exists or not.

If the honourable member looks at the Wik case and the Mabo case, it is quite clear that the High Court has said that certain prerequisites must be established by claimants before native title can be recognised. One of those is continuity of association, and one is that native title has not been extinguished. I think as a government we would be abdicating our responsibility if we did not in fact put before the court all of the issues which have to be resolved.

If you put that to one side, no-one can quarrel with the cooperation that the government has given to native title claimants in the courts in relation to the provision of information that will enable decisions to be properly made by the courts. In relation to the negotiations for an indigenous land use agreement, again, there have been quite cordial negotiations between the Aboriginal Legal Rights Movement, native title claimants, the Farmers Federation, the Chamber of Mines and the government, and those negotiations are progressing. All the parties recognise that, even though we may be negotiating, we may still have differences, either in those negotiations or in the legal process; and, so far as I understand, that has not adversely coloured the nature of the negotiations between the parties.

The honourable member asked about the costs of arguing the point of the Colonisation Act of South Australia. It is a small part of a much bigger case. I would suggest that it will not cost anything to argue that or that point in particular. The case as a whole must be looked at, and for all parties the costs are considerable.

GOVERNMENT CONTRACTS

The Hon. J.S.L. DAWKINS: I seek leave to make a brief explanation before asking the Minister for Administrative and Information Services a question about tendering processes.

Leave granted.

The Hon. J.S.L. DAWKINS: I have been aware throughout my time in this place of the keenness of small businesses in rural and regional areas to be involved in selling goods and services to the state government. The provision of goods and services to government agencies in rural and regional areas does have the capacity to make a significant contribution to regional employment and prosperity. As a result, I was interested to hear recently an interview on ABC radio 5CK with an officer of the Department of Administrative and Information Services about a series of workshops designed to assist country businesses in tendering for state government contracts.

I understand that the first of these workshops was held at Berri recently, and a subsequent workshop was conducted at Murray Bridge earlier this week. Will the minister indicate where other workshops will be conducted in rural and regional areas in South Australia and provide any other details of this program?

The Hon. R.D. LAWSON (Minister for Administrative and Information Services): Last year, when the employment statement was circulated at the time of the 1999-2000 budget, it was announced that a local contractor education program would be established. As the honourable member has indicated, that program got under way earlier this month in

Berri and it will continue in a number of South Australian centres. Murray Bridge has already been the subject of a workshop, and I will describe in a moment what happens at the workshops. Workshops in Port Lincoln, Mount Gambier, Kingscote, Tanunda, Clare, Port Pirie, Port Augusta, Ceduna and Whyalla will be conducted over the next month.

The purpose of these workshops is to inform potential suppliers in the regions of the processes that relate to government purchasing, such as how offers are sought, including the availability of information now on the government tenders and contracts web site, and other conditions of contract in the placement of orders. The government has announced a procurement reform project, which is designed to achieve substantial savings to government overall, but, as part of that, we seek to engage as many local suppliers as possible. Many local suppliers say that they are unfamiliar with the processes and procedures.

The workshops are being implemented through the Department of Administrative and Information Services and also the Department of Training, Education and Employment's Office of Employment and Youth. There has been a changing focus in government procurement from lowest cost simplicita to a value for money approach, which takes into account a range of factors, including the whole of life costs of particular items, delivery times, suppliers' experience, capacity to service, and the like.

Feedback from the initial workshops has been extremely positive. They are held in the evening as well as during the day. The evening sessions particularly give business people maximum opportunity to attend. These involve the Regional Development Boards, Chambers of Commerce and Industry and other local people to ensure maximum involvement. The workshops have been promoted quite heavily in regional areas and I look forward to reporting in due course on the successful completion of this series of workshops.

DISTINGUISHED VISITORS

The PRESIDENT: I recognise in the gallery a delegation of members of parliament and senior officials from the National Assembly of Vietnam. I know that honourable members will join me in welcoming the delegation to the Legislative Council. We hope that they have a happy and prosperous stay in South Australia.

STREET SIGNS

The Hon. T. CROTHERS: I seek leave to make a precied statement prior to directing to the Minister for Transport and Urban Planning a question about street signs.

Leave granted.

The Hon. T. CROTHERS: It has been brought to my attention that semitrailer drivers who are not familiar with the Kidman Park area when driving down Valetta Road are confronted by a roundabout which, because of its large size, makes it very difficult if not impossible to get around without going over the roundabout itself and at times over the various signs that encompass it.

Semitrailer drivers driving on Frogmore Road, when confronted by the same roundabout, are often seen reversing and, after some difficulty, turning into side streets in order to avoid it. This, I am told, occurs regularly. My questions are:

1. Will the minister endeavour to speak with the local authorities with a view to having a sign erected on each end of Valetta Road and also on the Frogmore Road/Grange Road corner indicating that those roads are unsuitable for larger articulated vehicles?

2. If there are signs already erected, will the minister endeavour to speak with the local authorities with a view to having larger signs installed, as the current ones, if any, are clearly not being observed?

In my last utterance I referred to 'larger articulated vehicles'. I did that as an old semitrailer driver knowing that in some of these vehicles—

The Hon. M.J. Elliott: You're not that old.

The Hon. T. CROTHERS: Well, old in wisdom. I am sorry; that would be beyond the honourable members' experience, so I will withdraw that.

The PRESIDENT: Order! The honourable member will return to his explanation.

The Hon. T. CROTHERS: I point out to the Council that there is a single axle prime mover and a single axle trailer; a single axle prime mover and a double axle trailer; a double axle prime mover and a double axle trailer; and a double axle prime mover and a triple axle trailer. I mention that because I used the term 'larger reticulated vehicles'. Obviously, a single axle prime mover and trailer with a single axle trailer would be able to make the roundabout whereas others would not.

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning): I appreciate the technical information to the honourable member's question. I will endeavour to bring back a prompt reply.

AAMI INSURANCE REPORT

The Hon. L.H. DAVIS: I seek leave to make a very brief explanation before asking the Attorney-General a question about the AAMI report.

Leave granted.

The Hon. L.H. DAVIS: On Monday this week the AAMI Insurance Company released its home theft index report for the calendar year 1999. This report, which was widely covered by the media, claimed that South Australia's rate of home theft for 1999 increased 32.2 per cent over the rate for 1998. My questions are:

1. Can the Attorney-General please advise what the basis for this claim was?

2. Can the Attorney advise the Council whether or not the claim of a 32.2 per cent increase in home theft in the calendar year 1999 in South Australia is in fact accurate?

The Hon. K.T. GRIFFIN (Attorney-General): Well—

Members interjecting:

The Hon. K.T. GRIFFIN: We share it around. I saw the report. My initial reaction was one of amazement and also some concern, until I did some more work and realised that this was a publication from AAMI Insurance, a quite reputable and very proactive organisation, derived from the experience of and limited to its policyholders throughout Australia. That means that, when looking at the figures which it reports, one has to keep in mind that it does not necessarily reflect the position in the wider community. In the report there is no indication about the location of the policyholders, where these offences occurred and all the other data which one would normally seek to rely upon in determining the significance of the figures.

For the purposes of its policyholders, it is quite accurate. AAMI is saying that its policyholders in South Australia had a rate of home theft of 35.7 for every 1 000 policyholders. As the honourable member said in his explanation, that was a

32.2 per cent rise over the previous year, but that of course is for its policyholders. It is based on policy claims, which could be an inaccurate base for a survey because, of course, people do make false claims; but, on the other hand, they may not report all incidents. That is impossible to tell from the information which is available. The policy claims may include or not include offences counted in our break and enter dwelling statistics, which would make any comparison difficult, and, again, the report does not make that clear. Preliminary figures from police incident reports suggest that there was an increase in the rate of break and enter of a dwelling in 1999 in South Australia, but it was in the order of 5.2 per cent and not anything like the 32.2 per cent claimed by AAMI. The 1999 figure is, as I understand it, still trending downwards rather than steadily increasing.

The rate per 1 000 dwellings in South Australia is approximately 31.5. That is to be compared with the AAMI figure of 35.7 per 1 000 policyholders. South Australia has a rate of home theft below that of the eastern states and not above the eastern states, as the AAMI report states. I come back to the point I made initially: the AAMI report is based on information derived from policyholders and their claim profile and not on the statistics that we would normally rely upon from the reports made to police. That is not to underplay the nature of the AAMI report. It is a quite proper and responsible report in terms of the policyholders if we remember that that is where it is directed.

MENTAL HEALTH

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 mental health facilities.

Leave granted.

The Hon. R.R. ROBERTS: Most members would be aware that for many years now the facilities of James Nash House have been under intense pressure from the very nature of the work undertaken there. I also understand that there is a closed adult intensive care unit at Glenside which is currently being utilised for patients in police custody for criminal offences, for patients from the gaols, for patients on first presentation of a mental illness and, most sadly and worryingly, for adolescents, I understand, as young as 13 years of age. These adolescents are associating in the same ward with hardened criminals, some guilty of murder and of the most heinous crimes.

The health professionals at Brentwood ward are dealing with patients from the juvenile justice, correctional services and police systems and children in a health setting which was designed specifically for adults with severe mental illnesses. I am aware that it is possible for a staff member to be allocated to watch an adolescent in special circumstances, but it is not possible to have staff allocated to each one of the great many number of adolescents who pass through the ward. My questions are:

1. Does the minister believe it is acceptable that adolescents as young as 13 years of age are being placed in Brentwood ward, an environment designed for adult offenders and patients with serious mental illnesses?

2. How is it that the mental health system has been allowed to evolve to a point where demand is so great that this mix of patients, including children, is allowed to occur in the same ward?

3. Now that the minister has been made aware of this dire situation in respect of some of our most disadvantaged children, what measures will he put in place to ensure the immediate safety of the children in their own separate secure wards?

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning): I will refer the honourable member's question to the Minister for Human Services and bring back a prompt reply.

TAB AND LOTTERIES COMMISSION

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Treasurer a question about the proposed sale of the TAB and the Lotteries Commission.

Leave granted.

The Hon. M.J. ELLIOTT: The proposal to sell both of these highly profitable public assets follows what the government enterprises minister called an exhaustive study to determine the financial viability of the deal for South Australian taxpayers. The proposal announced on 8 February this year was based on the outcome of a so-called scoping study undertaken by private consultants. So far, to my knowledge, the government has not released any details of the scoping study, yet it plans to introduce special sale legislation into the parliament and expects to win across-the-board support for the sale.

The TAB and the Lotteries Commission employ more than 700 staff, with women making up more than 85 per cent of positions. The majority are over 45 years of age and are on lower paid salaries, with the average full-time employee receiving less than $28 000 per annum. Selling the TAB and the Lotteries Commission will see jobs and services transferred interstate, and it will put at risk hundreds of jobs in South Australia, while regional areas will also see cuts in services. In addition, funding from the more than $130 million in annual profits will disappear from the state, with some research indicating losses of more than $700 million over the next 10 years. My questions are:

1. To ensure proper parliamentary scrutiny and accountability, will the Treasurer make public the scoping studies and, if not, why not?

2. Who conducted the scoping studies and what was the final cost of the studies?

3. Given that the state debt (so the government tells us) is at an historically low level, can the Treasurer indicate what impact the sale of both entities would have on future budgets?

4. What guarantees of job security will the government offer to the more than 700 people employed by the TAB and the Lotteries Commission?

The Hon. R.I. LUCAS (Treasurer): I am happy to refer the honourable member's questions to the appropriate minister and bring back a reply.

OCCUPATIONAL HEALTH AND SAFETY

The Hon. A.J. REDFORD: I seek leave to make an explanation before asking the Minister for Workplace Relations a question about occupational health and safety.

Leave granted.

The Hon. A.J. REDFORD: I was recently approached by a constituent who runs a relatively successful manufacturing and export business. The constituent manufactures spray booths for use by the crash repair industry. I understand that the company, Monarch Industries (Australia) Pty Ltd, exports

the spray booths that it manufactures throughout the world. I am also informed that the spray booths must comply with Australian standards, in particular, in relation to their manufacture, installation and maintenance. The standards concern issues relating to the building, installation and maintenance, and in particular are quite extensive in so far as wiring rules are concerned.

I understand that, in referring to the need for these Australian standards concerning spray painting booths, they refer to a booth in terms of 'potentially explosive atmospheres associated with flammable or combustible materials.' I also understand—and I am sure it would be obvious to anyone—that for manufacturers of such workplaces issues of occupational health and safety are extremely important. I do not need to draw the attention of members to the fact that the failure to comply with such standards could lead to consequences for those businesses which seek to utilise non-complying spray booths. I refer, in particular, to a refusal to have electricity connected by an electricity supplier or a failure to honour insurance cover in the event of an accident.

It has been drawn to my attention that a number of people are importing non-complying spray booths. A representative of Quality Assurance Services Pty Ltd has indicated to me that that company has grave concerns about the failure of these spray booths to comply with Australian standards, thereby putting some of our workers at risk. I am further told that in the marketing of these spray booths sellers are not pointing out that they are not complying with Australian standards. Indeed, in some cases they claim that they do comply with Australian standards when they do not. I am happy to give the names of these suppliers to the minister.

I am also concerned that there may well be unfair competition where Australian manufacturers comply but importers do not. However, the most important issue is that of occupational health and safety. In those circumstances, my questions are:

1. Will the minister explain how important it is for companies, particularly manufacturing companies, to comply with occupational health and safety standards, and will he explain the importance of compliance with Australian standards in that regard?

2. Is the minister aware of this situation?

3. Will the minister instigate an investigation into the failure of some overseas companies to comply with Australian standards in the sale of spray booths? In that regard, I am prepared to supply the minister with all the information that I have.

The Hon. R.D. LAWSON (Minister for Workplace Relations): In response to the honourable member's third question regarding the instigation of an inquiry into whether non-complying spray booths are being imported into Australia, I do not have any information on that matter, but I will seek information from this state, and I suspect that I may have to obtain additional material from commonwealth authorities on that point.

I am aware of Monarch Industries. That company has a good reputation for the quality of its spray booths which are widely used in this state and, I understand, elsewhere in Australia. The honourable member is concerned, as is the government, about the occupational health and safety issues which arise if spray booths are sold on the Australian market. He correctly identifies the fact that these booths have serious occupational health and safety implications, especially for workers in the crash repair industry.

It is true that these spray booths operate in a potentially explosive environment and that the danger of ignition is ever present and serious. The danger of inappropriate protection from fumes is also a serious matter for workers, and electrical faults in an environment of this kind could be particularly damaging or, indeed, fatal. For all those reasons and many others, I am sure that it is absolutely critical that these booths comply with the standards set down by the appropriate authorities.

I would assume that any booths manufactured in Australia—and those manufactured not only by Monarch Industries but also by its competitors here—would comply with our standards. If, as the honourable member suggests, non-complying equipment is being imported into this country, I would be very concerned for a number of reasons—not only as to occupational health and safety issues but also as to the question of competitive neutrality. If Australian manufacturers are complying with standards but overseas manufacturers are not and are thereby able to gain some competitive advantage, it operates to the detriment of Australian manufacturers.

As to the other compliance issues that the honourable member raised in his questions, I will take those on notice and take up his offer of additional material to enable me to pursue my inquiries into this important matter.

SPEED CAMERAS

The Hon. T.G. CAMERON: I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister for Police, questions regarding speed cameras.

Leave granted.

The Hon. T.G. CAMERON: The City of Unley has recently contacted other councils in the metropolitan area asking whether they would be prepared to participate in a campaign to promote the idea that councils be allowed to acquire and operate speed detection devices. I will quote extracts of a letter from Mr R.G. Green, City Manager for the City of Unley, which was sent to the chief executive officers of metropolitan councils on 29 December 1999. It states:

> On several occasions in the last few months the issue of local government acquiring and operating speed detection devices within their council area has been raised at various meetings.

I guess that confirms that they want the little buggers. The letter continues:

> At the recent metropolitan CEOs meeting, Jeff Tate raised the matter once again and suggested a coordinated strategy would be appropriate. At the time I indicated I was hopeful of gaining approval for acquiring a speed detection device but, alas, subsequently received advice refusing such approval. My council is keen to accelerate this matter simply because we feel a lack of enforcement of our city wide lower speed limit is putting our strategy at risk. In the circumstances I would be interested to know, at the earliest opportunity, as to whether your council would be interested in participating in a research study on this matter, together with advice as to whether you would be prepared to participate in a public relations campaign.

It appears that we are already on a slippery slope of moving towards allowing councils to own and operate speed cameras to enforce local 40 kilometre speed limits. God help us all and our wallets if they ever get their hot little lands on them. My questions are:

1. Has the government considered or is it considering such a proposal?

2. Will the minister unconditionally and categorically rule out any suggestion that local councils be allowed to acquire or operate speed detection devices and, if not, why not?

3. Will the minister take this issue to the Liberal Party room, or is he not game to do so?

4. Finally, will the minister respond to my question before the end of the year?

The Hon. K.T. GRIFFIN (Attorney-General): Both—

The Hon. T.G. Cameron interjecting:

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

The Hon. K.T. GRIFFIN: Both before the end of the financial year and the end of the calendar year I am sure that there will be a formal response for the honourable member. The policy position of the government is that speed cameras will not be owned and operated by local councils. We have made that policy decision. There is no reason to take it to the joint party room. The government decided that it was inappropriate for any body other than government to have responsibility for managing speed cameras and laser guns.

Of course, with laser guns there is the broader public policy question, and that is that if you have a laser gun you have to have power to stop, and only the police and not others should have the power to stop in that context. In respect of cameras the same policy position generally prevails, but we have made the decision that, as a matter of policy, local government will not have access to ownership and operation of those machines.

The Hon. T.G. Cameron interjecting:

The Hon. K.T. GRIFFIN: If there is anything further to add I will ensure that there is a more comprehensive response for the honourable member, but really, from the point of view of the government, that policy decision was taken a long time ago.

The Hon. T.G. Cameron interjecting:

The Hon. K.T. GRIFFIN: Presumably local government knows about it.

The Hon. T.G. Cameron interjecting:

The Hon. K.T. GRIFFIN: It may be that there are people in local government who are not satisfied with the government's policy position; that is their problem. I cannot control and nor can the government control what they may or may not seek to lobby for, but I can tell you what the policy decision of government is.

SBS REGIONAL SERVICES

The Hon. CARMEL ZOLLO: I seek leave to make a brief explanation before asking the Treasurer, representing the Premier and Minister for Multicultural Affairs, a question about regional broadcasts of SBS Radio and Television.

Leave granted.

The Hon. CARMEL ZOLLO: Members are well aware of the difficulties that face our regional communities and the value of providing to them, where possible, services that are readily available to metropolitan areas. The SBS 1998-99 Annual Report stated:

> Contingent on the sale of a further 16 per cent of Telstra, the federal government in October 1998 promised $120 million over five years to extend SBS Television to transmission areas of more than 10 000 people and to eradicate between 200 and 250 television reception 'blackspots'.

I believe all members would acknowledge that SBS is a vital link for culturally diverse regional South Australians. Members from several communities have approached me seeking information as to when SBS services will be available to all South Australians. In the Riverland, community members informed me during one of my recent visits of the lack of free-to-air SBS services in the area. The Riverland is one of the most culturally diverse rural regions of Australia, made up of nearly 50 different ethnicities, but there is little or no free-to-air transmission of either SBS Radio or Television to these communities. I am aware that the Greek, Italian and Vietnamese communities were recently consulted in Adelaide with regard to the services of SBS Radio, and the needs of regional South Australia were also raised at that fora. I attended one of the meetings.

In the Riverland I understand that the current services provided are as follows. About 10 years ago, with the assistance of the Renmark council, a satellite TV retransmission was established, with limited reception in most of Renmark only. The Greek community, through an Adelaide narrowcast station, Radio Ena, receives a half hour daily bulletin. I am aware, of course, that SBS offers communities outside of metropolitan broadcast areas a 'self-help retransmissions scheme', designed to speed up the installation of SBS services to regional areas.

I ask the minister whether he has made any representations to the federal Minister for Communications in relation to SBS services for regional South Australia and what, if any, was the minister's response. Has any action been taken to ensure that the Riverland region, given its diverse cultural make-up, is priority listed for the installation of SBS Radio and TV free-to-air transmission? Does the government provide funding or assistance to any regional communities to rebroadcast SBS Radio or Television through such schemes as the 'self-help' program, or any other means?

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

GAMING MACHINES

The Hon. NICK XENOPHON: I seek leave to make a brief explanation before asking the Treasurer a question in relation to gaming machines.

Leave granted.

The Hon. NICK XENOPHON: Earlier today the Queensland government through its Treasurer, the Hon. David Hamill, announced that it was placing a limit on gaming machine numbers, together with a number of other harm minimisation measures, as well as earmarking revenue from the Responsible Gambling Fund to coordinate research into the social and economic costs and benefits of gambling, and for responsible programs. This follows the passage last year in New South Wales of the Gambling Legislation Amendment (Responsible Gambling) Act and more recent moves of the New South Wales government to limit poker machine numbers in that state. In addition, the former Premier of Victoria, Mr Jeff Kennett, announced prior to the last Victorian state election moves to introduce gambling harm minimisation legislation, and the Bracks Labor government has recently announced a number of harm minimisation measures and regional caps of poker machines that it will be introducing into the Victorian parliament. My questions to the Treasurer are:

1. Given that three state governments, as well as the previous Kennett government in Victoria, have decided to deal with harm minimisation issues, including capping of machine numbers as a government policy issue, could the government indicate whether there are any plans to introduce similar legislation in South Australia as a government bill?

2. Given the commitment announced today by the Queensland government to provide funding for research on the social and economic costs and benefits of gambling, will the Treasurer please confirm how much money the state government has earmarked for research to gauge the social and economic impact of gambling in South Australia, and how that level of expenditure compares with other state and territory governments in the commonwealth?

The Hon. R.I. LUCAS (Treasurer): I remind the honourable member that we are already discussing this parliament's attitude to a harm minimisation approach laboriously every Wednesday. There is no need to introduce further legislation. We have the opportunity, as a parliament, to establish a view, as a collective of members representing our constituencies, in respect of a harm minimisation approach as is suggested in the Hon. Mr Xenophon's legislation. In relation to the honourable member's second question, I will need to take advice from the Minister for Human Services.

The government has indicated already in its response to the Social Development Committee that it would give sympathetic consideration in this year's budget (which will be announced in the last week of May) to some increased funding for the Gamblers' Rehabilitation Fund. I can only suggest to the honourable member that, together with the rest of us, he will need to wait for that budget announcement in the last week of May.

LIBRARY FUNDING

The Hon. SANDRA KANCK: I seek leave to make an explanation before asking the Minister for the Arts a question about the funding of public libraries.

Leave granted.

The Hon. SANDRA KANCK: An article in today's *Advertiser* carries the headline 'Laidlaw accused of library cuts confusion.' This is the latest instalment in a continuing dispute between the LGA and the minister. The report quotes John Comrie from the LGA as follows:

> The minister's comments have been designed to confuse parliament. . . Her statements are factually incorrect.

With those comments in mind, I ask the minister the following questions:

1. Are there large sums 'untouched and sitting idle' with the Libraries Board, as the minister has said, or is it actually her government's outdated ordering procedure that is the prohibiting factor for the financial management of our libraries?

2. Did local government and the LGA rush headlong towards providing internet access at public libraries, or did the Libraries Board in fact advise the LGA's annual general meeting in 1998 that it would cover the ongoing costs of public access to the internet?

The Hon. DIANA LAIDLAW (Minister for the Arts): In respect of the honourable member's last question, I have been advised that the statement repeated by the honourable member is not correct. It is interesting, but not necessarily surprising, when someone with whom you do not agree would say of me that my statement was designed to confuse. It was not designed to confuse: it was designed to put the truth on the table. What we have not seen from the Local Government Association and others for some time are the full facts. Just to bring the issue into perspective but not to prolong the debate, I think it is important for all members, and particularly library users, ratepayers and taxpayers, to ask why public libraries, which are kicking up such a fuss now, did not use to the full over the past five years the state government funds provided for materials.

Why did they not use the funds that had been made available? Because they did not use them, as at 30 June (which is the end of the five year agreement), there will be accumulated funds. Members opposite would know that these agreements, which have a five year life, started under the Hon. Anne Levy and the Arnold government. Over the past five years—and the agreement concludes on 30 June—the public library system has not used the funds that parliament has voted for it. When the agreement finishes those funds could have gone back to public revenue. I fought and argued with the Treasurer—and it is not always easy to win—that those funds should stay within the public library system. I do not often win but I did on that occasion.

The funds are staying in the public library system, as I indicated in my statement yesterday. The libraries and the LGA are complaining but they are not explaining why they did not use those funds that were voted each year by this parliament for public library purposes. I indicate, too, that—

Members interjecting:

The PRESIDENT: Order!

The Hon. DIANA LAIDLAW: —with goodwill, notwithstanding the public behaviour of the LGA, I will continue to negotiate constructively a further five year agreement in the public interest.

Members interjecting:

The PRESIDENT: Order!

MATTERS OF INTEREST

OPERATION FLINDERS

The Hon. J.S.L. DAWKINS: I have previously spoken in this chamber about the merits of the Operation Flinders Foundation and the good work it does with young people at risk. Last weekend I visited Moolooloo Station near Blinman and observed the first of four exercises to be conducted by Operation Flinders this year. This exercise comprises 64 young participants: 44 boys and 20 girls. The teams are from the following areas: Mannum High School; the Beafield Behavioural Learning Centre; students from all three area schools on Kangaroo Island; Whyalla Family and Youth Services; Murray Bridge High School; Magill FAYS (Family and Youth Services), with young people who are on home detention or staying at FAYS accommodation units in the suburbs; and William Light High School.

This exercise is the largest to be run in terms of the number of participants and, in total, 112 people are currently on site at Moolooloo Station. Three female peer group mentors (PGMs) are travelling with the all girl teams on this exercise. PGMs are young people who have attended an exercise as a participant and, as a result of their significant turnabout and demonstrated leadership qualities, they are invited back. They act as a conduit between the participants and the adults in the team as they are able to work with the young people at their own level. The PGMs all volunteer their time, and a couple have done a number of exercises. One young woman, Ellie Wood, has been promoted from PGM

to the role of counsellor and will, within two years, be trained as a team leader.

Ellie was a young participant five years ago, and at that stage I understand she was a pretty tough one. She recently left her job as a service assistant at the Adelaide Aquatic Centre for full-time study to become a youth worker so that she can work full-time helping young people at risk. This is a great success story. I witnessed the first couple of days when the participants went through what is known as the storming period. They settle down into the norming period, then the forming period and, finally, on the last day, into what is called the grieving period.

During the storming period there are a number of instances where young people run away as they object to having to do what they are told. They do the only thing they can do and that is to cause a nuisance to team leaders and the other helpers by running away. Unfortunately for them there is no where to run and they must accept direction and accept the consequences of any decision they may take. It is not a happy time for them initially. The Attorney-General's Department, via the Office of Crime Prevention, has indicated that it will be making some significant funding available for a statistical evaluation of the foundation. A working party, consisting of people from the Department of Education, the Department of Human Services, the Office of Crime Statistics and Operation Flinders, is developing the terms of reference.

The Executive Director, John Shepherd, told me that the Attorney-General is due for a pat on the back for his support in evaluating the project so that Operation Flinders can continue to improve the program and finetune the selection of participants to achieve the best results. It is planned to complete the evaluation by early next year so that it can be presented to the minister prior to 30 June 2001. Operation Flinders is an excellent example of how volunteer-based organisations can work well with government and the private sector in producing desired outcomes for the community.

A visit to Moolooloo to observe an Operation Flinders exercise is something that I would recommend to all members of this place. I know that my colleague the Hon. Legh Davis observed an exercise about 12 months ago. Further exercises will be held in June, September and November this year. I know that John Shepherd would be pleased to host any member of parliament on such a visit. Last weekend was my third visit to Operation Flinders. It again emphasised to me the great commitment of all involved with the foundation towards assisting young people at risk to set the right priorities for a productive and beneficial life.

KRASTEV, Ms I.

The Hon. T.G. ROBERTS: I wish to continue a dedication that I commenced in my last five minute grievance debate contribution in this place two weeks ago in relation to a woman by the name of Irene Krastev who died just recently. I went through the whole list of community groups and organisations, plus the board appointments, with which Irene had been involved in her time in Australia. She immigrated to Australia in the early 1950s. It was a very difficult time for a lot of European migrants who had been transported without a lot of knowledge of conditions in Australia. When she arrived she set about trying to cope with the conditions and circumstances that many of her other compatriots faced in moving through the migratory system from hostel to temporary accommodation to permanent accommodation and to employment.

Irene was a Bulgarian interpreter who acted on behalf of people from many nations. She spoke something like seven languages. She worked tirelessly and in her final days she was still concerned about some of the jobs that she had yet to complete though she herself was in the advanced stages of cancer. Some of the stories that Irene told before she passed away had been harboured in the deepest part of her mind. She had not spoken of many of the traumas that she had personally experienced in Europe during the war before she immigrated here to begin her good work in South Australia. The following is one story that Irene related to her closest friends.

Her brother had been taken by the Germans to France in the middle stages of the Second World War and was in a forced labour camp. Her father issued instructions for Irene, who was one of five in the family, to go to France to find her brother and bring him back to Bulgaria at a very difficult and dangerous time. Irene tells the story of surviving in France as an illegal immigrant and, certainly, as one of the preferred people who would have ended up in a concentration camp had she been caught in trying to track down her brother. She eventually found him and arranged for papers of a dubious nature to be put together and for him to be taken back to Bulgaria by train, road and horse and cart.

As related to me, in the ensuing period they boarded a train in France. The train was strafed by an aircraft and crashed. They both got out of the train all right and made their way back to Bulgaria. They then made their way as processed immigrants to Australia.

One of the other stories related to people who were being drafted into countries at that time. Not too many of them knew either the geography or the history of the countries to which they were going. In one case a Latvian migrant who thought he was going to Argentina must have read his atlas incorrectly, or perhaps his vocabulary was not as good as he thought, and he ended up in Outer Harbor in Australia. He had to explain that to his wife. Although there were many tragic stories during that period, some of the migrants who settled in South Australia had to make light of some of the difficulties in which they found themselves during that dark period and worked themselves through the system to become prosperous migrants.

BANK ACCOUNTS

The Hon. L.H. DAVIS: Last Friday afternoon I tried to bank some funds on behalf of a charity. The teller put the relevant account number into the computer and advised that an application had been made to close the account. I advised her that that was incorrect. She looked at her screen again and advised that the account had been closed that very day and a bad debt of $26 had been written off. I told her that there had been no request for the closure of the account, nor had there been any communication from the bank in this regard. I described the action of the bank as outrageous and unacceptable and asked to speak to someone else.

Another staff member was called who advised that there must be a history and therefore a reason for this closure. I asked for a sum of over $1 700 in cash, cheques and cards to be banked. I was told that that was not possible because a new account would have to be opened. Clearly, the matter was not going to be resolved that afternoon and, in any event, I had another appointment. I left my parliamentary card with the teller and requested that someone make contact with me about this extraordinary event.

Over the weekend I perused bank statements for the account and the last statement receipt was dated 25 January 2000 with a credit of $161.09. In early February a further $50 had been deposited and a $168 cheque paid which still left the account in credit. This account has been with the same bank for over 10 years and well over a quarter of a million dollars would have passed through the account, which has been used as a vehicle for receipts and expenditure items for this charity with over $150 000 having been paid to a number of charities in this time.

On Friday 31 March a cheque for $250 was paid by the charity to a venue as a deposit for a function to be held later in the year. On that same day, I went to the bank branch where the account was kept to deposit the $1 700 to cover this cheque only to discover that the branch was closed for refurbishment. As the nearest branch was some distance away and I was short on time, and then subsequently I travelled interstate and was also required for parliament, I was not able to bank these funds until a week later on 7 April—the very day the account was closed without any communication or explanation.

I ascertained that no letter had been received from the bank regarding the closure or the overdrawn amount of $26 which had presumably accumulated from bank and credit card charges.

On Monday afternoon of this week, I was contacted by a representative of the bank. I told her what had happened and inquired whether she knew anything about the account. She advised that she was not aware that the account had been operational for 10 years. She did confirm, by referring to her computer screen, that no communication appeared to have been made to the account holder prior to the closure. She presumed the account was closed because it had been inactive and the bank did not like small debts becoming larger debts. I advised her that the account had been used consistently over this period of 10 years. I asked who would have made this decision to close the account and she advised it would have been someone in the lending services division. I requested that someone contact me because I was very unhappy at what had occurred.

By lunchtime today I had not heard from anyone from the bank so I rang the state administration centre of the bank and asked to speak to someone in lending services about this closed account. I was put through to someone who turned out to be in a service centre in Epping, a suburb of Sydney. She contacted the Adelaide branch and advised me that the person I should speak to was at lunch. I subsequently received a call from the very same person I had spoken to on Monday who said I would receive a call from someone the next day.

I find it remarkable that an account that has been conducted in an exemplary fashion over a period of 10 years, except for a couple of occasions when funds were lodged a day or two after a cheque was presented, could be closed down in a such a high handed fashion. This charity, like so many, runs on the support of a small group of enthusiastic volunteers, and it tries to operate with very few funds in reserve, having committed to distribute all its fundraising to charities.

It is quite clear from the discussions I have had that this bank does not know its client—did know it was a charity, did not know the purpose of the charity, did not have a contact point and had not bothered to communicate that it would close the account because of this massive, overdrawn amount of $26. It appears that it was just too difficult to make a simple telephone call to resolve the matter. Of course, the irony is that, if this bank was trying to save on costs, the costs involved in pursuing my inquiry are going to be much greater than the cost of a simple letter or a telephone call to point out that the account was in a small debit. I find it breathtaking and extraordinary that a bank can unilaterally close an account.

TRANSPORT TAXI SUBSIDY SCHEME

The Hon. SANDRA KANCK: Have you ever searched for the light switch in a dark, unfamiliar room?

Members interjecting:

The PRESIDENT: Order!

The Hon. SANDRA KANCK: My time is going at the moment.

The PRESIDENT: Yes, it is.

Members interjecting:

The Hon. SANDRA KANCK: I have lost half a minute, thank you. Expectation can quickly transform into impatience and then to frustration. The discomfort of not being able to rely upon our sight passes when the light switch is located—for most of us. For some, this scenario is a lifelong anxiety. People with severe vision impairment are in dark, unfamiliar territory whenever they leave their homes. Today, I had the privilege to present to this parliament a petition initiated by Ms Valerie Mudie and signed by some 10 508 South Australians calling for legally blind citizens of our state to be provided with vouchers to subsidise their taxi fares. The signatories of the petition are asking this parliament to recognise and act upon the difficulties faced by people with vision impairment in getting around.

On the grounds of fairness and equity, the case for doing so is overwhelming. The South Australian transport subsidy scheme is for people who have permanent problems getting around because of permanent, physical disabilities affecting their mobility, yet the state government has tried to exclude the visually impaired from this definition even though blindness is a physical disability that severely restricts mobility. This 'head in the sand' approach to the difficulties facing the vision impaired extends right up to the Minister for Disability Services, the Hon. Robert Lawson. In a reply to a letter from Valerie Mudie, the minister makes the following extraordinary statement:

> People who are vision impaired should not be discouraged from maintaining their independence by using existing public transport systems.

The minister is deluded if he imagines that a blind person facing a bus trip across town that includes a couple of connections feels liberated by the ordeal that lies before them—traumatised is more likely. Their independence would be far better served by being able to make that journey in a subsidised cab. I wonder how often the Minister for Disability Services catches public transport. I am certain he would not contemplate doing so with a blindfold. We should all stop to consider the difficulties facing people with impaired sight. How would we cope with carrying a week's worth of shopping home in one hand whilst navigating with a cane or a guide dog in the other? What if we had poor hearing to go with our poor sight? Would we set out in search of a bus despite the obvious risk to life and limb? If we lived in an area not serviced by public transport, how would we cope then?

The reality is that many visually impaired people are forced to rely on the goodwill of others. Unfortunately, not everyone is in that position, and the restricted incomes of

many vision impaired make cabs an unaffordable luxury. The final irony is that reciprocal arrangements for the transport subsidy scheme mean that a person from New South Wales who is legally blind can access the scheme while visiting South Australia. Why? It is because New South Wales is enlightened enough to recognise that being blind is a severe restriction on mobility and cab vouchers are provided.

I should point out that the amount payable under the transport subsidy scheme is modest. It is limited to 50 per cent of the metered fare of a journey not costing more than $30. Each person would receive a subsidy for 60 journeys every six months, which works out to be an average of 2½ journeys each week. So, we are talking about enabling someone to do the weekly shopping, have the occasional night out and get a cab to the doctor when need be. I have no doubt a majority of South Australians would support the inclusion of people who are legally blind in the transport subsidy scheme. It is the decent and compassionate thing to do.

JESUIT LENTEN SEMINARS

The Hon. CARMEL ZOLLO: A few weeks ago, along with the Hon. the Chief Justice, John Doyle, and a matriculation student of St Ignatius' College, Sebastian Hill, I had the pleasure of being invited to be an interlocutor at the now yearly Jesuit Lenten Seminars. The seminars are under the auspices of the Jesuit Social Justice Centre in Sydney and were this year held in Adelaide, Melbourne and Sydney. They are facilitated by Father Frank Brennan, S.J. and Ms Nina Riemer. This year's topic was titled 'Morality and Public Life'. The two speakers were Mr John Menadue and Ms Morag Fraser. The seminar was chaired by the Vice Chancellor of the University of Adelaide, Ms Mary O'Kane. I understand that the proceedings of the evening will be published on the Jesuit web site, and I hope that members will read the full contributions of the guest speakers.

Mr John Menadue is a well known and respected former public servant and was head of the Department of the Prime Minister and Cabinet in the 1970s under both Labor and Liberal governments, as well as being Ambassador to Japan, amongst other distinguished appointments. Ms Morag Fraser is a writer, broadcaster and editor of *Eureka Street*, a Jesuit monthly publication. She is a most distinguished journalist and, if the manner in which she responded to the questions posed to her on the evening was any example, she has a fine intellect and great diplomacy.

As to be expected, the audience was treated to two outstanding and thought provoking speeches. Many questions were posed by contributors during the evening. Is there a difference between personal and public conscience? Can there be a collective conscience or group conscience, amongst others? As a politician, I was particularly interested in Mr Menadue's comments regarding conflict of interests, making choices and avoiding public responsibility by remaining silent. I think that on the evening I commented that the latter can be a very powerful tool in politics, a comment with which I think few in this chamber would disagree, and, no doubt, we have specific examples to which we could refer.

Mr Menadue touched on some very sensitive issues in relation to public morality, such as privatisation, executive salaries, appointments to public boards and committees, lack of transparency and the use of highly skilled public relations experts, to name just a few. He said in his speech:

> One thing I am certain of—there is a false dichotomy between public and private morality—they are both on the same continuum. Conscience cannot be privatised.

I wonder how often we in this place turn to our private conscience, spirituality or ethics in our decision making process. Whilst Ms Fraser approached the issue from a different angle—the theme of making choices and the responsibility of the media—the need to use morality and respect in public life was finely interwoven throughout her message. She talked about her belief that a free and independent media is one of the necessary preconditions of a healthy, free, moral and ethical public life.

Another topic covered by Ms Fraser is also dear to many people's hearts, that is, language. Ms Fraser commented that the use and abuse of language is a handy indicator of the state of the common weal, the public good. She pointed out that, if our language is corrupted, polluted or degraded, we lose the ability to distinguish between the truth and the lie. She explained that she did mean degradation of language and not just the vigorous vernacular usage and the odd four-letter word. She said:

> We take away the power, the dynamism of exchange between people, when we degrade the language of that exchange.

Ms Fraser also gave as an example English journalist Robert Frisk and his coverage in a Middle Eastern trouble spot several years ago. Mr Frisk used his fierce independence and the journalism of conscience to bring to the world's attention the abuse and suffering of innocent people. Mr Menadue finished his paper on a most optimistic note by saying:

> Change will occur when we rediscover what we instinctively know: that power, money, laws and rules cannot bring meaning to life. Only relationships and community can do that; that being a member of a community demands certain things of each of us. We recover purpose by making choices about what is right.

I, for one, hope he is right.

DRUGS

The Hon. T.G. CAMERON: There is little doubt of the connection between drug use and crime. A recent report by the Office of Crime Statistics stated that the frequency of offending among drug users is higher than in non-drug users and, as drug use increases, so does the level of offending. It reported that more than four in 10 drug users said they committed at least one break and enter every week. Of 136 drug users who entered a methadone program, 35 per cent said they were involved in heroin dealing, 23 per cent in shoplifting and 17 per cent in break and entering. Even Police Commissioner Mal Hyde agreed with this assessment when he recently said in the *Advertiser* of 29 October 1999:

> The underlying causes of rises in most crime levels, such as property crime and vehicle larceny, are drug driven.

Unfortunately, zero tolerance policing has been seized upon as something of a magic bullet. The term 'zero tolerance' is inherently attractive to some members of our society because it symbolises a quick fix or panacea. To others it raises the spectre of repression and a move towards a totalitarian society. Whatever its connotation, it obscures the complex reality of crime and policing. It is a fact that crime is a complex phenomena, with many causes and no single solution—something I have heard the Attorney-General say repeatedly in this Council.

The idea of zero tolerance policing had its original setting in New York City, which experienced significant increases in crime rates during the 1970s and 1980s. It was based on

the broken window theory, that strict enforcement of petty crime and remediation of physical decay would prevent the development of an atmosphere conducive to more serious criminal offending. In fact, recent research has shown the key to reducing crime in New York is not so much the zero tolerance policy as timely intelligent and accurate crime analysis, and the accountability of local patrol commanders. Research also shows that heavy-handed law enforcement can destroy the legitimacy of police, making their job more difficult, if not impossible, particularly amongst young people.

Evidence suggests that the less respectful police are towards suspects and citizens generally, the less people will be inclined to comply with the law. Zero tolerance policing has other unintended consequences. The current over-representation of indigenous Australians in the criminal system is widely noted. It is likely that policies of strict enforcement would result in an even greater representation of this group. SA First is taking a new view in respect of this concern. SA First envisages partnerships between the police and community institutions playing a vital role in creating a climate conducive—

The Hon. A.J. Redford: Be careful what you announce, because Michael will steal it.

The Hon. T.G. CAMERON: I note the Hon. Angus Redford's interjection, and he is right, he will steal it!

The Hon. Carmel Zollo: I think this might be a bit more right wing than the Labor Party.

The Hon. T.G. CAMERON: You ought to talk to your supporters about what they think of Mike Rann's 'three strikes and you're out' policy. Before we know where we are, the Labor Party will be supporting mandatory sentencing in this state. I know who is the most right wing on law and order policies between SA First and the Labor Party—it is the Labor Party. So, I thank the honourable member for her timely interjection.

SA First envisages partnerships between the police and community institutions playing a vital role in creating a climate conducive to crime reduction. Once again, new ways of doing things are required. This might be best achieved by mobilising other agencies of government or the private sector or by developing some form of partnership with these institutions to address the underlying causes of crime. The complexities of modern society are such that simple solutions will rarely suffice for all occasions. We should be very wary of policies of the 'one size fits all' variety.

South Australia is a very different place from New York City. It would be far more productive to invest scarce resources on high risk people, places, offences and times rather than adopt a strategy of zero tolerance policing for all occasions. In the end, zero tolerance policing offers only a bandaid. It does not solve the problems underpinning criminal activity. It should be rejected.

ADELAIDE CITY COUNCIL

The Hon. A.J. REDFORD: Today I draw the attention of members to a rather glossy and colourful document I received recently in the mail, being the annual report of the Corporation of the City of Adelaide. It is a document that is easy to read in some respects and full of lovely photographs depicting our wonderful city in a very positive light. I thought particularly in light of the substantial discussions we have had with local government over the past couple of years, and some of my involvement on the backbench in relation to the casting of recent legislation, one might analyse the level of reporting and whether sufficient information is being given to the members of the public.

I note a couple of items. First, the Sister Cities Program overspent by $38 000 or some 20 per cent of its budget; and city marketing overspent by some $118 000. Indeed, the projected profit of the Central Market was down by $126 000, and the aquatics centre profits were also down by some $26 000. One might say that they are not particularly significant figures and, when one looks at the balance sheet of the City of Adelaide, one might say that they are very small beer indeed.

That leads me to my first point, and that is my grave concern—and I do not direct this criticism at all at the Adelaide City Council but at local government in general—at the adoption of new accounting standards. What we have in local government today is a new accounting standard where we bring into the asset of a balance sheet our roads, footpaths and various other items to the point where they are shown up as an asset.

I might highlight my concern about that by giving the example of a kerb. Kerbs are valued and put in on the positive side of a balance sheet, but I have yet to see in my lifetime—and I doubt that I will ever see this—an auction where one can buy a kerb, a road or a footpath. It is not a realisable asset. The risk, when one looks at the balance sheet of a local council or a council adopting that standard, is that one really has great difficulty in assessing its performance.

That is particularly so when one looks at the valuation, in the case of the City of Adelaide and its land and buildings, at $613 million and infrastructure at $145 million, being a total of $758 million. They include pavement, bridges, footpaths, lighting, street furniture, stormwater drainage and the Torrens Lake. You could imagine what would happen if the Torrens Lake was put on the market in order to achieve some liquidity if the council had mismanaged its finances over a period of time.

It really is, with the greatest respect, a ludicrous accounting standard, particularly when one looks at the net assets of the council being $742 million. If you compare the net assets with the land, buildings and infrastructure of $758 million, one might conclude that there is a deficit of $16 million, although I suspect that that includes some buildings for sale. If you go further, you will see some variances in the budget figures presented, and in particular employee costs, where they overspent by $793 000, and contractual services at $848 000, making a total of $1.6 million.

I must say that I am touched by the fact that the council avoided depreciation this year by revaluing all its properties—and, surprise, surprise, upwards! It is interesting to note that its rates were down by a similar amount because of unfavourable valuations, so there seems to be an inconsistency. My concern is that the way these accounts are presented—and I make no criticism of the Adelaide City Council—it is very hard for someone such as me to properly assess its performance. There is no media scrutiny and no question time. If this were presented in this place by a minister, a substantial number of questions would have to be answered. I hope that in the future local government is subjected to the same standards as the state government, because in some cases it aspires to that level.

Time expired.

PLUMBERS, GASFITTERS AND ELECTRICIANS

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

That the regulations under the Plumbers, Gasfitters and Electricians Act 1995, concerning exemptions, made on 28 October 1999 and laid on the table of this Council on 9 November 1999, be disallowed.

I move for disallowance because there is some dispute about the regulation that deals with the licensing of work on stainless steel appliances at a particular establishment in South Australia. As I understand it, that company believes that it should be exempted because it does not have in its employ suitably licensed personnel to perform this work which is specifically licensed under an act in the state of South Australia.

This situation is probably no different from many other establishments which, if they do not have an electrician on site and want electrical work done, do what they do in the brave new world of the Liberal Party and bring in a contractor. Discussions are taking place between the Electrical Trades Union of South Australia, employer groups and me. On the basis of those discussions, I move this motion, but I will seek leave to conclude my remarks on the next Wednesday of sitting to allow those consultations to take place, after which we will determine whether to move forward with this motion or to seek to have it discharged. I seek leave to conclude my remarks later.

Leave granted; debate adjourned.

LEIGH CREEK MINING

Order of the Day, Private Business, No. 10: Hon. Angus Redford to move:

That the regulations under the Electricity Corporations (Restructuring and Disposal) Act 1999 concerning Leigh Creek Mining, made on 29 July 1999 and laid on the table of this Council on 3 August 1999, be disallowed.

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning), for **the Hon. Angus Redford:** I move:

That this Order of the Day be discharged.

Motion carried.

PARTNERSHIPS 21

Adjourned debate on motion of Hon. M.J. Elliott:

That this Council expresses concern over the pressure placed on school councils and school communities to enter Partnerships 21 rapidly without a chance to properly assess the impact on their schools in both the long and short term.

(Continued from 5 April. Page 805.)

The Hon. CAROLYN PICKLES (Leader of the Opposition): The opposition supports the motion. There is no doubt that schools have been pressured by the government into agreeing to enter the Partnerships 21 scheme without being told the full details of what this may mean. There was a concerted effort by the government to maximise the number of schools agreeing to the scheme so that the government could claim some political victory over those who questioned the real motives behind Partnerships 21.

The opposition has received letters from school councils complaining about the pressure being put on them to agree to new funding arrangements before they received the information they needed. Schools also complained about the roles played by some school principals by promoting Partnerships 21 against the wishes of members of their school council; and schools complained that information being sent to them was continually changing and could not be trusted.

While the government was promoting Partnerships 21 as a new way forward and as a new partnership between schools and parents, the reality was that the government was keeping the details secret from the public. It was not until documents were leaked that the full implications of the government's plans became obvious: it took leaked documents to reveal the government's plan.

In July 1999 the government told schools that they would be given information on 1999 costings and global budgets for three years to assist them in deciding on whether to opt in for the year 2000. Then leaked documents show that there had been three sets of figures, and even the third set, dated in October 1999, was probably wrong because of errors in costing SSO salaries and Aboriginal education.

We were told by schools that they did not have a firm base upon which to make judgments. Importantly, an analysis of the October figures shows that, on a statewide basis, the department had cut its figures for 1999 costings by $28 million and had cut the global budgets on offer by $20 million. Reductions of this magnitude cannot be explained away as adjustments for errors and omissions.

The analysis showed that country schools making a profit from global budgets got an extra $16.5 million, while country schools making a loss required a top-up of just $3.3 million. Metropolitan schools making a profit from global budgets got an extra $9 million, while global budgets for schools making a loss required a top-up of $22.9 million. This meant a transfer of about $30 million from metropolitan to country schools.

One interpretation was that this was an attempt by the government to get a large number of small country schools to accept Partnerships 21 to boost the percentage of schools taking up the offer in the year 2000. It also took another leaked document to reveal that the government had engaged the former Victorian General Manager of Education as a consultant to develop a new index to determine which students are eligible for disability funding, and that will include such new factors as the parents' occupation and education rather than just income.

It took another leaked document to reveal a plan to cut the number of children with disabilities from 6.9 per cent to 3 per cent. This same document also revealed a plan to fund the minister's promise that disadvantaged schools would get more money by transferring $38 million from year level allocations to schools using the new socioeconomic disadvantage index. What a way to start a new partnership with schools and parents—no transparency and no information!

Public education in South Australia in the past has enjoyed a good reputation with schools managed through a centralised system. In the past there has been recognition of community involvement and the role staff and parents play in school governance, and increasingly there has been a move to give individual schools more responsibility for a greater range of options with more local responsibility and accountability for local decision making.

Labor cautiously welcomed the Cox report on local school management for South Australia based on the notion of improving educational outcomes by new partnerships between schools and parents. Unfortunately, this goal has not been achieved by Partnerships 21. Instead, Partnerships 21

has divided public education and we now have two school funding systems.

There are also new inequities between those schools that join Partnerships 21 and those schools that choose to remain with previous funding arrangements. For example, Partnerships 21 schools receive payments for a school card gap while other schools do not. School based management should be driven by a system-wide commitment to improving student learning outcomes. It is a matter of balancing system requirements with community needs. Curriculum teaching and learning must be the central focus of all schools with a high degree of commonality. At the same time there is a need to recognise that schools may wish to have additional capacity to generate locally approved curriculum options.

I cannot let this opportunity close without saying something about the cowardly attack of the former Minister for Education, the Hon. Mr Lucas, on Ms Janet Giles, the Vice President of the Teachers Union. Once again, the Treasurer has used the privilege of this Council to attack Ms Giles for exercising her right to enhance public debate about the secret way in which this government has gone about gutting public schools in South Australia. Instead of working constructively with the Australian Education Union and the hard-working teachers in our public schools, the Treasurer likes to pursue his own private vendetta, which he has been doing now for as many years as I have been in this chamber. I can only say to the Treasurer that every time he makes such an attack he becomes even more irrelevant. I support the motion.

The Hon. SANDRA KANCK secured the adjournment of the debate.

SOCIAL DEVELOPMENT COMMITTEE: VOLUNTARY EUTHANASIA BILL

Adjourned debate on motion of Hon. C.V. Schaefer:

That the report of the committee on an inquiry into the Voluntary Euthanasia Bill 1996 be noted.

(Continued from 17 November. Page 500.)

The Hon. SANDRA KANCK: I am a member of the Social Development Committee, which spent many months hearing the evidence on what is a very emotive topic. While agreeing with a majority of the recommendations of the committee, I believe that most of those recommendations have failed to address the issue that this chamber asked the committee to address—Anne Levy's Voluntary Euthanasia Bill. We were asked to look at a bill about voluntary euthanasia and, instead, made recommendations about palliative care.

Four members of the committee came out against voluntary euthanasia and physician assisted suicide in principle arguing that such acts should remain criminal offences, while three members of the committee recommended that the Voluntary Euthanasia Bill 1996 not be reintroduced. With the Hon. Dr Bob Such, I produced a dissenting report, as neither of us could agree on those two recommendations, which were principally what the investigation was about. Perhaps I had better warn the Hon. Mr Davis that this will be a long speech, because I will refer to probably about a dozen or more submissions or presentations that were made to the committee.

The Hon. Diana Laidlaw interjecting:

The Hon. SANDRA KANCK: About 40 minutes. Except for about two things in what I have to say, I will refer either to evidence or presentations made to us. Looking at the palliative care recommendations that came out of the committee, who could disagree? As *Advertiser* columnist Samela Harris said: 'Of course more resources should be put into palliative care. Blind Freddy knows that.' One should look at what Palliative Care Australia had to say in its position statement on euthanasia. As very obviously strong proponents of palliative care, it acknowledges:

While pain and other symptoms can be helped, complete relief of suffering is not always possible, even with optimal palliative care.

It indicated that it welcomed:

. . . open and frank discussions within the community and within the health professions about all aspects of dying.

One of the witnesses to the committee Mr Bob Hall preempted the outcome of the committee's investigation when in his written submission he said:

In this debate on voluntary euthanasia more in total has been said about palliative care than about the problem. Why this is so eludes me because palliative care is neither the problem nor the solution.

In our dissenting report Dr Such and I have argued that voluntary euthanasia is a final step in palliative care, one that only few will require but an option that should be there. It really should not be a case of either palliative care or voluntary euthanasia, but some have brought the argument down to that choice. Palliative care specialist Dr Roger Hunt told the committee:

The idea that if people are having good palliative care they will not ask for euthanasia is a myth.

One of the positive side effects of the continuing political battle for voluntary euthanasia legislation is the increase in funding for palliative care, as the opponents of voluntary euthanasia think that more palliative care will stop the demand for voluntary euthanasia.

The Chair of the Social Development Committee at the press conference announcing the conclusions and recommendations of the majority report invoked the Sixth Commandment: thou shalt not kill. What does that dictum apply to? Does it mean we should all be vegetarians? I expect that the Chair, who was a primary producer before entering parliament, would argue that it is okay for animals to be slaughtered for us to eat, and I would also argue that way. So the Sixth Commandment applies only to humans, it appears, but are there exceptions to that? What if you are being attacked and you kill in self-defence? Certainly the current emotive arguments about home invasion would strongly support that outcome. If you see someone attacking a small child, and in defending her you kill the attacker, is that okay? I suspect that for most people such a breaking of the Sixth Commandment in the case of an accidental killing would be acceptable. What if someone runs amok with a gun and, in trying to bring that person under control, the police kill him? How does that sit with: thou shalt not kill?

Then there is the type of argument epitomised by the Gulf War in the early 1990s. The heads of the defence forces and the leaders of governments in Australia, United States, Britain, France, and others, justified the killing of innocent Iraqi civilians on the basis of an assertion that it would prevent Saddam Hussein killing off a far greater number of innocent civilians in Kuwait. Sometimes we kill when we allow women, children, and old people to slowly starve to death by instituting sanctions against a country, again clearly illustrated in post-Gulf War Iraq. The Sixth Commandment is clearly being used very selectively. I say this not to offend Christians but to illustrate the shortcomings of a simple dogmatic religious rejection of voluntary euthanasia.

In the year 1591 a Scottish woman, Eufame Macalyne, was condemned to death and burned alive on Castle Hill in Edinburgh. Her sin? She sought to relieve the pain of childbirth by using chloroform. She must have been a very careless woman because she had obviously neglected to note that in the Bible, in the book of Genesis, the God of the Jews had issued an edict that women would henceforth have to bring forth their children in pain, and by seeking to relieve that pain Eufame was perceived to be placing herself above God's laws. At around the same time in history there were similar religious arguments advanced against inoculation. Disease and illness were believed to be God's punishment for evil, and attempts to ward off sickness were seen as an attempt to avoid the punishment which God had meted out.

I cannot help but wonder how different were those religious arguments to those which are now being advocated against voluntary euthanasia in the name of religion. However, it is good to note that there are some of a religious bent who have a different view of death and dying. One submission to the committee quoted Bishop Shelby Spong from an address he made in 1997 to the Catholic Press Association, when he said:

> Life must not be identified with the prolongation of biological existence. My personal creed asserts that every person is sacred. I see the holiness of life enhanced, not diminished, by letting people have a say in how they die.

The Christian church has moved on, as shown in these historic examples and, hopefully, those who are speaking for the churches today will be able to move on in regard to voluntary euthanasia. As things currently stand, some of the people leading the churches are holding different views to their parishioners. The 1995 Morgan poll on voluntary euthanasia showed that those who describe themselves as Christian also support voluntary euthanasia. Eighty-four per cent of Anglicans did, 84 per cent of Uniting Church adherents did, 85 per cent of Presbyterians did, and 66 per cent of Roman Catholics did.

A number of opponents of voluntary euthanasia told the committee that pain can be controlled and voluntary euthanasia is therefore unnecessary. But one witness, Mr Bob Hall, asserted in his written submission to the committee that members of parliament were erroneously focusing on the issue of pain, and he went on to succinctly summarise what the bigger picture is:

> When the biology and psychology of a human being come under massive and unrelenting assault a cluster of intractable and dehumanising problems emerge. Pain is only one of the problems and perhaps not the most important one.

Dr Roger Hunt, a former chairman of the South Australian Association for Hospice and Palliative Care, gave evidence to the committee that palliative care and voluntary euthanasia were both about much more than pain relief. A South Australian survey showed that 73 per cent of cancer patients suffered pain, and 75 per cent of those suffering pain were able to have the pain relieved with treatment, whereas 87 per cent experienced weakness (three-quarters of them describing it as severe), yet treatment was able to help in only 3 per cent of cases. Other factors such as nausea, constipation, difficulties in breathing and sleeping problems varied between those two extremes of effectiveness.

The official media release from the Social Development Committee invoked the 'greater good' argument. This release was in the name of the Hon. Carolyn Schaefer, the mover of this motion, and it stated:

> We believe that the greater good of the community must outweigh the wishes of the individual. . .
>
> Our view is that legalising active voluntary euthanasia could not guarantee protection for those most at risk, such as the aged, the sick and the frail, from the consequences of society changing its formal view of killing.

I would like you to imagine that you are a patient whose skin feels like it is permanently being swarmed by thousands of ants, with the consequent itching and scratching, with the skin smelling putrid, waking up each morning with the bedsheets stuck to your skin by the pus, and having to have them prised off. Or imagine that you are a patient who is vomiting up her own faeces. Or imagine that you are one of the albeit small number of dying people whose pain is unable to be remediated. Or imagine that you had led a life of great independence and you become bed-bound, totally dependent on others for all your needs. Or imagine that, with a fully functioning mind, you become permanently incontinent of faeces and urine and have to wear an oversize nappy.

Then consider that each of these things is only one facet of a disease or illness, and there will be a combination of symptoms. These examples are not imaginary: they were given to the committee as examples of some of the conditions that had caused people to seek to have their lives terminated. Then imagine your doctor telling you that you must put up with it 'for the common good'. What extraordinary arrogance on the part of a doctor to say that to a patient. On the other hand, imagine being the doctor who does not believe in that philosophy, who must deliver the message that he cannot offer you the assistance to die because others have decided that you have to stay alive for the common good. You would have every right to die angry.

The Hon. Diana Laidlaw interjecting:

The Hon. SANDRA KANCK: You would certainly live angry, and I suspect that you would die angry. The following example has already been presented to this parliament by the Hon. Anne Levy but, as it was re-presented as part of the evidence to the committee, I will remind members of it. It is a very uncomfortable example and I hope that members are listening. The Hon. Anne Levy told of a female friend, aged 52, who was herself a registered nurse. She said:

> She had cancer of the left breast with glandular involvement. She had radical surgery and two years of radiation and chemotherapy. The cancer eroded out through the original wound to become a fungating, suppurating, stinking mass.
>
> Lymphoedema in her left arm made this huge and useless, and her legs were not much better. This was devastating to a neat, fastidious lady. The district nurses changed her dressings three times a day. Her pain was intractable, even with massive doses of strong analgesic. She kept pleading to be put out of her misery. She was receiving palliative care at home. On her last day of life she stood up on her bed and fell to the floor screaming. She stood up, somehow, and then smashed everything she could in her room: the mirrors, the windows, the ornaments, everything. She was admitted to the Royal Adelaide Hospital and died six hours after admission.

You would have every right to die angry. And people tell us that it is for the common good. The 'greater good' argument appears to me to be mere sophistry against the practical experience of someone in this situation. This is not a proud achievement of a civilised society.

The Hon. Diana Laidlaw: It is hell on earth.

The Hon. SANDRA KANCK: It is hell on earth. Throughout the inquiry I was distressed, frustrated and angered by the lack of accuracy by some of the witnesses who opposed voluntary euthanasia. I do not know whether this was the result of poor research or deliberate distortion of the truth. However, some individuals and organisations have

the pursual of this issue as part of their core business. It really was quite inexcusable of them to come along and give evidence on such a volatile issue without ensuring that the information was accurate. Representatives of the Festival of Light told us that people are confused over issues of voluntary euthanasia, palliative care, pain relief and the turning off of machines.

They told us that a widely held public belief was that voluntary euthanasia was about turning off machines, but they did not tell us what research had provided them with that information. The annual survey on voluntary euthanasia conducted by Roy Morgan Research does not use terms such as 'voluntary euthanasia', 'unwanted medical treatment', etc. but raises the following unmistakably clear question: 'If a hopelessly ill patient, experiencing unrelievable suffering with absolutely no chance of recovering asks for a lethal dose so as not to wake again, should a doctor be allowed to give a lethal dose or not?' In 1996, 74 per cent of respondents said 'Yes.'

Astoundingly, the Festival of Light told us that Holland has a shortage of hospital beds and patients are euthanased to free up beds. This is just one of the big furphies in the voluntary euthanasia debate. So much misinformation is being spread about the Dutch experience that, 18 months ago, the Dutch government took the step of issuing a booklet, through its foreign affairs department, for distribution overseas to deal with the myths, distortions and lies. The Festival of Light claimed that approximately half the deaths by euthanasia in the Netherlands are not voluntary, yet the confirmed figures from the Dutch government reveal that, in 1995, 2.4 per cent of all deaths in that country were as a result of euthanasia, 0.3 per cent involved assisted suicide, while in 0.7 per cent of cases life was terminated without the patient's request, and this last category makes up one-fifth of the total.

Perhaps the Festival of Light was taking poetic licence, but it certainly stretches the imagination to equate one-fifth with a half; and it makes it difficult to give credibility to one of the chief organisational opponents of voluntary euthanasia when such basic facts are presented in such a distorted fashion. Some may suggest that even one-fifth of that total of patients being terminated without the patient's request is unacceptable, so it is important that people understand what this is about. The famed and much distorted Remmelink study showed that, of the approximately 1 000 cases that fell into the category, in more than half the cases (roughly 600) the patient had previously indicated a wish to the doctor that they should have euthanasia, although at the time that this occurred the patient was not in a conscious state to reaffirm this.

Of the remainder, death was hastened by a matter of hours or days. They were people very near to death but not in a state where they could be spoken with to ascertain their views, but family and medical and nursing staff were consulted. The Festival of Light referred to a *Lancet* article co-authored by Professor David Kissane, a palliative care specialist and an opponent of voluntary euthanasia from the University of Melbourne, Associate Professor Annette Street, a medical sociologist from La Trobe University and Dr Philip Nitschke, the medical practitioner who used the Northern Territory Rights of the Terminally Ill Act at the request of his patients.

Dr Nitschke knew that his co-authors were hostile to voluntary euthanasia, but he believed there would be value to the medical community to open up for inspection the medical records of the seven people who had attempted to use the Rights of the Terminally Ill Act. He did not anticipate that there would be subsequent deliberate distortion of the article by his co-authors. The Festival of Light claimed that this study showed that, of those who had accessed the Rights of the Terminally Ill Act, 'some were obviously suffering severe depression'. They told the committee that these patients 'lied' (that was their word) to the psychiatrist who saw them.

According to the Festival of Light a psychiatrist, a person who is trained to understand the mental state of people, was able to be hoodwinked. On the basis of the *Lancet* article, the Festival of Light claimed that Philip Nitschke, a strong proponent and user of the Rights of the Terminally Ill Act, and David Kissane seemed to agree that the safeguards in that act were not adequate and that 'it was agreed' (by whom I do not know) 'that the patient was not entirely truthful in the answers he gave to the psychiatrist'. The article entitled 'Seven deaths in Darwin: case studies under the Rights of the Terminally Ill Act Northern Territory, Australia', was published in the *Lancet* in October 1998.

On the day of publication of the *Lancet* article Kissane issued a media release which alleged the following:

> Fear, worry about being a burden, social isolation, futility, despair and depression were the dominant reasons these patients sought euthanasia.

He also said that the study showed that 'the regulations did not serve as an effective safeguard to protect the vulnerable'. This is despite the fact that the *Lancet* article, which he co-authored, describes the processes as 'a gate-keeping function in which the vulnerable are protected through the wise application of the law'. The dishonesty of this approach really angers me.

Marshall Perron, the architect of the Northern Territory Rights of the Terminally Ill Act, presented the committee with a flow diagram showing 22 hoops through which a patient in the Northern Territory had to jump before they could be given voluntary euthanasia. Philip Nitschke reacted angrily to the media release from Professor Kissane and issued his own media release in which he accused the professor of intellectual dishonesty, 'in that he had produced new and totally unsubstantiated material in his release and implied that these were the findings of the joint *Lancet* article. His claim that there were "prominent" symptoms of depression in four patients grossly distorts the truth'.

Despite the dishonest manipulation of the information in the *Lancet* article, it quickly resurfaced in the Festival of Light's presentation to the committee as Kissane and Nitschke being in agreement that the safeguards in the Rights of the Terminally Ill Act were not adequate. And the depression had been embellished to become 'severe depression'. Dr Nitschke told the committee that Kissane's distortions did not stop there. Only four weeks after Kissane issued that media release he and Street published an article in a US journal called *Omega: A Journal of Death and Dying*, based on the *Lancet* article but including the distortions that were in the media release.

Included in that article and in an appearance on ABC's *Lateline* Kissane stated that Marshall Perron's mother had recently died a difficult death from breast cancer and that this was the reason he had produced the Rights of the Terminally Ill Act. Another lie. Marshall Perron's mother died from cardiac disease in Royal Darwin Hospital five years before the legislation was introduced, where she had excellent treatment and, as Mr Perron told the committee, it was not an illness that would have qualified for voluntary euthanasia under the Rights of the Terminally Ill Act.

Let us look at some of the other lies told about the situation in the Northern Territory. 'There was no palliative care in the Northern Territory at the time Marshall Perron introduced his bill', said some of the submissions to the committee. That is not true. But what was available should have been better. Nevertheless, of the four people who died using the Rights of the Terminally Ill Act, two came from New South Wales where their palliative care is not under criticism and one was from South Australia where we have excellent palliative care.

Another of the lies is that once the legislation was in place the Northern Territory did not have people adequately trained to deliver palliative care. It is not true. By that stage there was a palliative care doctor in charge of a home palliative care service.

There were also claims that, while the Rights of the Terminally Ill Act was in existence, Aboriginal people in the Northern Territory were scared to visit a doctor because they feared they would be killed by the doctor. The facts put a lie to this claim. An Aboriginal MP, whose electorate included Arnhem Land, supported the passage of the Rights of the Terminally Ill Act. An Aboriginal cleric, Reverend Djiniyini Gondarra, appeared before the senate inquiry into the Andrews bill and told the committee that it was not true that Aboriginal people were refusing or afraid to visit hospital, that the opposition of tribal Aborigines was, instead, based on customary law. The Northern Territory Department of Health could find no evidence of a decline in visitation to health clinics or hospitals.

Why do the opponents of voluntary euthanasia lie and distort the truth? It does not help their case when they are found out. Maybe they think the end justifies the means. Instead it simply disparages their arguments. As Marshall Perron wrote to us:

> It is reasonable to assume that prostitution, abortion, organ donation, autopsies and cremation are all offensive to Aboriginal culture but it does not stop us having laws about them.

Early in its presentation to us, the Medical Guild of St Luke quoted the Hippocratic Oath as some sort of proof that doctors should not be involved in voluntary euthanasia:

> I will neither give a deadly drug to anybody if asked for it, nor will I make suggestion to this effect.

Yet most doctors are prescribing deadly drugs on a daily basis. I questioned the Guild about this and we got back to the hoary old chestnut of 'intent', of which I intend to speak a little more later.

The Medical Guild of St Luke told us that the bill 'creates an opportunity for doctors to exploit patients for their own purposes'. How extraordinary that the passage of voluntary euthanasia legislation will somehow create a Jekyll and Hyde personality change in the nature of doctors. They already have the powerful drugs that can kill and they have the means to use them but, as long as we do not have voluntary euthanasia legislation, they will all be caring and compassionate, it seems. Surely these people can see that if the drugs are there now the opportunity to exploit exists now.

The Medical Guild of St Luke suggested there is a paradox in society having abolished the death penalty and to then have proposals for voluntary euthanasia. The shortcomings in the argument are quite profound. In capital punishment, society, through its agencies of the legal and prison systems, makes the decision to take away the life of a person without that person's consent. In voluntary euthanasia, an individual makes a decision that his or her own life will be terminated and asks for the assistance to achieve that end.

The opportunity to improve relations or to become a better human being were a fairly common theme amongst those opposing voluntary euthanasia. The Medical Guild of St Luke referred to the Kubler-Ross stages of dying—denial, anger, bargaining, depression and eventually acceptance—and then went on to describe these as 'life enhancing experiences'.

Whose life is it anyway? Surely the person who is suffering these things is the one who knows what is enhancing their life. Nobody else knows, although some may pretend to know. If there is an exercise of power by medical practitioners, it is occurring here and now when some doctors are already playing god by resuscitating patients and ensuring that patients cling to life when they would otherwise die.

Another man appeared before the committee and I will refer to him only by his first name, Gerard. He spoke emotionally of his father's death and the great healing in relationships that can occur if people are allowed to die as his father did 'at his natural time'. Gerard told us that his father would not have wanted voluntary euthanasia. Fine—no-one who proposes voluntary euthanasia would have made it available to him. But for goodness sake, just because this man's father would not have wanted voluntary euthanasia is not a good reason to deny others access to it if that is their wish.

It is perfectly possible to be complete in your family relationships without having an incurable illness. It is extremely high handed for those with the power to force people to stay alive because they think it is good for people to go through the Kubler-Ross stages of dying, to do so because they think it is life enhancing.

The editor of *Ability Network*, Mr Jeff Heath, appeared before the committee. He saw the existence of voluntary euthanasia as a threat to people who are disabled and that such people could be coerced by relatives with a financial incentive into taking their lives by this method. A number of opponents of voluntary euthanasia expressed similar views in regard to people with disabilities, mental illness, the ageing and even the poor. The fact is that such coercion to commit suicide could be applied now by greedy relatives. At least with voluntary euthanasia a psychiatrist would be involved and the likelihood of the existence of such pressure would be detected.

The fear that groups such as the disabled will be targeted is not confirmed by the state of Oregon after its Death with Dignity Act 1994 finally came into operation in 1998. In its first year of operation, of the 15 people who used the legislation to take their lives, 13 were suffering from cancer, one from congestive heart failure and one from chronic obstructive pulmonary disease. Disability was not a factor. While there may be a fear by some people in the disability community that they would be targeted, there are others in that same community who are equally strong advocates of voluntary euthanasia.

A couple of years ago I attended a public meeting in Melbourne of the World Federation of Right to Die Societies. In the audience was a woman in a wheelchair who suffered from multiple sclerosis. She was there as a strong advocate for voluntary euthanasia. She knew of the very real possibility that in the later stages of her probably limited life, if her life became unbearable, the progress of her disease would virtually ensure that she would not have the appropriate movement and control in her arms to take her own life.

Dr Philip Nitschke, when he appeared before the committee, made this simple but telling comment:

> You simply cannot chain to the planet people who do not want to be here.

Marshall Perron, the architect of the Northern Territory's short-lived Rights of the Terminally Ill Act, presented the committee with some shocking Bureau of Statistic figures about deaths recognised as suicide in the 75-plus age group in Australia for the five year period 1990-94. Of the 672 suicides, the most popular method was hanging—with 171 having opted for that—followed by 130 who resorted to firearms. Ninety-three had presumably gone more peacefully with doctor-prescribed drugs, and 78 had opted for the car exhaust method. Thereafter the methods included a mix of things such as the ingestion of agricultural chemicals, the placing of a plastic bag over the head, drowning, jumping from a height, electrocution and so on. That may not be palatable information to honourable members but it needs to be said. Obviously one can only conjecture as to the reasons these people chose to take their lives in some particularly horrible way. I cannot say that they were hopelessly ill as per the definition in the Levy bill but the chances are that it is more likely to be that than that a girlfriend had deserted them.

It is terrible to contemplate that suicide by these methods is the only option left to these elderly people who, in our society at least, should have had a reasonable expectation that they would die with a little more dignity. Such deaths have to be undertaken in secrecy away from the knowledge and support of friends and families. These people are forced to die alone. Their bodies are found later, sometimes in a mutilated state, sometimes days later in a bloated and smelly condition, which further adds to the painful memories of the family or friends. Dr Nitschke told the committee:

> Day after day I see patients who are in fact ending their lives in a horrific way because they cannot get access to decent legislation.

Not only did these people have to die in an undignified way, but their suicide can result in insurance policies not being honoured. So, the families of the deceased must suffer further pain. How is it that we are better off than this?

I said I would talk a little more about the issue of intent, because at the moment under our Palliative Care Act a doctor can administer drugs that will kill someone and not have action taken against them provided their intention was to alleviate the person's suffering. I will read in detail some of the evidence given to us by Dr Roger Hunt, because he was the doctor who attended Gordon Bruce, a former President of this Council. Dr Hunt states at the outset that Gordon Bruce's family has given permission to talk about the case. The evidence is as follows:

> Gordon developed motor neurone disease. He became weaker and weaker, chair bound and eventually bed bound. When I first met him he said, 'I wish I could carry around a little white pill so that when the time came I could swallow that pill and that would be it.' I said, 'Well, that is not going to be possible but we will do what I can for you at the end.' When I came back from leave I heard that Gordon was desperate to see me.
>
> At that stage he was using a ventilator for most of the time because his diaphragm did not have the strength to draw air in and out of his lungs. He was having difficulty swallowing and he had a great fear of choking on his saliva or mucous. Many patients with motor neurone disease have that fear. He was being cared for at home by his wife and he said that he was desperate. He had reached the end of his endurance. He could barely move a muscle. He was paralysed in his own body. He could think perfectly clearly. I could only just hear what he was saying. I set up an infusion of opioids to try to take the edge off his air hunger because he was trying to breathe and finding it very difficult. However, I do not think it really helped him.
>
> As his oxygen level decreased he became agitated. I visited his home one day and when I left that day he had died. I took his ventilator off and gave him an injection of morphine, opioids and some sedative to try to quell his breathing distress, but that lowered his oxygen. I put the ventilator back on. I gave him a bigger dose, took the ventilator off and he died with his wife holding one hand and his daughter the other. They were tearful but grateful that he had died more or less the way he wanted rather than choking in the middle of the night. If I were to say that my intention was to remove a futile, burdensome treatment, that is, the ventilator, the life prolonging treatment, and it was Gordon's right by law to refuse life extending treatment in the terminal phase of his illness and I was obliged to follow his wishes—and give him palliative medications to relieve his suffering and he died as a consequence—everyone would pat me on the back and say, 'Well done, Roger.'
>
> However, if I were to say that my intention was to treat Gordon in accordance with his wishes, that is, he no longer wanted to live and that, as a result of my treatment, he did not live, then, technically, I might be charged with murder because my intent was that he no longer live. I eased his suffering through bad means. So, depending on how I express my intent, it could lead to completely different outcomes for me. I could be patted on the back and told that this is good palliative care or, on the other hand, I could be on a charge of murder. This is not good law. Intention is very subjective. There are many other moral factors here. There is compassion; there are the wishes of the patient. Above all, this should be at the centre of any law: that we are treating patients according to their wishes and interests and not according to our good intentions as clinicians. After all, we are there to serve them. They are not there for our good intentions. The argument in relation to the timing of death is weak, because intention is very subjective. If we are calling the hastening of death an intentional effect of treatment or secondary or unintended, if we are coerced into saying those sort of things by law in the clinical practice, we might not be taking full responsibility for the consequence of the treatment. As clinicians we ought to take some responsibility in discussing that outcome with patients and their families.

I think those words of Roger Hunt say all that is needed to be said about intent. One of those people contributing a pro-voluntary euthanasia point of view was a former nursing home director, whom I will identify by her first name of Sue, who sent in a written submission, asked to appear before the committee but then had to cancel because of her own terminal illness. Sue was clearly a practising Christian, with a deeply caring attitude toward the residents of her nursing home, many of whom were high-dependency patients. But the experience of seeing so many of them slowly degenerating or simply vegetating caused her to question what we as a society are doing by forcing people to cling to life. She accused society of having created 'a horror stretch at the end of many people's lives', saying:

> Nursing care is one of the most effective life support systems that there is. It lies like a snake in the grass because it negates all those natural causes from which people used to die, namely, dehydration, hypothermia, starvation, bedsores, neglect and pneumonia—once popularly recognised as 'the old people's friend'. You cannot say that these people die, rather they cease to exist when their worn out organs can no longer respond to medication or care.

She provided a set of photographs of some of these high-dependency residents, with notes about each. Many of them suffered from a condition known as fixed flexion deformity where muscles hold a part of the body in a frozen position. One woman's neck was extended tightly so that her head was turned perpetually towards the ceiling or had been lying down, towards the wall. Her left arm was held rigidly to her chest. Another photograph showed a man with a piece of rolled cloth in his tightly clenched right fist, that right arm being held up against his chest. The notes informed that it took two nurses some time to open his fist so that his hand could be washed, dried and powdered, and similarly with his right arm pit, with even greater strength required. If this

process was not done every two to three days, an offensive stench would begin to develop.

Sue mentions that his arm could not be fitted into a pyjama jacket, and judging by the photograph neither could his pyjama pants be worn because of the way in which the right thigh was tightly drawn up towards the body. Another woman was similarly afflicted, with legs drawn up towards the body. In both cases it is clearly obvious that these people were dependent on the sheets to provide them with any sense of dignity. If they moved and the sheet slipped aside, their near-naked and distorted bodies were on view for anybody passing by to see. Sue observed they were all incontinent of urine and faeces, most were senile, all non-ambulant, most non-vocal and all totally dependent on staff for their care. Many of them had no visitors for months on end. She says, 'It was clear they were not dying in God's time,' and in her submission she posed the question: 'Are we prolonging life or prolonging death?' She tells of a woman who had spent her life helping others and who was admitted to the nursing home, unable to be helped and wanting to die:

> For three long years we heard her sad voice pleading, 'Let me die.' To this hour I remember with sorrow the feeling that I had failed her when her need was so great.

These examples illustrate what the opponents of voluntary euthanasia are often not able to see—that this is about not just pain but human dignity. In George Bernard Shaw's play *St Joan*, having realised that she is to spend the rest of her life in prison, Joan tears up her confession and exclaims to her accusers, 'You think that life is nothing but not being stone dead.' Perhaps that is the fundamental difference between those who are for and those who are against voluntary euthanasia. Our view of what constitutes life is different. I fear that perhaps there will be no reconciling of those views.

The way in which this reference came to the Social Development Committee was controversial. The Hon. Carolyn Pickles had moved for it to go to a select committee, and that motion was amended to refer it to the Social Development Committee. At the time, both I and Carolyn Pickles were very angry about it. I refer to a report in the *Advertiser* of 27 April 1998—and some members may remember that I accused some of my colleagues of being 'a gutless bunch of wimps'—in which I said that it would take until the following September to come up with legislation on the issue, by which stage it would probably be too late. I was not far out. In fact it took until October and there was no legislation. The press report states:

> The author of the motion (upper house opposition leader, Ms Carolyn Pickles) said she was frustrated and disappointed by the failure of her attempt to set up the select committee. 'I feel that the select committee could have been set up today. We could have started calling for more submissions right away'.

The Hon. Carolyn Pickles and I both predicted the outcome of the Social Development Committee's handling of that inquiry—and we predicted very accurately.

The Hon. Carolyn Pickles interjecting:

The Hon. SANDRA KANCK: Absolutely. When the committee finally released its report, it brought a very angry reaction from *Advertiser* columnist Samela Harris. She wrote an article headed 'End of Social Development.' She used the same term as I did to describe the report—a cop-out. She was absolutely scathing. She said, 'The pollies are timid; they passed the buck and called it 'social development'. We are the MPs in a representative democracy, and we fail ourselves and our constituents if we duck from dealing with the difficult issues.

Mary Gallnor, president of the South Australian Voluntary Euthanasia Society and president of the World Federation of Right to Die Societies, expressed to the committee a most coherent view about our role as legislators, particularly in relation to this issue. She said:

> You are elected not to follow the will of the people and equally not to follow your own will. I believe your responsibility is to balance the harm and the good of any bill that comes before you.

That advice is something that I believe all members in this place should contemplate. Marshall Perron, in his written submission, urged politicians to ask themselves how the state has an interest in prolonging suffering. Theologian C.S. Lewis in his essay 'The Humanitarian Theory of Punishment' said:

> Of all the tyrannies, a tyranny sincerely expressed for the good of its victims may be the most oppressive. It may be better to live under robber barons than under omnipotent moral busybodies. Those who torment us for our own good will torment us without end, for they do so with the approval of their conscience.

The busybodies have won this round, but I remain confident that ultimately commonsense will prevail and voluntary euthanasia legislation will be enacted, and I believe it will be in my lifetime. As long as I am in this parliament, I will work towards that aim.

Motion carried.

MEMBERS, TRAVEL

Adjourned debate on motion of Hon. Nick Xenophon:

> That this Council agrees to the following:
> 1. That travel reports of members of parliament be tabled in parliament and be made available on the parliamentary internet site within 14 days of any such reports being provided to the Presiding Officers as required under the members of parliament travel entitlement rules.
> 2. That this resolution be transmitted to the House of Assembly for its concurrence.

(Continued from 20 October. Page 137.)

The Hon. L.H. DAVIS: The motion moved by the Hon. Nick Xenophon has, as its essence, the publication on the internet of travel reports of members of parliament. The Hon. Nick Xenophon's motion requires that travel reports of members of parliament, if they have been lodged with the Presiding Officer within the stipulated period, to be then published on the parliamentary internet within 14 days of those reports being provided to the Presiding Officers.

In his contribution to this motion, he argued that it was in the public interest that this occur, that there should be a greater degree of accountability of parliamentary travel reports.

I want to say something about consistency when we talk about accountability. The Hon. Nick Xenophon will not like me for saying this but, if we are talking about standards and accountability, we should also talk about consistency.

I must say that I am bemused when I see a motion like this from the Hon. Nick Xenophon, the same member who has been shy about putting his own media releases into the parliament. These are, after all, public documents and, as I said in my contribution on his gambling industry regulation bill back in November, in preparing my speech for that debate, I had asked the library for copies of the Hon. Nick Xenophon's press releases. He was contacted by the library and told that a member would like his press releases, and he was also told that it was a matter of courtesy that people provide them if requested. His staff refused on his behalf. The

library rang him again and he said that the releases would not be made available. As I said at the time, this is hardly an example of transparency and accountability, which is something that the Hon. Nick Xenophon is calling for in this motion.

The Hon. Nick Xenophon does get upset when his integrity is impugned. I put to him very plainly in unembellished language that he will have a lot more credibility in the parliament and in the public if he has some consistency with the arguments he mounts, whether it be about gambling or travel reports. With that matter having been raised, as I said, there are still no media releases from the Hon. Nick Xenophon in the Parliamentary Library. It is not the biggest issue going around, certainly, but if we are talking about standards and accountability, the point I make is a very strong one.

Notwithstanding that criticism of the Hon. Nick Xenophon, the Liberal Party accepts that the proposal has some merit. The Liberal Party has never been shy about matters of accountability. Travel reports, as all members know, are grist to the mill for the media. When introducing this motion, the Hon. Nick Xenophon talked about a trip that I made sometime ago which led to the idea of the international rose garden. I want to relate briefly the problem that members of parliament have about travel, to the point where I suspect some members, who are less resolute than others, may be dissuaded from travelling overseas because of the adverse publicity that it attracts.

I can remember in 1986, when I was the shadow minister for ethnic affairs, arts and treasury matters, that I went on a fairly exhaustive and exhausting trip to Italy, Greece, England, Canada and America. The *Advertiser* in that year decided that it would run a story on overseas travel. The *Advertiser* rang up everyone and found out where they were going. The journalist writing the story apologised for this in advance and said, 'Look, I am sorry I have to do so, but I have been directed to do this. We are doing a story.' I said, 'This is a beat-up, isn't it?' He said, 'It could well be.' Sure enough, it was—it was a page one story.

The Hon. Carolyn Pickles: Rex Jory thinks we should go.

The Hon. L.H. DAVIS: I will return to the Hon. Carolyn Pickles' astute observation, because I want to say something about that. On page one of the *Advertiser* in 1986 there was a signpost which indicated that John Bannon was going to the USA and Kym Mayes, Barbara Wiese, John Olsen and I were going to other places. Lovely stuff! In May 1997, amongst other places, I travelled to Portland, Oregon, where I was a guest at the Portland Rose Festival. Inevitably, when travel spending for each member is tabled in the parliament with the amounts for the previous year, the *Advertiser* dutifully sends down a reporter to garner a story.

The front page of the *Advertiser* of 4 December 1997 carried a story headed 'MP spends $18 000 on roses trip to US'. I do not think that that figure of $18 000 was correct. So, a very negative spin was put on this exciting project. The story contained a number of errors. On the next day, Radio 5AA, led by Leigh McClusky, invited a shrill response from its listeners. Leigh McClusky attacked the morality of the trip and suggested that telephone calls, a few faxes and the internet could have done the job. That is exactly what one would have expected. I suppose that Haigh's Chocolates, Santos, Faulding and the News Corporation (which owns the Advertiser) would all operate on the same basis.

As members know, we have subsequently developed the idea of an international rose garden. The Premier asked me to chair a committee which chose the site. That site, which is currently being planted, will be opened later this year. It forms part of a precinct that will include the newly developed Wine Centre, the rose garden, the Bicentennial Conservatory, the Botanic Gardens and the adjacent Adelaide Zoo. This is a wonderful new precinct for Adelaide, one which is building on our growing reputation amongst tourists from interstate and overseas. As an adjunct to that, we are also for the first time as a result of this initiative having an international rose and garden festival later this year.

Members would know that other ideas have come from members' travel. The O-Bahn is the result of a visit to Essen, Germany in the late 1970s where the O-Bahn was seen in operation. So, that idea came from one of these trips.

The Hon. Nick Xenophon: Was the O-Bahn one of your trips?

The Hon. L.H. DAVIS: No. Small business and information technology initiatives have also come from overseas.

In the most recent round of discussions on members' trips, just six weeks ago, on 28 February 2000, the *Advertiser* had a two page layout headed 'Our state politicians spend up big on international and domestic travel involving suburban trains and fragrant British rose gardens—$366 000 the cost of educating MPs'. I do not think that any member here would ever remember a favourable discussion in the general columns of the *Advertiser* on a member's overseas trip. The editorial gave grudging recognition to the fact that some benefits flow from these trips, and it instanced the example of the rose garden.

I return to the Hon. Carolyn Pickles' wise observation that Rex Jory, who is a feature writer for the *Advertiser* with his own regular column, is a great supporter of members' overseas trips. He said, 'Don't be deterred, these trips are important.' It is a slow day if in a Rex Jory column you do not read about five places that he has visited or a Premier with whom he has jogged or a minister of state with whom he has rubbed shoulders in New York, London or Rome.

The *Advertiser* has this wonderful technique of using Rex Jory as the good cop whilst the remainder of that newspaper's journalists act as the bad cops. I think it is rather sad that we live in such a small village that overseas travel by politicians is seen as a soft and easy target. We are very inward looking as a state if members' overseas travel is still attracting these two page stories. There would not be too many places in the world where this would be a regular feature year in and year out. Journalists themselves are often embarrassed and apologetic for writing these articles, but they do it under instruction because they sell newspapers. They feed on the notion that politicians are in a pig swill, taking advantage of the taxpayers' money with easy trips and junkets around the world.

The fact is that in all states of Australia politicians can travel. The way in which they travel and the allowances they are given vary from state to state. However, in researching this motion of the Hon. Nick Xenophon I have put together a synopsis of travel allowances and requirements regarding travel reports around Australia. In the federal parliament, members who travel overseas are required to provide a report which is made available to all members for perusal and which may be tabled at the discretion of the minister. Most reports become available to the press through freedom of information: they must formally seek that through a freedom of information request. Members who travel within Australia are not required to provide a report.

In Western Australia, a report is not required for any parliamentary study trip. In Victoria, members are required to provide a report after study travel, but only the media and not the public can access these reports. In New South Wales, members do not have a travel allowance, as such, but they tend to use committee trips as a means of travel. They will often look at a subject which might require interstate travel. Occasionally, they have been known to travel overseas, but they can travel on Commonwealth Parliamentary Association matters. If members of the New South Wales parliament travel overseas on Commonwealth Parliamentary Association business, a report must be filed in the Parliamentary Library. Again, that report is not available to the public.

In Queensland, members who travel within Australia are not required to present a report. Members must lodge a report covering any overseas trip, and that report is made available to the public. In Tasmania, members are required to lodge a travel report which is kept in the library and is not available to the public but presumably it is available to the media. In the Northern Territory, members may report on overseas travel through the adjournment debate. They may elect to do it in that way rather than in document form, but if a report is produced it is available for public perusal.

In South Australia, as members are aware, members of parliament are currently required to lodge a report outlining the details of any overseas travel for which a per diem payment has been received or where there is a per diem payment for more than three nights for intra or interstate travel. These reports are kept by the clerk of either house and are available for perusal by the media, and I think that in the Legislative Council they are available for perusal by the public. So, there is an element of disclosure.

One of the arguments that has been advanced is that, because taxpayers' money is involved, the public is entitled to see these reports. If you were working for the *Advertiser* and went on a study trip, or if you were working for Haigh's Chocolates and went on a study trip researching chocolate, and prepared a report, you would be reasonably entitled to believe that your opponents, in whatever business you might be in, would not have access to that report.

I put to members that there is an element of politics in these study trips and that, whilst the information generally may be for the benefit of the state as a whole, politicians on all sides—Australian Democrats, Labor, No Pokies, SA First or Liberal—would, on occasion, come across an idea which might have a political advantage and which could be implemented as policy at the time of an election. For example, the rose garden initiative was something which I saw as an opportunity and which was subsequently announced as an initiative during the 1997 election campaign.

The Hon. M.J. Elliott: We won three seats in that one.

The Hon. L.H. DAVIS: The Hon. Michael Elliott would have come back with many ideas from his overseas trips in relation to the environmental issues that he follows with particular interest. I have always accepted that some of the reports may be a bit cute in terms of detailing the subject matter, the specific details of what one has learned and, sometimes, the people that one has seen. In that sense, to have it laid out on the internet is something that I think some members might object to.

In researching this, the Hon. Nick Xenophon might be interested to know that my inquiries reveal that travel reports are not available on the internet for any other state parliament, the Northern Territory parliament and the federal parliament: in no other place in Australia is there a requirement for the travel report to be on the internet.

The Liberal Party has considered this matter and believes that there can be a compromise. If a member is required to prepare a report for overseas travel—and we are limiting it to overseas travel—there is an argument to say that a synopsis of the overseas travel report, including places visited and the objectives of the travel, shall be prepared and published on the parliamentary web site. That is the conclusion that we have reached and we believe it to be a fair compromise.

We accept that the record of parliamentary debates (*Hansard*) is now on the internet and that people can follow those debates on the internet. We accept that as a means of communication. If a member of parliament travels overseas and files a report with the presiding officer, whether it be in the Legislative Council or in another place, then within 14 days of that report being lodged we suggest that a synopsis of the report, including places visited and the objectives of the travel, be prepared by the member and published on the internet. With that contribution, I move:

That the motion be amended by deleting from paragraph I the words 'That travel reports of members of parliament be tabled in parliament and be made available' and inserting in lieu thereof 'That a synopsis of any overseas travel report of a member of parliament including places visited and objectives of the travel shall be prepared by the member and published'.

The Hon. CAROLYN PICKLES secured the adjournment of the debate.

AUDITOR-GENERAL'S REPORT

Adjourned debate on motion of Hon. R.I. Lucas:

That the report of the Auditor-General, 1998-99, be noted.

(Continued from 5 April. Page 808.)

Motion carried.

CASINO (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 29 September. Page 49.)

The Hon. CARMEL ZOLLO: I indicate my support for the second reading of this bill and for the object of the act. Essentially, the Hon. Nick Xenophon is concerned with providing further consumer protection and safeguards for our community in relation to gambling at the Adelaide Casino. Some of the matters covered in this bill are viewed by the opposition as conscience issues and others are of an administrative nature, but we support the second reading of the bill.

All clauses have been well explained by the Hon. Nick Xenophon and there is little point in going through them again. However, I would like to spend a few moments going through some of the provisions that I do support. I support the amendment of section 38, which relates to the approval of management systems. The amendment recognises the need to provide to patrons the greatest amount of information and for that information to be supplied in a prominent manner.

Regarding clause 5 of the bill, the Hon. Nick Xenophon made mention of my question to the Treasurer as to whether parliament needed to legislate on the Casino's entry into the electronic commerce market. The Treasurer's response to my question at the time indicated that legislation would not be required to extend the Casino's licence to include internet

gambling. The Gaming Supervisory Authority can approve an amendment to the Casino licence.

I agree with the Hon. Nick Xenophon that it would be a very big step for the Adelaide Casino to offer internet and interactive home gambling and that the parliament should have the ultimate say about that. I note that the Select Committee on Internet and Interactive Home Gambling and Gambling by Other Means of Telecommunication in South Australia is yet to report to parliament. A number of other reports have since become available and advocate different levels and jurisdictions of control.

The conclusion in chapter 4 (Looking at Adequacy of Regulation) of the report of the Senate Select Committee on Information Technologies of March 2000, 'Netbets' states:

> A uniform model for regulation must apply across all Australian jurisdictions in order to ensure a high standard of consumer protection in the provision of online gambling services. Consumers should experience the same level of protection regardless of which Australian jurisdiction they choose to gamble in. The committee has recommended a number of policies to improve the level of consumer protection. This includes tasking the Ministerial Council on Gambling with ensuring that a consistent and uniform national regulatory model is applied.

A minority report by ALP senators from the same committee states that the ALP supports a degree of federal involvement in coordination of regulatory regimes and believes that this can be achieved by ministerial council comprising relevant state and federal ministers, which will develop a national regulatory framework. Then again, I noted that late last year the Prime Minister called for state and territory governments to support a ban on internet gambling. I find it very disturbing to read in the Productivity Commission report that more than half of the gamblers who used the internet to gamble in 1998-99 were aged between 18 and 24, a figure which included sports betting and online casinos. I appreciate that perhaps this age group would feel more familiar with this type of gambling but, nonetheless, it is disturbing that people of that age are using services so frequently.

At the same time, I was pleased to read in the media that Mr John Lewis, General Manager of the AHA, had expressed his concern over internet gambling at the launch of the Alice Springs based Lassiters casino and the recognition of the harm it could cause to families. Some accuse the AHA of self-interest, but I do not believe this to be the case. I noted the comments in the state government discussion paper of 19 October 1999 'Racing and Wagering Legislation National Competition Policy Review' that, consistent with other states, the South Australian government intends to regulate interactive gambling by adopting the proposed Interactive Gambling (Player Protection) Bill 1998. This discussion paper also mentions that the US and most other western nations have chosen to ban or prohibit interactive gambling. I guess we will need to await the outcome of our committee's deliberations.

I also indicate support for section 41B, to prohibit gaming machines not operated by coins. The danger of having a cashless device with gambling is of great concern. Having a smart card will clearly have a further detrimental effect for those people who are addicted to gambling. They and their families do not need further incentives, or for gambling to be made any easier. Whenever any of us use cards, even in a responsible manner, there is always a divorcing effect in our minds because we are not directly handling money. With problem gamblers the risk is obviously greater. The complex smart card is particularly frightening when it comes to addicted gamblers. Mr Barry Tolchard, from the Centre for Anxiety and Related Disorders, has prepared some information on smart cards. Apparently the complex card may contain information that could be used to target specific people who would invariably be the heavier gamblers. This would be an extension to the prize draws, etc. designed to get the heavier gamblers into establishments during recognised low activity times. People who are problem gamblers certainly do not need this type of incentive.

I support in principle the section dealing with intoxication. I will perhaps later seek clarification from the Hon. Nick Xenophon as to what exactly his definition of intoxication is. What one person might believe it to mean could simply be a state of heightened happiness on another person's part. I indicate that I also support the last part of the bill, to amend the Gaming Machines Act 1992, and it is similar to the Casino Act amendment sought, which had the effect of prohibiting the use of anything other than coins for the operation of a gaming machine. I, too, note the comments of the Social Development Committee, which recommended that note taking should be prohibited. I believe anything that purposely slows down both the parting with one's money and usually the loss of money is an important initiative.

Whilst this bill is casino specific legislation, it would be remiss of me not to mention that since the parliamentary break the states of Victoria and New South Wales are proposing or have since taken positive steps to curb the expansion, and for regulation, of poker machines in their states.

The Hon. Nick Xenophon: And Queensland today.

The Hon. CARMEL ZOLLO: And Queensland today—right, I had not caught up with that. The Carr government has frozen the number of poker machines in New South Wales for at least 12 months. In Victoria, the Responsible Gaming Bill has capped machines at 27 500. I am pleased that we are starting to see a recognition from governments which are obvious beneficiaries in the form of taxation of the need to demonstrate a stronger level of responsibility towards those members of the community who are victims of addictions, regardless of which venue they choose to play.

I also acknowledge that, along with other members, I have been advised by the AHA that it has been conducting an audit of hotels with gaming machines to establish the number of South Australian venues complying with the Gaming Code of Practice, and I commend the association for its diligence.

I do believe that the Hon. Nick Xenophon's bill makes some attempt to commit governments to regulate and to be involved in reducing problem gambling. The losses on pokies in South Australia continue to increase. I read that in 1999 the figure was $465 million, compared with $376 million in 1997, and, of course, government revenue rose proportionately. The Ministerial Council on Gambling, endorsed by the federal government, will seek to impose, through the Coalition of Australian Governments, some nationwide regulations on state-controlled gambling sources.

Poker machine restrictions recommended by the Productivity Commission include providing players with spending records, removing credit sources such as automatic teller machines from gambling venues and putting signs on machines warning players of their slim chances of winning. I believe it is also sensible for states, for South Australia, to legislate for more responsible gambling, in whatever forum, rather than just by imposition at the federal level. I support the second reading of the bill.

The Hon. J.S.L. DAWKINS secured the adjournment of the debate

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE: TUNA FEEDLOTS

Adjourned debate on motion of Hon. J.S.L. Dawkins:

That the report of the committee on tuna feedlots at Louth Bay be noted.

(Continued from 5 April. Page 791.)

The Hon. T.G. ROBERTS: I rise to note the report of the Environment, Resources and Development Committee's twenty-eighth report, into tuna feedlots at Louth Bay, and indicate that the report came on the heels of a previous report that we did on aquaculture generally and, by the time we started to take evidence from expert witnesses on the tuna feedlots at Louth Bay, I think each member felt that the previous investigation we had done had certainly sharpened our information base, and we probably felt that we were perhaps know-alls in lots of areas in relation to which previously we had not had a good base of information. But taking my tongue out of my cheek, the committee's findings in relation to the tuna feedlots at Louth Bay were disturbing.

The recommendations reflect the concerns that the people on the West Coast around Louth Bay and Port Lincoln had in relation to practices that they believed breached the government's own regulations and the government's own legislation in relation to planning and development and the monitoring of aquaculture projects. They were not only being breached but, with reports being made and information being requested by locals, the locals were made to feel as though they were the ones who were breaching community standards and laws by seeking answers to questions about just how the cages in Louth Bay fitted in with the government's policy on aquaculture development.

The government had made a lot of noise about one-stop shops and streamlining processes in relation to aquaculture development. I must say that, at this point, Labor Party members on this side of the chamber are supportive of aquaculture development as an economic arm for this state to raise revenue and to process value-added items in regional areas. The aquaculture industry offers valuable jobs and services to communities and, given the right opportunities and the correct procedural processes being followed by the industry, those communities could take advantage of opportunities which present themselves.

The committee's investigation into aquaculture had a wider brief than the brief with which it was given in relation to Louth Bay. In fact, the committee's aquaculture investigation in the first instance looked at land and sea based aquaculture, that is, drawing sea water into sea-based programs with respect to breeding fingerlings and fattening fish for market. The committee's investigation into Louth Bay related to tuna feedlots, that is, corralling or roping wild fish stocks of tuna at a certain age, taking them into nearby sheltered areas relatively close to land and, in the main, fattening them for the international markets.

At this stage there is no way that tuna can be raised in shore-based aquaculture programs as the technology does not exist for that process to happen. So, a publicly-owned resource is corralled and allocations are then made under licence to farmers in the Port Lincoln area in an effort to obtain the best possible value-added price for their product so that the profits can be returned to the community. I think that the industry needs to be commended in many aspects for what it has done over the years in terms of returning revenue, particularly to the Port Lincoln area.

However, in relation to the certainty of any future programs to be conducted in the same manner, feedlots and the placement of cages in close proximity to marine environments and the land certainly need to be policed. Also, the biological information base that needs to be completed prior to the placement of those cages certainly needs to be finessed much better than it has been in the past. The committee found that the information base, particularly that on which the tuna boat owners were operating (as well as the advice being given by people in the department), was inadequate.

The committee also found that the concerns of tuna boat owners in relation to the placement of cages in Louth Bay in terms of leading to another disaster were not commonly held by people operating in the industry. However, there appeared to be an in-built risk in relation to the practice of loading up in-shore areas where there was not a lot of high activity, that is, sea or tidal activity, and this practice could lead to the same circumstances that caused the major disaster and the loss of tonnes of tuna in 1996.

The committee's deliberations were certainly not openly vindictive towards the tuna boat owners; and they were not overly vindictive to their negotiating representatives who operated on their behalf in dealing with the government and local communities. The committee wanted to ensure only that the risks were limited in relation to this new way of farming and the aquaculture practices with which the tuna boat owners were operating within that area. As a single member of that committee, I believed that the responsibility on the committee was to have the industry operating in South Australia.

We certainly did not want to introduce any practices that would encourage the tuna boat owners to consider moving their base to, say, Western Australia. The committee wanted compromises to be found so that the farming could continue. We were of the view that farming practices would have to change, but we wanted the tuna boat owners and the industry to take note of and adhere to best possible practices to ensure that the risk of any major potential for disaster was eliminated. The committee's recommendations are as follows:

1. The committee recommends a more strategic approach to the formulation of policy to manage aquacultural development, and encourages the Marine Managers Forum and Working Group to work with all tiers of government in implementing the Marine and Estuarine Strategy for South Australia.
2. The committee recommends the enactment of specific legislation to control sea-based aquaculture.
3. The committee recommends the amendment of the aquaculture regulations so that they do not bypass the checks and balances needed for developments that have significant unmeasured environmental impacts.
4. The committee recommends that sea-based aquaculture should be included in Schedule 1 of the Environment Protection Act to enable the Environment Protection Authority to impose and monitor licence conditions
5. The committee recommends more research be undertaken to establish adequate environmental baseline data for aquaculture zones, and also to measure the long-term environmental impact of sea-based aquaculture
6. The committee recommends that more resources be directed to the monitoring and enforcement of legislation controlling tuna feedlots.
7. The committee recommends the introduction of emergency provisions in the Development Act to ensure a transparent and approved process can be used if emergencies such as the Boston Bay tuna deaths arise
8. The committee recommends that standardisation of the language and measurements used to indicate the siting of tuna farms.

The use of two systems, i.e. latitude/longitude and easterlings/northerlings is not satisfactory.

9. The committee recommends the immediate implementation of a marker system that readily identifies the owners and managers of individual tuna feedlots, and any associated equipment.

Those recommendations were introduced on the basis of many of the mistakes people made in the continued violation of the planning laws within the Development Act and their thumbing their nose at local communities. I believe that the committee has brought together the stakeholders in the industry.

We want to have more certainty in the industry; we want to have the best possible scientific marine biological information on which fishers can base their future aquaculture projects; we want to eliminate the risk of any further major disasters; and, in this case, we certainly want the tuna boat owners and the local communities to work together to maximise the interests of the state by not impacting adversely on the marine environment so that shared aquaculture projects can operate within particular marine environments. That is something about which the government needs to take a lot more notice, particularly in relation to Port Lincoln and the aquaculture projects of different natures at Coffin Bay and a number of other marine environments which need isolation from any possible impact of disease, either exotic or local.

One of the other problems we found, particularly in questioning expert witnesses from the department, was that the department is losing a lot of expertise out of the area of marine aquaculture and marine biological research. Although it is not mentioned in the report, I think each member of the committee was disappointed with the brain drain, the intellectual leakage, if you like, away from South Australia to other states in the marine biological area in relation to aquaculture. We found that there were not enough graduates coming through the universities to complement the teams that are already out there working in the field, and achieving the best baseline for biological information in order to do the initial investigations as to whether or not estuarine environments are suitable for future aquaculture projects was happening at a very slow pace.

On the one hand the government is advertising, streamlining, advocating one stop shops and wanting to give aquaculture a boost in the eyes of the community as being the saviour of regional areas. However, we found that bottlenecks are being created by the lack of research and availability of information and investigatory support, which the tuna boat owners and pilchard fishers could have used over that difficult time.

There is an argument about who pays for that research. And there is an argument about intellectual property rights and holding onto that information that does not appear to have been settled. What are the returns for the government from spending money on research if it goes into private hands? It is not then passed on through the industry to other people who might be wanting to involve themselves in aquaculture.

We heard the arguments about information in the private sector remaining in that province, although there might be joint aquaculture projects or programs running. Many on the committee believed that the information should be shared so that there is a base load from which applicants and applications can move forward. We have taken a little bit of stick from the tuna boat owners public representatives in relation to the committee's deliberations. There was a reluctance on the part of the tuna boat owners representatives to accept the committee's decision in good faith. In the end, the cages had to be shifted.

The minister was a bit slow in picking up the recommendations on aquaculture that the committee made in the first report. I believe that, for the long term future of the industry, we can work together in a bi-partisan way to put together the best possible planning practices so that we can have a safe marine environment and draw on the revenues and benefits that come with having a good development act that takes care of and protects the marine environment as well as the fishery.

The Hon. J.S.L. DAWKINS: I rise very briefly to sum up this debate. I would like to thank my colleagues on the committee, the Hon. Mike Elliot and the Hon. Terry Roberts, as well as the Deputy Leader of the Opposition, the Hon. Paul Holloway, for their contribution. I thank them for their comments in relation to this report. In closing, I would like to say that, as has been mentioned by others and me in the debate, certainly the area of aquaculture will be served well by the recent appointment of Mr Ian Nightingale as General Manager, Aquaculture within PIRSA. Once again, I thank everyone for their contribution and commend the motion to the council.

Motion carried.

REGIONAL RESERVE

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning): I seek leave to table a ministerial statement, together with a copy of the report, on a review of the Nullarbor Regional Reserve made this day by the Minister for Environment.

Leave granted.

[Sitting suspended from 6.02 p.m. to 7.45 p.m.]

GAMBLING INDUSTRY REGULATION BILL

In committee.

(Continued from 5 April. Page 819.)

Clause 2.

The Hon. R.I. LUCAS: I think it would be worthwhile at this early stage to get an indication from the Hon. Mr Xenophon of the amendment that he is moving. There is a significant issue in relation to the honourable member's drafting of what constitutes a 'gambling venue'. In the original draft of the bill, patrons of a hotel with a PubTab or keno would not be permitted to eat, drink or smoke—which is a bit difficult for a hotel—but patrons could play the PubTab.

So, it might be useful for the committee to understand where the new definition of 'gambling venue' from the Hon. Mr Xenophon is heading, because the AHA had identified this weakness in the legislation and so, too, had Treasury officers, who highlighted whether or not that was what the intention had been. Clearly, the honourable member has now flagged an amendment, and it might be worthwhile having an explanation of that because there are still some remaining issues. I retract all of that. We are still on clause 2. I do not have anything further to add to clause 2. I am not sure whether any other members do.

Clause passed.

Clause 3.

The Hon. NICK XENOPHON: Notwithstanding the Treasurer's retraction, he does make the point that there was a drafting issue with respect to the definition of 'gambling venue'. In essence, I put the concerns that the Treasurer has expressed and also the concerns of the Hotels Association in that regard to parliamentary counsel. An amendment has been drafted to that effect. I would like to move the amendment standing in my name, if that is appropriate at this stage.

The CHAIRMAN: What clause does your amendment relate to?

The Hon. NICK XENOPHON: My amendment relates to the definition of 'gambling venue'. It relates to clause 26, page 17, but that ought to be read in conjunction with the definition of 'gambling venue' in clause 3. The import of the amendment—and perhaps it is not appropriate to move the amendment at this stage—would be to redefine the definition of 'gambling venue', which I believe would deal with the concerns of the Treasurer and also those of the Hotels Association, because the intention of the initial draft was not that the definition of 'gambling venue' be so broad. Perhaps it is appropriate that I deal with any questions with respect to clause 3 as it stands as long as members understand that, in relation to clause 26, there is a fresh definition of 'gambling venue' that ought to be read in conjunction with clause 3.

I also indicate for the benefit of members, in order to reduce the tortuous process of going through the bill, that I had discussions with the opposition yesterday. I understand that some parts of the bill will be subject to a conscience vote for members while others will not in the sense that the opposition as a party will be opposing a significant number of clauses and supporting others. Members of the opposition will obviously speak for themselves in relation to that. I have had a tentative discussion with the Treasurer with a view to arranging a meeting between the Treasurer and the opposition on this issue. Obviously, I would like to consult with my other colleagues including the Australian Democrats, Mr Crothers and the Hon. Terry Cameron of SA First. It seems to me that in the next two weeks we may get a better idea of what will be supported or opposed en masse. It would be an exercise in futility to have a drawn out debate over several hours on a particular clause when clearly the numbers are not there. It may be that that will help to shorten the process in achieving an outcome with respect to this bill.

The Hon. M.J. ELLIOTT: I have not tabled any amendments to this stage and I certainly do not want to get caught in a detailed analysis of the interpretation of a clause when some of those definitions relate to other clauses of the bill that may not even get up. In my view, unless there are major issues under the interpretation clause, it is better for us all that we move on to clause 4, which is the first important clause, and get some feel as to how people will react to a gambling impact authority or some other similar body. We will be here for a very long time otherwise. Theoretically, at least, this is a conscience issue with, therefore, potentially 21 different positions from the floor of this place—

The Hon. Nick Xenophon: Not for some clauses.

The Hon. M.J. ELLIOTT: That is right, but for quite a number it will be. I do not think we should spend a great deal of time on the interpretation clause recognising that, if later parts of the bill do not get up, any amendment or debate about particular clauses could be a bit futile.

The Hon. T. CROTHERS: I agree with my colleague the Hon. Michael Elliott that there may well be more positions on this in respect of the voting pattern than in the *Kama Sutra*.

The Hon. R.I. Lucas: How many are those?

The Hon. T. CROTHERS: I have to re-write it yet. My position is fairly clear. I understand that the Hon. Mr Xenophon—and I do like him; I find him personally very refreshing to deal with, but that does not mean I have to—

The Hon. T.G. Cameron: It is a pity the Treasurer doesn't have the same view.

The Hon. T. CROTHERS: —like—

An honourable member interjecting:

The Hon. T. CROTHERS: Will you be quiet, or I'll sue you for interrupting.

The CHAIRMAN: The Hon. Mr Crothers will address the chair.

The Hon. T. CROTHERS: Thank you for your protection, Mr Chairman: it was most needed. I will be fairly brief. I understand Mr Xenophon's electoral platform. He came in as a single issue candidate but has since widened his scope—more power to his elbow for that. I am sure he will not mind the plain words regarding his attitude to gambling, particularly in hotels but not, apparently, in clubs. I have seen some letters written over certain signatures where certain things are alleged, but I will not go into that for I have never played the man in this place and I never will. Even for the Hon. Mr Lucas I have never delved into my dirty tricks bag—

The Hon. T.G. Cameron: It would have been hard to resist that temptation.

The Hon. T. CROTHERS: Absolutely; I have one in reserve. I am sure the member for no pokies will excuse me when I say his opposition to poker machines is xenophobic to my nature. When I consider the countries where there has been a curtailment of freedoms of the individual—such as Russia, Hitler's Germany, Argentina, Chile under the military and Greece under the junta of the Greek colonels—where some clamp has been put on freedom, where there have been limitations on people's freedom of thought and people's freedom of action, it has never, ever acted to the betterment of democracy. That is why I get quite upset when we try to deal with drugs in a formalised way and obviously it is not working. We have to better educate people. We must understand that people within themselves are an island of their own personal thoughts and doings.

For those reasons, and because I am speaking with some brevity in mind, I will have exceedingly grave difficulty, well meaning as the honourable member's bill is, in supporting any clause, or indeed any subclause of any clause, or indeed any line, comma or semicolon—

The Hon. M.J. Elliott: Some of the commas are pretty good!

The Hon. T. CROTHERS: I am always very wary of people who are in the maddening throng. I notice that Mr Elliott, who just interjected, is wearing a blue shirt. It is the rage these days, if one wants to be amongst the in set, to be part of the blue shirt brigade. I will never—and those of you who know me will know this—be anything else but to mine own self be true.

The Hon. T.G. Roberts: You started it with the bomber jacket!

The Hon. T. CROTHERS: That bomber jacket is still going. If that bomber jacket had been part of the Australian military forces, it would have won a Victoria Cross. Laughable as these matters are, this is much more serious, and it deserves the full attention of the Council, not because of what the bill says but because of the cracks in the doors that it can open further down the track. For those reasons, and a myriad number more—a plethora more—I indicate now that I cannot

see my way clear to support any of the clauses contained in the honourable member's bill, well meaning as it is.

The Hon. R.I. LUCAS: That is a hard act to follow.

The Hon. M.J. Elliott interjecting:

The Hon. R.I. LUCAS: Exactly. We are simpatico, the Hon. Mr Crothers and I, on many issues, and this potentially is one of them.

The Hon. T.G. Cameron: That is a worry!

The Hon. R.I. LUCAS: For the Hon. Mr Crothers or for me? I am intrigued at the approach to the redefinition of 'gambling venue' that the Hon. Mr Xenophon has pursued in his explanation, indicating that he is intent on leaving the definition of 'gambling venue' in clause 3 as it is. I draw his attention to paragraph (c) and the definition of 'gambling venue', which provides:

> In relation to the TAB—an office, branch or agency of the TAB at which totalizator betting is conducted.

What he is seeking to do in clause 26 is insert another definition for 'gambling venue' which is different to the definition in clause 3. The clause 26 definition of 'gambling venue' in relation to the TAB refers to 'an office or branch of the TAB at which totalizator betting is conducted', so it excludes an agency; and there is a similar change in respect of the definition of 'Lotteries Commission'. In the amendments it does not seek to limit that definition just to clause 26, although there is a follow on provision in relation to clause 27 which limits it to the clause 26 definition.

What is not clear to me is, if the committee were prepared to accept these changes, we have one definition of 'gambling venue' in clause 3 and a different definition of 'gambling venue' in clause 26. I am not sure why the honourable member, with his considerable legal expertise—

An honourable member interjecting:

The Hon. R.I. LUCAS: Maybe that is where their expertise is and not in drafting bills. I have never seen this before, where we have a definition in one clause and a definition of exactly the same phrase in another clause and they are two different definitions.

The Hon. NICK XENOPHON: I think the Treasurer's concerns are valid. I am more than happy to go back to parliamentary counsel to discuss it further. I did relay my concerns in relation to that. It is something on which I will be more than happy to consult parliamentary counsel. I am happy to get back to the Treasurer in writing and deal with those concerns, because they are legitimate concerns and I appreciate the Treasurer's pointing them out to me.

The Hon. R.I. LUCAS: If the honourable member is going to further consult parliamentary counsel, perhaps I will highlight some of the continuing inequities and problems in the current drafting that he has placed before us. On my advice of the drafting—and it would be worthwhile for the Hon. Mr Xenophon to respond as to whether this is his understanding and indeed was his intention—a patron in the gaming area of a particular suburban hotel would be prohibited from eating, drinking or smoking whilst using the gaming machines in that hotel. That is an interesting issue in itself.

I can understand some people's views in relation to smoking, and that is a general health issue I guess, but why is the Hon. Mr Xenophon seeking to prevent someone from having a cup of tea, a glass of coke, a Lifesaver to suck on, a Juicy Fruit to chew on or whatever people do whilst they are playing a gaming machine?

The Hon. T.G. Roberts interjecting:

The Hon. R.I. LUCAS: One could not chew on a Mars Bar, either! These are sinful pursuits, having a cup of tea, chewing on a Mars Bar or a Lifesaver, but I am not sure that they are so sinful of the mortal variety, rather than venial, that they need to be banned in relation to patrons who happen to be playing a gaming machine.

As I understand the construction of these amendments, in this same hotel you could be in one section playing gaming machines while prohibited from having a cup of tea or eating a Lifesaver, but you could move two metres to the left and play PubTAB and bet your life savings away while eating, drinking, smoking and doing whatever you like. That will be the result if these amendments are successful.

The Hon. L.H. Davis interjecting:

The Hon. R.I. LUCAS: No, this will apply to both. In terms of a hotel, it appears that there will be two gambling venues or sections—one where you can bet your life savings away on the TAB and another where you can play gaming machines—and two different sets of rules will apply.

In terms of going back to parliamentary counsel or to the considerable legal team that the honourable member has backing him in terms of drafting this, I point out that a person who wants to bet on PubTAB in a hotel can eat, drink, smoke and be merry, but in a TAB outlet, which could be just across the road, that same person is not allowed to have a cup of tea, eat a Lifesaver or drink, smoke or anything.

What you have under this construction of the bill is huge encouragement for people to move away from the government-owned TAB outlets, because they will not be able to have a smoke, drink or eat. They will move to the PubTABs because, under this amendment, the honourable member is discouraging support for the government-owned outlet, which seems to be contrary—

The Hon. Nick Xenophon: I'm a traitor, aren't I?

The Hon. R.I. LUCAS: Well, I thought that I heard the honourable member say during the last week that encouraging the private ownership of gambling venues was bad because that would encourage more people to gamble and that that was why he was taking the position of continuing to support government ownership as opposed to private sector ownership. In a clever way, he has drafted a set of amendments which seems to be contrary to what he has said publicly. Publicly, he supports the government ownership of gambling outlets and would prefer not to see private sector ownership, but on an initial reading of this latest set of amendments it would appear that there is significant discouragement for currently government owned TAB outlets and significant encouragement for people to move their business across to PubTabs.

I invite the honourable member, first, to explain why it is a mortal sin to have a cup of tea and suck on a lifesaver while gaming but not while betting on the horses in the same venue. I then invite him to say why—if I am correct regarding his intentions—he seeks to distinguish between a government owned TAB outlet and a private sector owned TAB agency.

The Hon. NICK XENOPHON: I thank the Treasurer for his constructive criticism, even if parts of it were not meant to be constructive.

An honourable member interjecting:

The Hon. NICK XENOPHON: He is always constructive. I take on board a number of his comments. I will deal initially with the issue of smoking, eating and drinking in gambling venues. The intention behind the drafting of these clauses is, effectively, to discourage situations where hotels and clubs offer inducements for people to stay in the gaming

room and keep playing. I am referring to constant cups of coffee; in some cases, the provision of free alcoholic beverages; meals at the table; and that sort of thing, which gambling counsellors tell me can be a real accelerant in terms of exacerbating or aggravating a person's gambling problem.

That was the intention behind these clauses. I take on board what the Treasurer said, and I am more than happy to take that up with parliamentary counsel. However, I think the Treasurer has acknowledged that there is a problem in relation to smoking in these venues. The state government deserves to be congratulated for the stand that it has taken on smoking in dining areas in hotels and restaurants in this state—it has led the nation in that regard—but I cannot see what the distinction is in terms of smoking in a relatively confined space such as a gaming machine venue.

I would have thought that members opposite, particularly those who have represented the union movement in the past, would agree that occupational passive smoking is clearly an issue. I would like to think that the Treasurer and the government as a whole would at least consider extending the ban on smoking in dining rooms in hotels, clubs and restaurants to gaming rooms. The information that I have received from talking to patrons of venues is that, if they cannot have a cigarette in the dining room, they are encouraged to go not outside but into the gaming room. I think there is a real occupational health issue involved particularly in relation to the question of smoking.

With regard to discouraging government outlets and encouraging private outlets, that is certainly not my intention. The intention behind these clauses is to try to curtail, to some extent, the inducements that are offered to get people to stay within a particular venue. I would like to think that members on both sides of the Committee would have some reservations about the practices of some venues. I am not saying that this is a predominant issue. Some publicans with whom I have spoken are aghast at the concept of giving free alcoholic beverages to patrons, but other venues have been quite irresponsible in that regard.

I acknowledge the good work that the Hotels Association has done within its voluntary code of practice to discourage intoxication in venues. I think that, concomitant with that, there is the issue of discouraging the provision of free alcoholic beverages. Given the work that has been carried out by people such as Professor Mark Dickerson who has conducted research for the Tattersall's gaming empire—he is certainly not someone who would be defined as anti gambling by any extent—

The Hon. T. Crothers: Have you considered cheaper meals to be an inducement?

The Hon. NICK XENOPHON: It would be fair to say that that is an inducement, and I think it raises some broader issues of economic fairness in that restaurants which cannot have a gaming machine licence—I am not suggesting that they should—have to compete on an unlevel playing field, in a sense, because the exclusive franchise to have poker machines belongs to clubs and hotels in this state.

The Hon. T. Crothers interjecting:

The Hon. NICK XENOPHON: I thank the Hon. Trevor Crothers for his remark, but I think that one of the great problems with poker machines, in particular, which the Productivity Commission and other research has pinpointed—I am not sure that the Treasurer necessarily accepts the Productivity Commission's research, but it seems to be the gold standard of research in this country or, indeed, anywhere in the world when we compare the rigorous approach adopted by the Productivity Commission compared with, say, United States studies on gambling—is that 42.3 per cent of gambling losses come off the backs of significant problem gamblers and that one-third of gambling losses come from severe problem gamblers, and that for those people gambling can be a significant accelerant into poverty and other issues. There is also a social justice and equity issue—

The Hon. T. Crothers interjecting:

The Hon. NICK XENOPHON: I don't want to get into the stock market, but—

The CHAIRMAN: Order! The Hon. Mr Crothers can ask his questions in due course.

The Hon. NICK XENOPHON: That was the intention. I sincerely thank the Treasurer for a number of his remarks. It is not my intention to discourage one form of gambling (government or privately owned) over the other. The Treasurer refers to my considerable legal expertise. I am afraid that during all these years in legal practice I have focused on litigation. Legal drafting was something in which I did not by any means specialise. My legal team, for want of a better word, has been involved in other issues, not this piece of legislation—it has been busy preparing for other matters in court.

I take on board the Treasurer's remarks. I would like to think that there is the potential for a real compromise, particularly regarding the issue of smoking in gaming rooms and particularly given the research of the Productivity Commission which says that a high proportion of gambling losses on poker machines comes from significant problem gamblers, off the backs of the vulnerable and the addicted.

On that basis, I am more than happy to undertake to correspond with the Treasurer within the next two weeks, well before the next sitting date, with a view to seeing whether there is the potential for some sort of a compromise that will satisfy a number of his concerns. I would also like to think that the opposition will adopt a similar approach to these issues.

The Hon. P. HOLLOWAY: I will briefly put on the record the opposition's position on the clause before us. The opposition acknowledges the concern expressed by the hotel industry that, if the definition of 'gaming venue' in clause 3 stands and if clauses 26 and 27 subsequently pass, that will create a lot of difficulties for hotels. In effect, it will mean that hotel bars and lounges will be classified as gaming venues. If clauses 26 and 27 pass, that will mean that a ban on smoking, eating and drinking in those areas will apply. Obviously, that matter would be of some concern.

I appreciate that the Hon. Nick Xenophon has attempted to address these concerns with the amendments. As far as the opposition is concerned, in some ways they could be hypothetical because it was not our intention to support clauses 26 and 27 anyway, but we will discuss that in detail later. In the limited time that has been available I have not been able to check with parliamentary counsel the effect the amendments might have. The course of action that has been suggested by the Hon. Nick Xenophon is a sensible one: he is to refer this clause back to parliamentary counsel and then, when this matter comes before us on the next sitting Wednesday, we can consider it with that advice available to us.

In relation to the Hon. Nick Xenophon's offer of negotiations between the government and the opposition about which parts we are likely or not likely to support, I am happy to make myself available for any negotiations on the bill if that is the wish of the other parties and if that will assist in the efficient consideration of the bill in this place.

As I indicated during my second reading contribution, the bill contains four main issues that are conscience issues as far as the Labor Party is concerned, and on most other issues we will not be supporting the Hon. Nick Xenophon. There are a handful of clauses that we will either support or give qualified support to. Regarding our position at this stage, the adjournment of the debate before we vote on this matter is a sensible course of action and then, after the Hon. Nick Xenophon has had the opportunity to look at the amendments, we can come back and debate the provision in a much more informed fashion.

The Hon. R.I. LUCAS: I have said this privately to the Hon. Mr Xenophon: I am always happy to talk to anybody who will talk to me, and that includes the Hon. Mr Xenophon in relation to gambling and casino issues or whatever. As the Hon. Mr Xenophon understands, whilst the Hon. Mr Holloway on a number of these clauses can garner the not inconsiderable forces behind him of five other Labor members—

The Hon. Nick Xenophon: That's a start.

The Hon. R.I. LUCAS: That's a start, I know, and it gives you six towards the number of 11. Whilst I am happy to enter into those discussions, as the Hon. Mr Xenophon appreciates, on this issue I am not necessarily a very good indicator of the views of my colleagues. I can certainly enter those discussions in the spirit of sharing my own estimation of where things might be and where things might end up, but that is as accurate as my own personal judgment.

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: No, I am not prepared to give you odds but, if you ask for odds, I am prepared to speak to a few people and see what we can organise for you.

The Hon. R.R. Roberts interjecting:

The Hon. R.I. LUCAS: I know a few Indian bookmakers that we might be able to put you in touch with. Bearing that in mind, I am more than happy to enter into those discussions. As the Hon. Mr Holloway suggested, it makes sense to bring what has been a constructive contribution to the debate this evening to an earlier close so that the honourable member can consult with his considerable legal counsel.

An honourable member: He means parliamentary counsel.

The Hon. R.I. LUCAS: They are always very considerable. The only other issue I raise in terms of seeking further advice comes back to the earlier question that I raised. The definition of 'gambling venue' appertains not just to clauses 26 and 27: there are a whole series of other provisions in the legislation to which it relates. For example, under clause 20 warnings are to be displayed at gambling venues, and they have to be two metres by one metre with flashing lights—well not quite: I was exaggerating a little bit. I will have a series of interesting questions about what that means for the poor old lottery agent in the middle of the Burnside mall or wherever who has this big two metre by one metre warning sign for everyone to see who walks down to Burnside to buy lottery tickets.

The Hon. T. Crothers interjecting:

The Hon. R.I. LUCAS: No. The important point to raise with parliamentary counsel or your legal team is which definition of 'gambling venue' you are using? Are you excluding the TAB agencies and the Lotteries Commission? Under clause 24 you have external signage prohibited, and that refers to gambling venues. In clause 28, the crunch clause of the bill, the banning of clocks in certain gaming venues—

The Hon. Nick Xenophon: Banning?

The Hon. R.I. LUCAS: Sorry, it relates to the provision of clocks in certain gambling venues, not the banning of clocks: I did not understand the crunch clause in the bill. I think that TAB agencies, as opposed to offices or branches, are probably hanging on to know which definition the honourable member is referring to.

The Hon. Nick Xenophon: You don't think they can afford a clock?

The Hon. R.I. LUCAS: I'm not sure: I have an open mind. A number of other provisions in the bill refer to the provisions at gambling venues. I raise that very quickly without labouring the point, because there is the issue of which definition of 'gambling venue' applies to each. I think it would make more sense to have one definition of 'gambling venue' to achieve what the honourable member is seeking to achieve in clauses 26 and 27 in some other way. That would be my only suggestion. But I guess it is really up to the lawyers to see whether they can draft or craft something which meets that guideline.

The only other point I would make, subject to other members' contributions at this stage—and the Hon. Mr Elliott is here, and I think the Hon. Mr Holloway is of the same view as I am—is that, rather than voting on clause 3 before we get to clause 4, if the Hon. Mr Elliott wanted to enter into a discussion about the gambling impact authority, he has the capacity, given the definitional provision under clause 3, to seek other members' views on the GIA under this provision.

To clarify the matter for the Hon. Mr Elliott, the understanding is that, given some of the definitional problems that are identified in 'gambling venue', we are likely to report progress at some stage in the not too distant future on clause 3 and, if the member wanted to raise issues in relation to the GIA, there is capacity, should he choose to do so, under clause 3 rather than necessarily waiting for clause 4. If I understand the honourable member correctly, he is currently drafting amendments to clause 4. He is shaking his head: I have misunderstood him, obviously. I thought he was drafting amendments to clause 4.

The Hon. M.J. ELLIOTT: What I was trying to indicate before was that, before spending large numbers of hours trying to draft fine detailed clauses, I am trying to get a feel for the direction the committee is likely to take. It is for that reason I thought that we could have gone past clause 3, recognising that we are capable of reconsidering clauses later, and had a debate about at least clause 4, which is the first substantive matter in the bill. Rather than try to cover it as a general debate under clause 3, I thought we could have gone back and reconsidered the clause because, until you know whether or not clause 4 will be supported and, if so, in what form, and similarly with other crucial clauses in this bill, we will not know whether or not some of the interpretations are relevant.

It was my preferred path to get to clause 4 and to have a substantive debate about the idea of a gaming impact authority, a gaming commission or whatever else, and perhaps, having had that debate, we might need to report progress because, after that debate we might have some idea whether there is a chance that something will be supported and in what form that is likely to be. Then I think we could set about doing some drafting with a little more surety.

The Hon. T.G. CAMERON: I rise to indicate that I will be supporting clause 3 of the Gambling Industry Regulation Bill which stands in the Hon. Nick Xenophon's name. I note in having a look at the bill that it was introduced into the

parliament on 29 September 1999. This is a bill which has been before the Legislative Council for at least six months, and if it continues to be dealt with the way it is he might need the rest of his term to get to the end of it. I guess I am in a similar position to the Hon. Mike Elliott in relation to the definitions, but at the end of the day any quarrel I might have with some of the definitions that are contained in the bill will be minor, and, as the Hon. Mike Elliott has already pointed out, we could go back and have a look at those.

So it would be my view that we should have a vote on clause 3 tonight, because it may well be that clause 3 is overwhelmingly defeated in this chamber and I guess that would mean that the Hon. Nick Xenophon would have to go back and have a look at his bill. But on the other hand there may be support for it and if that is the case then that indicates I guess to the Hon. Mike Elliott and to the Hon. Nick Xenophon what direction we can now take. I have just a couple of questions at this point that I would like to put to the Hon. Nick Xenophon.

Under clause 3, Nick, 'political donation' means 'a donation made to or for the benefit of', and you will appreciate that I am not a lawyer, but does that include an offer of free accommodation or meals for two with drinks as a raffle prize? Would it mean that political parties or sub-branches of a political party may have to take their bingo machines out of the hotels from which they get a share of the profits?

The Hon. NICK XENOPHON: I thank the Hon. Terry Cameron for his question. Going back a step, I undertook to the Hon. Angus Redford, who was whip for the government earlier on today, that I would not proceed with a vote on clause 3 because some honourable members were away this evening and as it is a conscience issue it was understood that there would be a broad discussion of only some of the issues this evening. So I made that undertaking to the Hon. Angus Redford which I will keep. In relation to the definition of 'political donation' I can say that the definition is quite broad, it is quite encompassing. It relates to any disposition of property made by a person to another person, and that would include a free night's accommodation, for instance.

I can say, however, that when I first floated the idea of prohibiting political donations from the gambling industry, and this was some two years ago, both the Liberal and Labor parties in double quick time dismissed the suggestion and indicated their opposition. I think the member for Hart, Mr Foley, said that the proposal was an absolute nonsense. I find that curious, given that the legislature of New Jersey—

The Hon. T.G. Cameron interjecting:

The Hon. NICK XENOPHON: I presume that the Liberal and Labor parties get donations from the Hotels Association. I think that is the case.

The Hon. T.G. Cameron interjecting:

The Hon. NICK XENOPHON: That is just the Hotels Association. It leaves aside individual hoteliers. But in relation to donations, it is quite a broad clause, although there were indications of opposition from both the Liberal and Labor parties at a very early stage, in fact before this clause was even drafted, notwithstanding that the legislature of New Jersey in the United States had no difficulty in passing that with, I understand, bipartisan support—it is the home of the Atlantic City casino industry—because they did acknowledge the fairly uniquely powerful forces that the gambling industry had in that state.

The Hon. T.G. Roberts: Organised crime.

The Hon. NICK XENOPHON: No, they weren't talking about organised crime; they were talking about the uniquely powerful economic forces, and, even though anything I say is privileged, that was not the intention behind this clause. I hope that explains sufficiently the Hon. Terry Cameron's question.

The Hon. T. CROTHERS: You have led in your explanation to the Hon. Mr Cameron's question that clause 3 is pretty wide-flung. It is not very specific; it is more generic in its encompassing nature, more all embracing. Does the honourable member care to comment about the fact that this could be a very fertile field, in a bill where a clause is non-specific, for subsequent litigation? Does the honourable member understand the nature of what I am saying, in that with your clause, not being specific, it would then be left to the Supreme Court and maybe subsequently the High Court to make the interpretation as to what it means?

The Hon. L.H. Davis interjecting:

The Hon. NICK XENOPHON: I think that the interjection of the Hon. Legh Davis was disingenuous, to say the least, in terms that somehow my firm would somehow profit from any litigation ensuing with respect to a definition of the clause. The clause is broad, in answer to the Hon. Trevor Crothers—

The Hon. L.H. Davis: It is called humour.

The Hon. NICK XENOPHON: It is called humour—sorry, I'll look behind my seat; I've obviously—

The Hon. L.H. Davis: That is a word in the dictionary. Look it up. You might find it one day. Just keep trying.

The Hon. NICK XENOPHON: There are a few other words I could think of when the Hon. Legh Davis comes to mind. However, in relation to the Hon. Trevor Crothers' query with respect to the definition of donation, it is very broad; it is quite all encompassing. I would have thought it is sufficiently broad, so broad, that it would obviate the need for any problems arising as to interpretation.

The Hon. T. Crothers interjecting:

The Hon. NICK XENOPHON: Not necessarily.

Members interjecting:

The CHAIRMAN: Order! The Hon. Mr Xenophon is the member on his feet.

The Hon. NICK XENOPHON: The definition of donation is quite broad, although I have had an indication from those on high in the Liberal and Labor parties that they have no intention of supporting this clause. I concede at this stage that it appears to be very much defeated, but obviously when we get to that clause it will be dealt with then. I am not sure whether any other member wants to add to the debate at this stage, but following my discussion with the Treasurer I am happy to ask that progress be reported at this stage.

The Hon. T.G. CAMERON: I thank the Hon. Nick Xenophon for his answer on political donation, and he did clarify a number of queries that I had, but there is one query that I have, and I am wondering whether being a lawyer and having drafted this clause himself he could tell me whether the following example falls under the definition or ambit of a political donation. The leader of a political party enters into an arrangement with the Hotels Association to provide for a $500 a plate dinner at which the food and the drink are provided free of charge, and the AHA organises the people to go along to this dinner. The leader of the political party goes along, gives a bit of a speech, and everyone coughs up their $500, but they argue that the $500 is not a political donation; it was for the food and drink they consumed. In your opinion would that fall under the definition of a political donation?

The Hon. NICK XENOPHON: I thank the Hon. Mr Cameron for his question. The clause does refer to 'inadequate consideration', so if you are getting a pie and chips and it is costing you $500 I reckon that is inadequate consideration.

The Hon. T.G. Cameron: What about a steak and a reasonable red?

The Hon. NICK XENOPHON: I do not know whether that is worth $500, but I believe that is something that would be caught under the drafting. The definition is quite broad.

Members interjecting:

The CHAIRMAN: Order!

The Hon. L.H. Davis interjecting:

The Hon. T.G. CAMERON: I am waiting for an answer from the author of the bill.

Members interjecting:

The CHAIRMAN: Order! If all members stopped interjecting, the Hon. Mr Xenophon could answer the question.

The Hon. NICK XENOPHON: The definition, I believe, as it currently stands would catch that sort of situation because it refers to an adequate situation. In that respect this clause would capture the conduct to which the honourable member referred.

Members interjecting:

The CHAIRMAN: Order! The Treasurer will resume his seat.

The Hon. R.I. Lucas interjecting:

The Hon. T.G. CAMERON: The Treasurer heard correctly the first time.

The Hon. L.H. Davis interjecting:

The Hon. T.G. CAMERON: I am trying to direct a question to the person who has the conduct of this bill. The definition of 'smoking' under clause 26 provides:

> 'smoking' means smoking, holding or otherwise having control over an ignited tobacco product;

I suppose that because marijuana is covered under other legislation someone could not be prosecuted under this bill for smoking marijuana in a gaming establishment. What happens in the case of chewing tobacco? What would be the case in respect of people who light up cigarettes which do not contain tobacco and which are now available?

Members interjecting:

The Hon. T.G. CAMERON: It is a serious question.

The Hon. NICK XENOPHON: This is a serious question that deserves serious consideration. I am happy to take advice and get back to the honourable member with respect to his concern. I thank the Treasurer for his prompting.

The Hon. T.G. CAMERON: Whilst I am not known as a gambler—I am a little too careful with my money to put it into poker machines; I think they have got about $20 out of me since they were introduced—there are times when I find myself in a gaming room. I would like to know whether the Hon. Mr Xenophon's clause in relation to food and drink means that I cannot have a cup of tea or coffee or enjoy the free biscuits. They provide Milk Arrowroot biscuits and I just cannot resist the temptation. Will I still be able to enjoy a cup of tea or coffee and a biscuit as I sit and wait until I can go home?

The Hon. NICK XENOPHON: I am shocked that the Hon. Terry Cameron would be a freeloader in those circumstances. I take on board the concerns and criticisms of the Treasurer and the Hon. Terry Cameron. The intention—

The Hon. R.I. Lucas interjecting:

The Hon. NICK XENOPHON: I also think of the pensioners who have lost their life savings and the spouse of a pensioner who has been affected quite significantly by problem gambling, and that is the motivation behind the bill.

The Hon. R.I. Lucas interjecting:

The Hon. NICK XENOPHON: Perhaps the Treasurer should read the Productivity Commission's findings. I know that he has other reports on which he relies—those other reports that he will not disclose.

The Hon. R.I. Lucas: You can be Treasurer one day.

The Hon. NICK XENOPHON: I do not think that I will ever be Treasurer. I do not think that that will ever happen. I cannot add anything further to the explanation of the clause.

The Hon. Carolyn Pickles: No tea and bickies.

The Hon. T.G. CAMERON: No tea and bickies. Clause 26 prohibits smoking at certain gambling venues. In some hotels the only appropriate place, if one does not want to go outside in the cold and the rain, to have a cigarette is the gaming room. That is where I go if I want to have a cigarette when I am in a hotel—the gaming room. Is the Hon. Nick Xenophon aware that approximately 200 hotels and restaurants have been given an exemption under the act so that one can sit in the restaurant and smoke? How will this clause impact upon that legislation? I thought that when we introduced the legislation we were banning smoking in restaurants. I was quite happy about that, but approximately 200 hotels have been exempted. I have a list of them, and I will send it to the Hon. Nick Xenophon. How does this and the other legislation reconcile with each other?

The Hon. NICK XENOPHON: The honourable member's question raises a number of issues. I know that the Hon. Terry Cameron is a smoker and I am trying to increase his longevity. That is an indication of my fondness for the honourable member. The real issue in terms of whether gaming rooms ought to be smoke free, the question of exemptions, I think, points to some weaknesses and, perhaps, an area of debate in terms of the government's original intention to ensure that dining rooms were smoke free. The issue of smoking within a gaming room and within a gambling venue is, I think, a very real public health issue. The state government's approach on this issue to date deserves to be commended.

It seems to me that this clause is merely a logical extension of the government's very responsible public health position in terms of smoking within dining areas and it ought to be extended to gaming rooms. Further, those members opposite who have a concern for the welfare of union members, in particular, ought to be concerned about the exposure of union members to occupational passive smoke.

The Hon. T.G. CAMERON: Could the Hon. Nick Xenophon look at that piece of legislation and, if a hotel has been granted an exemption under the act, will it extend to this bill?

The Hon. NICK XENOPHON: I am grateful for the Hon. Terry Cameron's remarks in this regard. I will discuss this matter further with him before we next debate the bill.

The Hon. K.T. GRIFFIN: Part 3 of the bill deals with political donations. Clause 15 provides:

> A gambling entity must not make a political donation or ask or direct another person to make a political donation on behalf of the gambling entity.

If one traces the definition of 'gambling entity' one will see that it means an applicant for or the holder of a licence under the Gaming Machines Act, and includes a close associate. A close associate is any one of a number of persons or bodies

referred to in clause 3(2), which includes a spouse (that is understandable), a parent, a brother, a sister or a child of the other, or if they are members of the same household regardless of whether they are related by blood or marriage. My concern is to know what the honourable member intended in his construction of clause 15. As an example, I refer to a person who might be a child of a brother who happens to go to the dinner to which the Hon. Terry Cameron referred (the $500 a plate dinner), without any knowledge that he or she was likely to be caught by the offence provisions of clause 15, and make that donation.

In those circumstances it seems to me that they commit an offence because they are a gambling entity within the definition, even though they may have no knowledge either of the fact that the person to whom he or she is related holds a licence under the Gaming Machines Act or ever intends that there should be any political influence as a result of the donation that has been made.

The Hon. NICK XENOPHON: I am grateful for the remarks and input of the Attorney-General in relation to this matter. It is something that I would like to get some advice on, and I would like to correspond with the Attorney-General about it in the next two weeks. I ask that progress be reported.

Progress reported; committee to sit again.

CASINO (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).
(Continued from page 900.)

The Hon. R.I. LUCAS (Treasurer): I rise to make some general comments in relation to the second reading of the bill.

The Hon. T.G. Roberts: More insults issued and received?

The Hon. R.I. LUCAS: No, I do not operate that way, as the Hon. Mr Roberts knows. I seek to address a number of the issues that are canvassed in the bill without going through it clause by clause. At this stage my inclination is that I would not be intending to support the bill at the third reading. It is probably my inclination, as is generally the case, to allow a debate in the committee stage to continue. I am speaking on my own behalf. I suspect from previous discussions that a number of my colleagues might agree with my position but it will ultimately be for them to determine.

Most of these issues will be conscience issues. I think there are one or two clauses where, if there were any prospect of its passing, particularly the liability for Casino duty provisions, which are finance or taxation measures, the government might put down a government position. I think, as I have explained on many previous occasions, on most gambling issues the government party allows a conscience vote. The only occasions in the past where the government has not allowed such a vote has been in relation to taxation provisions. This bill seeks to introduce a taxation provision, and the government indicates its opposition to it.

I will address the major issues rather than all of the issues. Clause 3 amends section 16 of the act and refers to the approved licensing agreements which, I think, have been discussed before in the casino licensing bill. The government has a strong view on this. I understand that the Labor Party is unlikely to support this provision, and I think that is a sensible position to take. We discussed this issue last year in relation to the electricity privatisation.

The notion that an approved licensing agreement must be voted upon and passed by resolution of each house of parliament is fraught with difficulty. These are complicated negotiations between the executive arm of government and the casino operators. Unlike some other jurisdictions, the government has been quite open and has tabled both the licensing agreement and the casino duty agreement. Honourable members have been informed of any deal the government has negotiated, on behalf of the taxpayers of South Australia, with the operators of the business.

If one looks dispassionately at the approved licensing agreement, it is reasonable. The government has not given up an arm and a leg in its negotiations with the operators of the casino. It is a balanced agreement. The operators—and those who negotiated to be the operators—were seeking much more from the approved licensing agreement. The government is satisfied that the agreement that has been concluded and tabled in this chamber is reasonable. In my judgment, these issues are satisfactorily handled only by the executive arm of government negotiating with the approved operators.

The notion that the two houses of parliament, with an ever increasing number of Independents and minority parties with their own particular view of the world, having ultimately to approve it would be unworkable. There may be some members in the chamber who take a different view—as is their right—but the government would be seriously concerned (and I suspect future governments would be seriously concerned) if this amendment were successful.

There is a very strong role for the Gaming Supervisory Authority, which takes its role seriously in terms of its independent decisions in relation to these matters. Currently, the Gaming Supervisory Authority is assiduously working its way through the not inconsiderable probity investigation that must be conducted on any new operator of a casino licence in South Australia. That is a process which can, depending on the nature of the applicant, take many months. The fact that the proposed new operator in South Australia is someone who already operates casinos in other parts of the world obviously will assist the GSA in terms of its own investigations; but, nevertheless, a considerable amount of time and money needs to be expended on those probity checks.

In relation to the next broad area proposed to be introduced by the honourable member, it is not beyond the realms of possibility that some of these issues might be addressed in another way either by me or even by the government. That is still a decision which remains to be discussed and taken. Potentially, a majority of members in the parliament might be able to support some of these provisions, that is, providing greater consumer information to punters on the odds of winning a particular gambling event. I am advised that there are some particular issues in terms of the current drafting. There are also some particular issues in relation to exactly what might be the implications of these amendments for some of the games of chance at the casino, in particular blackjack, where the odds will ebb and flow for a particular game depending on how far you are into it and what you are up to. The whole notion of being able to—

The Hon. T.G. Cameron: That's not true.

The Hon. R.I. LUCAS: Yes, it is true. The whole notion of being able to put down a figure which says, 'This is your chance—

The Hon. T.G. Cameron interjecting:

The Hon. R.I. LUCAS: I invite the Hon. Mr Cameron to provide me with some advice to assist my advisers—

The Hon. T.G. Cameron interjecting:

The Hon. R.I. LUCAS: No, what I am saying is—

The Hon. T.G. Cameron: Your chances of winning might change but the odds for the game stay the same.

The Hon. R.I. LUCAS: The chances of winning are what is being sought in relation to this particular legislation, that is, it is intended to try to advise the punter of what are one's chances of winning. In relation to blackjack and some of the other games of chance, those chances ebb and flow. Unlike a lottery, where you have a one in a million chance of winning, or X-lotto, where you have a one in 6 squillion chance of winning, you cannot put up a sign in terms of this notion that has a clear, defined, distinct one figure which indicates what are your chances. Therefore, there are some difficulties in relation to how one might go about it. They are matters of particular detail and, as I said, should this bill be unsuccessful it may well that either the Hon. Mr Xenophon in another life later on, or, indeed, as I said—

The Hon. Nick Xenophon: Is this the afterlife?

The Hon. R.I. LUCAS: It could be. It may well be that this issue and a number of others can be successfully passed through the parliament with the support of a majority of members.

The Hon. L.H. Davis interjecting:

The Hon. R.I. LUCAS: Somehow, I don't think so. I am also advised—and this is a view that the Casino management has provided—that the requirement to give 20 minutes notice in terms of changes may leave the Casino unable to respond to changes in demand for particular games. It is an issue I would need to take up with Casino management in terms of whether there is some way of resolving that issue should a provision such as this ultimately be successful.

The next issue concerns the general provisions in relation to interactive gambling. I do not intend today to go into very great detail in relation to these provisions. It is an extraordinarily wide provision. It captures many potential events but also some existing forms of gambling. It would be most unfortunate if the parliament were to pass this amendment either in this debate or in any future debate. In terms of the general issue of interactive gambling, we in South Australia are in a bit of a dilemma at the moment. It is worth while for me to make some comment in the second reading stage on that issue. It has been my position and therefore that of the government anyway that we would not proceed with our legislation in relation to interactive gambling in the national framework until the Hon. Mr Xenophon's select committee had reported.

The Hon. Nick Xenophon: You're the chairman of it.

The Hon. R.I. LUCAS: Yes. For my sins that is one of the roles that I fulfil. I must admit that one of the dilemmas in indicating that early last year is that I did express my concern that this Xenophon committee might extend for the rest of our natural lives. I am fearful that that is where it is heading. I remember offering a slight bet to the Hon. Mr Xenophon that this committee would not be concluded by the end of 1999—

The Hon. L.H. Davis: Not a bet!

The Hon. R.I. LUCAS: To his credit, the Hon. Mr Xenophon did not take up the offer of a wager on it.

Members interjecting:

The Hon. R.I. LUCAS: There were fixed odds; I was prepared to offer a shade of odds. It has been my experience with these committees in my almost 20 years in this place that, for whatever reason, they end up taking much longer than perhaps people might have originally thought; they just seem to drag on. I do not see this committee reporting before the end of this year. We are then into an election year next year. Before the 1997 election I remember trying to wind up the outsourcing committee when the Labor members were off doorknocking and the Democrats were off trying to raise money and the Liberal members were off—

Members interjecting:

The Hon. R.I. LUCAS: I cannot imagine. They just said to me, 'You, Minister for Education, just stay there. Don't worry about doorknocking or raising money: you can stay in Parliament House.' It was obviously a very astute decision of my colleagues.

Members interjecting:

The Hon. R.I. LUCAS: It was a very astute move and it enabled us to sneak into government. As we lead into the election period, trying to get these committees together becomes almost impossible. I am fearful that, if this committee is not concluded by the end of this year, as I think will be the case, next year will be impossible as well. Whilst I indicated almost 18 months or so ago—whenever we first started this long, laborious journey exploring the banning of interactive gambling—

The Hon. Nick Xenophon: Eleven months.

The Hon. R.I. LUCAS: The Hon. Mr Xenophon has been counting: it is only 11 or 12 months. It just seems longer. As a member of the government, I feel compelled to say that we may well have to reassess our position in relation to that. Unless there is some clear indication that this committee may eventually report in the foreseeable future—

The Hon. Nick Xenophon interjecting:

The Hon. R.I. LUCAS: If I can put it politely, I have no capacity to control the Hon. Mr Xenophon or, indeed, Labor members of the committee, much as I would on occasions like to be able to direct members.

Members interjecting:

The Hon. R.I. LUCAS: We could meet on Good Friday. Of course, in the past 12 months a Senate select committee has reported on this issue. It has traversed much the same ground. It has spoken to many of the same witnesses. Indeed, more were prepared to go to a Senate committee rather than travel to South Australia. It has now reported on this issue.

We also have the Productivity Commission report, the body for which the Hon. Mr Xenophon is such a fierce and firm advocate concerning the accuracy of its research and its capacity to form opinions. The commission has now come down strongly in opposition to the Hon. Mr Xenophon's position on banning interactive gambling, which is also the strong majority position in relation to the Senate select committee report.

We now have a considerable body of advice from the Senate committee, the Productivity Commission and other areas, plus the amount of information we have been able to gather here in South Australia. Perhaps if we cannot wind up the South Australian committee in the not too distant future, it will be for the parliament to address the issue of what on earth we will do in relation to a regulatory framework for—

The Hon. T.G. Roberts: It is too late now.

The Hon. R.I. LUCAS: The Hon. Terry Roberts makes the point that it may already be too late. The Productivity Commission's work—not that I am dictated by its views—does argue fairly persuasively that it will be difficult, if not impossible, to ban, and that an appropriate regulatory framework for this is really the only sensible way to go. That is broadly the view of the Senate committee. I know of the concerns currently in the community about poker machines, but the attention that has been focussed on poker machines

is missing what is occurring already and what is about to occur in relation to interactive and internet gambling.

Whilst acknowledging that no framework will be able to in and of itself prevent people from getting themselves into trouble, as I believe is the situation in relation to poker machines, to leave it as it is in the hope that we can eventually ban it by voiding credit card transactions with banks (and that has been a most interesting part of the evidence to our select committee so far) I think is denying the reality of the situation and denying that we, as a parliament, need to address an appropriate regulatory framework as most other parliaments either have done or—

The Hon. Nick Xenophon interjecting:

The Hon. R.I. LUCAS: I am just flagging the issue. I outlined a position 12 months ago which said that we would not proceed down a path until we had a chance to look at the select committee's report. That seemed to make sense, particularly as the view then was that we would finish the committee at the end of last year. We have not changed that position yet. I think there is a prospect that we might have to try to wrap up the state committee and bring down some findings, unless some quite intensive progress is made.

I can indicate now that there is no prospect at all of the Hon. Mr Xenophon and I coming to an agreement on the select committee. He has a view of the world, as indeed I do. We will have a split view: it will be either 3:2 or 2:3 or, like the Senate select committee, 2:2:1 or 2:1:1:1 or a whole variety of things. The sooner we acknowledge that there are differing views and that we have a lot of information and we report with majority and minority reports to the state parliament and then embrace a debate on what the framework should be, the better it will be. Certainly I do not think we ought to be—either in this bill or in the companion bill we have just discussed, the gaming bill—adopting a position on that without the framework of a full debate—

The Hon. Nick Xenophon interjecting:

The Hon. R.I. LUCAS: Well, I am just saying that I am currently the Treasurer and I have just been through negotiations with them. I have tabled an approved licensing agreement with them which they have accepted. It acknowledges that they will not get an interactive gaming licence until we have this debate, which I hope will be within the next 12 months or so. The only provision in there which relates to this says that, if the government were to give a competitor an interactive casino gambling licence, they would be able to get one on no less favourable terms, which is a reasonable provision to put in there in terms of protecting their position vis-a-vis somebody else. Those who get on the net at the moment look at Lassiters and a variety of other casino products—

The Hon. Nick Xenophon interjecting:

The Hon. R.I. LUCAS: If you want to have a look at what is available from around the world at the moment, there are I think—depending on whom you listen to—250 or 750 varying gambling sites currently available over the internet. That is the general position in relation to interactive gambling and the banning thereof. Certainly I will be putting a very strong position that that not be agreed to. If it were included in the bill, it would be another reason to vote against the third reading.

The next major provision is in relation to what are known as note acceptors. It is a prohibition of gaming machines not operated by coins. If you attend the casino at the moment, I think it has 14 or 20 note changers, which sit next to the gaming machines. You can put a $50 note or $20 note into a note changer, take the coins that it dispenses and then proceed to gamble. The note acceptor is, I am told, available in every other state jurisdiction; that is, in New South Wales, Victoria, Queensland, and Tasmania, etc., gaming machines have note acceptors attached to them.

There is a significant issue in terms of the manufacturers of the machines. Their view is: why are we the only state without a note acceptor attached to the gaming machines? It means a particular machine needs to be constructed for the South Australian market. I can understand that those who oppose poker machines and gaming would obviously not want to see them attached to gaming machines. I accept and understand that position. I do not oppose having note acceptors, particularly as hotels and casinos can have an unlimited number of note changers which do exactly the same thing within their gaming rooms.

There are some other issues in relation to the provision concerning smartcards and others about which we will have a further discussion when we get into the committee stage, because I do not want to delay unduly the second reading debate. There is another provision in relation to intoxication in the casino. I draw the attention of members to the approved licensing agreement which the government has already entered into with the operators of the casino. Under the heading 'Refusal of Gambling' in section 7(6) there is a requirement to deny access to gambling facilities to a person who is intoxicated or otherwise incapable of exercising adequate control. I indicate to the honourable member that certainly at least the government in what it has done already is generally heading in the same direction that the honourable member was intending and has already included that in the approved licensing agreement.

I am advised that, under this clause, the penalty options for a breach of this condition range from a notice to the licensee, a fine of up to $50 000 and, ultimately, revocation of the licence. I suspect that it would have to be a fairly serious breach for the revocation of licence to be considered, but that is the legal advice with which I have been provided. I am not suggesting that that would be the first recourse in terms of a penalty for allowing an intoxicated customer to gamble.

The next provision relates to a liability to casino duty. As I think I have indicated publicly, the government opposes this provision, but it is prepared to give sympathetic consideration to the notion which the Social Development Committee first recommended of increasing funding for the Gamblers Rehabilitation Fund particularly from funds that are provided by other gambling institutions. The government collects gambling revenue from the TAB, casinos and the Lotteries Commission and then makes a judgment as to where the money goes.

I have indicated that, in respect of this current budget—obviously, we will not be in a position to announce anything until May—we will give sympathetic consideration to the notion that more funding should be made available to assist people who are adversely affected by gambling. I note the honourable member's ambit claim for an extra $500 000 for the GRF. Whilst the government cannot commit to any figure at this stage, it will bear in mind the Hon. Mr Xenophon's plea for additional funding. As I have said, should the government make that decision, whilst it goes into and comes out of general revenue, part of the moneys that come from other gambling providers will be used as a source for this funding.

I have dealt with the major provisions of the honourable member's bill. There are many minor provisions which I will address in committee. I conclude my remarks by saying that the government has significant concerns. I am sorry, not the government, I have—

The Hon. Nick Xenophon: A freudian slip.

The Hon. R.I. LUCAS: I am so used to speaking on behalf of the government that it occasionally slips out. I have significant concerns in a number of areas, and I think a number of members of the government party may well share my views on these issues, but ultimately that will be for them to decide. In one or two areas in particular—

The Hon. R.R. Roberts: Especially those who are up for preselection.

The Hon. R.I. LUCAS: I don't think the Hon. Ron Roberts should talk about preselections at the moment.

The Hon. R.R. Roberts interjecting:

The Hon. R.I. LUCAS: Mine doesn't come up for about six years.

Members interjecting:

The ACTING PRESIDENT (Hon. T. Crothers): Order! The interjectors are gambling with the Acting President's patience.

The Hon. R.I. Lucas interjecting:

The ACTING PRESIDENT: Order, the Treasurer!

The Hon. L.H. Davis interjecting:

The ACTING PRESIDENT: Order, the Hon. Mr Davis!

The Hon. R.I. LUCAS: I think the Hon. Ron Roberts interjected out of his seat, so he is twice out of order.

The Hon. L.H. Davis: He is out of his depth.

The Hon. R.I. LUCAS: And out of his depth.

The ACTING PRESIDENT: Order! The Treasurer is wrong to respond. He will address the bill.

The Hon. R.I. LUCAS: Mr Acting President, as always, you are most wise in your counsel, and I will heed your advice. Before I was so rudely interrupted, I was concluding my remarks by saying that I have significant problems with a number of these provisions, and I suspect that a number of government members share my concerns. There are one or two provisions where there is likely to be a government position, possibly, in particular, regarding the casino duty provision should there be a chance of that ever getting up. However, I commend the honourable member for his persistence in this area.

In other areas, the government has already demonstrated through its licensing agreement that it is heading in broadly the same direction. Whether it be in the interactive gaming debate or some future casino or broader debate about gambling regulation in South Australia, there may well be further discussion on some of these issues. As I have said, particularly regarding the odds issues and some of the other matters that have been raised in the honourable member's gaming regulation bill, there may well be some common ground amongst the majority of members in both houses of parliament.

The Hon. T.G. CAMERON: I rise to indicate my support for the second reading of the Hon. Nick Xenophon's bill and many of its provisions. As has the leader of the government, I would like briefly to run through some of the clauses in this bill. The Hon. Nick Xenophon knows that I am not anti gambling because I am a bit of a libertarian. However, I think he appreciates that I have some grave concerns about the level of gambling in our community and the fact that government agencies spend millions of dollars encouraging people to gamble so that they can keep up the turnover and keep the dollars ticking through the cash register.

I will refer specifically to some of the provisions in the Hon. Nick Xenophon's bill. Clause 4 provides for a copy of the rules of a particular game to be made available for inspection by a casino patron and a copy of a summary of those rules to be provided to a casino patron, etc. It is my understanding that casinos are required to comply with similar provisions in other states. I do not see why any member of this chamber would have a problem with subparagraphs (i) and (ii).

Whilst I listened to what the Treasurer said regarding paragraph (b), I do not believe it is the intention to require a casino to table information about the respective odds on every turn of the card, because you do not know what the turn of the card will reveal. I think I know what the Treasurer is on about. He is trying to ensure that people are fully informed about the rules of the game and their odds of winning.

The Hon. Nick Xenophon interjecting:

The Hon. T.G. CAMERON: I thank the Hon. Nick Xenophon for his interjection. As I suspected, it appears that these rules are similar to rules that already operate in another state and that they are now operating in the Star Casino. I have no doubt that a copy of the rules and a summary may be useful and helpful for some people who have a gambling problem, because it is amazing the number of gamblers whom you talk to who do not seem to have an appreciation of their odds of winning. If anyone was realistically prepared to accept their chances of winning on a poker machine, they would never put a coin in one, because unless they were extremely lucky it would be almost impossible to win. In fact, every time you put an additional dollar into a poker machine you increase your chances of losing.

I support the Hon. Nick Xenophon's amendment regarding interactive gambling in proposed section 41A(2)(b). The casino provides a BMW prize, but only on the 10¢ machines. Stormy Summers won a BMW one night, but it was only on the 10¢ machines. The casino has 1¢, 2¢, 5¢ and 10¢ machines, but if you want to win the car you have to play the 10¢ machines. There is no doubt that the chance of winning a $70 000 prize acts as a magnet for some people to play those machines.

I am glad that we do not have linked jackpots in this state, because often what encourages people to gamble is the chance to win a big enough prize to resolve all their financial worries. Inevitably, they end up pouring more money into the machines and having more financial problems. I have a great deal of sympathy for the fact that huge prizes are offered as an inducement to get people to play machines which require a larger amount of money to be inserted. I support new section 41A(2)(b) in relation to interactive gambling. I particularly support new section 41A(1) which provides:

> It is a condition of the Casino licence that the licensee must not make interactive gambling available in the Casino unless authorised to do so by a resolution passed by both houses of parliament.

I support that new section because I do not trust either a Labor or a Liberal government, or a Labor or a Liberal opposition, to take any action that might see its revenues falling.

The Hon. Nick Xenophon: You're such a cynic.

The Hon. T.G. CAMERON: I have been around this business for too long. Both parties consider themselves the natural government, so when it comes to money they always support each other. Whilst I have a slight amendment, I

support the thrust of the amendments in relation to telecommunication devices.

I have had discussions with the Hon. Nick Xenophon about new section 41B, and whilst I was originally opposed to the concept 'Why should we make it inconvenient for people to have to cash a $20 or $50 bill?' I do now accept it because I went away and did a bit of research on the subject. Whilst the Treasurer may be right that in every other state of Australia you can put a $50 or a $100 bill into a machine, I point out to the Treasurer—and perhaps I will do it later as he is not listening at the moment—

The Hon. R.I. Lucas interjecting:

The Hon. T.G. CAMERON: Whether or not you do them both properly is another matter. We can all read and listen at the same time, but it depends on our comprehension of the information coming in. I have come to the conclusion that to force people to change their notes does act as a deterrent. I have spent time in the Casino and in hotels watching people gamble, and it is my experience that, once a note is cashed and put into a machine, people have to press the button to get their money back. So, on balance, I accept that leaving it the way it is—that is, that you can use only a coin—does in some small way slow down gambling.

I support new section 42A (Intoxication in a casino). I have seen people who are blind drunk gambling at the Casino, both winning and losing, and there is no doubt that alcohol does loosen the inhibitions and loosen self-control. I have witnessed people standing there drunk and gambling until they discover they do not have enough money for a taxi fare home.

Regarding the amendment of section 51 (Liability to Casino duty), I was particularly interested to hear the remarks of the Treasurer, because it has long puzzled me why the Casino—and my understanding is that it has 600 gaming machines—

The Hon. Nick Xenophon interjecting:

The Hon. T.G. CAMERON: 'More', the Hon. Nick Xenophon interjects. I think the Hotels Association and the hotels are to be commended for the work that they have done in setting up a gambling fund. It is disappointing to note that the Casino, of its own volition, has not joined the move by the Australian Hotels Association to provide money for problem gamblers.

I welcome the Treasurer's comments and statement that more money is needed for the rehabilitation of gamblers in South Australia. However, I think it is unfair and an unjust imposition to force the hotels to contribute more than they currently are. In fact, by voluntarily setting up their own fund they contribute more than they are legally obligated to do. I would like the Casino, of its own volition, to accept responsibility and undertake a role in working with all the stakeholders on the issues of gambling so that more money goes into the fund.

I indicate my support for clause 9(b)(2), which I have already addressed in some of my previous comments. In summary, what we have before us is a rational bill that is making a genuine attempt to get the Adelaide Casino to act more responsibly in a number of areas. I think the honourable member ought to be commended for that. Irrespective of what you may or may not think of the Hon. Nick Xenophon on a personal basis, I urge all members to go beyond that in this place and to look at what people are trying to do.

The Hon. Nick Xenophon: They all love me.

The Hon. T.G. CAMERON: Well, I don't think everyone in the place loves you. It would be a real pity if this bill were to be torpedoed just because some people do not happen to like who the honourable member has sued or some of the things he has in his gaming machine legislation. The overwhelming majority of initiatives in this legislation, apart from clause 7, would not require very such expense on the part of the Casino and would assist gamblers. What is wrong with giving people more information about the games that they are playing? We have never seen the Australian Hotels Association jump up and down about supporting sensible propositions to provide people with more information: in fact, it does it of its own volition. But here we are, the biggest gambling establishment in the place—and I said that it has 600 machines—

The Hon. Nick Xenophon: It's close to 700.

The Hon. T.G. CAMERON: I have been corrected and told that it is close to 700 machines. Well, 700 machines in one establishment may well be the equivalent of 20, 30, 40 or 50 hotels. Some hotels have only six to 10 machines, not 40. Here we have an establishment with more gambling money going through it than most of the hotels put together and it is not contributing to gamblers' rehabilitation. I hope that the Treasurer will follow up this issue, whether or not it is by supporting clause 7 of the Hon. Nick Xenophon's bill or by some other measure. It is pleasing that the government has recognised that more money is needed for gambling rehabilitation.

I have questions which I will ask in the committee stage. I am not sure that the Casino would have entered into a contract with the government without a clause being inserted that might tie the government's hands at some future date to impose a duty of this kind. If that is the case, then perhaps that gives the honourable member a little more leverage to ensure that, as a fall-back position, if we cannot get the Casino to cough up a bit more money, we can hold the Treasurer to his promise and ensure that more money goes go into gambling rehabilitation.

In relation to your amendments to section 61 I need a little bit more convincing to increase a fine from $100 000 to $1 million, because I have watched state Liberal and Labor governments, in all states, walk down what I call the fine's path in order to raise more revenue. Heaven forbid how many fines in this state have been jacked up all over the place.

The Hon. M.J. Elliott interjecting:

The Hon. T.G. CAMERON: The Hon. Mike Elliott interjects and says that companies aren't being required to pay these extra fines; perhaps we could both have a look at the various bills when they go through, and if the government is so keen on ramping up fines to everyone else in the state then we could move a few amendments to hold them to that.

The Hon. M.J. Elliott interjecting:

The Hon. T.G. CAMERON: Oh well, we are coming to a few of those, aren't we; we will be dealing with some of that legislation shortly and perhaps we can address that then. But the bottom line here is that the Hon. Nick Xenophon is saying that we need more money for gambling rehabilitation, and quite simply it is about time the Casino coughed up and lived up to its obligations like the hotel industry has. I hope that contribution has been helpful to the Hon. Nick Xenophon, by indicating to him where he is going with this bill, and on a couple of the suggestions that I have made I would invite him to come and have a yarn with me about them. I indicate that I will be supporting the second reading, basically along the lines of what I have indicated. That is how I will be voting when we go into the committee stage.

The Hon. M.J. ELLIOTT secured the adjournment of the debate.

STATUTES AMENDMENT (BHP INDENTURES) BILL

Adjourned debate on second reading.

(Continued from 11 April. Page 874.)

The Hon. P. HOLLOWAY: I indicate that the opposition supports the second reading of this bill and we will cooperate to ensure its speedy passage through the parliament. This bill was introduced into the House of Assembly on 5 April, and it was thanks to the bipartisan support that this bill received in the other place that we are able to debate it in this chamber in such quick time. I would like to acknowledge at this stage the speeches of the Leader and the Deputy Leader of the Opposition and the member for Giles in the House of Assembly on this bill. They have clearly set out the opposition's position on the bill and they have also set out in some detail the background to the bill and their part in the negotiations with BHP and the Whyalla community in bringing this matter forward. So, given that there have been those three detailed speeches in the House of Assembly I will not speak at great length here and repeat all of the things that were said there.

This bill basically amends two BHP indenture acts, the 1937 indenture, which covered the mining operations in the Middleback Ranges, and the BHP Steelworks Indenture Act of 1958, which covered the steelworking plants in Whyalla. The bill recognises that BHP is divesting itself of its steel-making operations, and that, of course, is a major change. BHP is a company that has been around for over 100 years. Steel has been central to that company for many, many years. It has now decided that its future does not lie there. It is important that we recognise that fact and come to terms with the fact that BHP will no longer be connected with Whyalla, and we have to move on.

That is why it was important that those BHP indentures be negotiated to permit that withdrawal of BHP from Whyalla. It is quite clear that had we not come to some agreement with BHP it would have been a most unsatisfactory situation to have had BHP continuing to own the assets in Whyalla but with no intention of making any new investment in that area. Of course, that would have been disastrous for the people of Whyalla. So it is far better that we have a new company operate the steelworks which is actually interested in the industry and which wishes to invest in its long-term future.

Basically, the negotiated outcome that was reached between BHP, the government and the Whyalla community has a number of features to it. First of all there is a transfer of a significant amount of land, some 3 600 hectares. Of that, 700 hectares of indentured land will be transferred to the Whyalla council for an industrial park. That is a very positive development that the Whyalla Development Board has been looking at for some time. With the transfer of that land there are very good prospects of Whyalla being able to attract suitable industry to the area. The location of that industrial park would certainly make that area particularly attractive I think for industry because of the very good facilities that are nearby.

Another 1 200 hectares is going to be added to the Whyalla Conservation Park, and that is a very positive development. Also under the agreement there have been negotiations that the new company that will operate the steelworks will make ongoing financial contributions to the council in lieu of rates. We are told that these will increase progressively so that they equal $550 000 per annum from mid 2007. We are told by the government in its bill that this will add considerably to the amount of money that the Whyalla council will receive over the future, compared to what it has received in the past. There is also some other transfer of land in relation to the golf course and other facilities, such as the maritime museum, which have been transferred over to the control of the Whyalla City Council. That is also a positive development.

The other part of the agreement is that there is now going to be some formalisation in the process by which other industries may have access to the very substantial port facilities at Whyalla. This will further assist the people of Whyalla in attracting industry to their centre, and, again, I think that is a very positive outcome. So the transfer of land for industrial and conservation purposes is a gesture of goodwill on the part of BHP. The access of other enterprises to the port is also a very positive outcome from the negotiations and will help attract new businesses to the industrial park.

The other part of the agreement which is worth noting, and which is certainly very important as far as the opposition is concerned, is that environmental protection will be given priority. Under the indenture that applied to BHP's operations, BHP was effectively given carte blanche to emit pollution as a result of its activities. That part of the indenture is now being repealed in line with modern thinking. That is very important for a number of reasons.

My colleague the member for Giles pointed out in her contribution that the aquaculture industry is of growing importance in that region. There are a number of aquaculture ventures in the Upper Spencer Gulf. Of course, it is important for the future of those industries that the environment be clean, and therefore the application of stricter environmental rules to the operation of the steel works at Whyalla is a ncessary development.

This bill is obviously an important measure for Whyalla, the identity of which has been linked to BHP almost from the very inception of the town. My colleague the member for Giles gave a short history of the importance of BHP to Whyalla residents in her second reading contribution in the House of Assembly, and it is worthwhile repeating a few of those facts in this place. BHP (Broken Hill Proprietary Company Limited) acquired its first lease permit in 1899 to work ore deposits in South Australia. Whyalla was proclaimed in 1914, and in 1958 preliminary work began on the steel works. The employment opportunities resulted in the population of Whyalla growing from 9 000 in 1958 to 33 000 in 1964 when the steel works were commissioned. Of course, since that time, BHP and Whyalla have been inextricably linked, which has meant that the recent uncertainty in respect of the future of the steel works has not just affected BHP employees but the community of Whyalla as a whole. We all know that the previous population of 33 00 in 1964 has now declined to a figure somewhere in the low 20 000s.

It is important that we do what we can to ensure that, from this time, Whyalla's future is secure and that its community will continue to grow. The opposition has spent considerable time over the past few years listening to and working with the Whyalla council and the Australian Workers Union. I pay tribute to Geoff Buckland, secretary of the union in Whyalla. He has spent a great deal of time and effort negotiating on

behalf of the workers of BHP to ensure their future, as well as the Whyalla community, and to assist in achieving a positive outcome for all parties.

The aim of the negotiations has been to achieve a secure future for the steel industry and its employees and to contribute to the economic development of the region. The Spencer Gulf region has been decimated by recent closures and employment uncertainty. It is vital that we work with local unions, industry, local government and educational facilities to ensure that the brain drain from the region is halted. Young people must be made to feel that they have a viable future in Whyalla, and this can be achieved only by having confidence in the region. The opposition will continue to work alongside the Whyalla community to ensure a bright future.

We are keen to see the new long products company establish a positive and productive relationship with the people of Whyalla. It is important to remember that this outcome is due in no small part to the tenacity of the workers and the people of Whyalla who have been through a great upheaval in recent years, but they are committed to ensuring that the future of Whyalla is secure. The opposition sees this issue as vital to the state as a whole, and we are pleased to support the speedy passage of the measure through the Council.

The Hon. L.H. DAVIS: I also support the bill, which seeks to amend the Broken Hill Proprietary Company's Indenture Act 1937 and the Broken Hill Proprietary Company's Steel Works Indenture Act 1958. The first thing that can be said about this legislation is that it is a recognition of the way in which this world is changing. A decade ago BHP was seen as the big Australian. It was seen as an efficient steel producer, and certainly the community would have always believed that BHP and steel were at one. But in this ever changing world BHP has, in recent years, moved to a position of becoming, for a while, the second largest copper producer in the world by acquiring major interests in America, the Magma copper operation, which proved not to be a successful operation. BHP has divested itself of those assets at a loss.

BHP has restructured its operations in quite dramatic fashion. It has brought in new management and has re-examined every aspect of its operation. An outworking of that re-examination has been a decision to separate out BHP's long products division, which is centred around Whyalla. Members will know that another part of the BHP steel operation was located at Newcastle. There the examination of the steel assets did not have such a happy outcome in the sense that BHP made a decision to close its Newcastle operation. However, at Whyalla the situation is much more positive.

BHP has announced that, rather than continuing with the long products division within the company structure, it will sell out the long products division; it will float off the long products division as a separate stock exchange listing. That, presumably, will give a benefit to existing BHP shareholders who will be able to participate in that float of the long products division. There is a suggestion that the name of this group will be Alliance Steel. As a result of that decision to quit a direct interest in long products, which not only includes the very substantial infrastructure at Whyalla but, in addition, the several iron ore mines located in the Middleback Ranges, legislation now before us recognises that consequences will flow from this BHP decision.

First, BHP will hand back to the council and the state government 3 600 hectares of land, which, in the old language, is 9 000 acres, or something of the order of 15 square miles of land—a considerable parcel of land. That land will be used for a variety of purposes: an industrial estate, which the council sees as important in broadening the industrial base at Whyalla; it will also be used for recreational purposes, including a golf course; and it will also be used for environmental purposes to extend the existing Whyalla conservation park. The second reading explanation intimates that BHP has advised the government that there is no serious environmental issue relating to the land that is to be given to the government and to the Whyalla council.

The remaining land, which had been owned by BHP, will continue to be used for steel making or other related purposes, subject to the council or the government agreeing to another use. Other operations which are currently on site—and there are at least two other businesses which are not steel businesses—will still be able to operate under the terms of this agreement.

The indenture formally provides for the transfer of the subject land from BHP to the new company. From that it flows that this new company will still have obligations. As a corporate citizen it will be required to make annual payments to the council in lieu of council rates. Those payments are significant. They will represent at lest $8.6 million over the next 20 years, which is, according to the second reading explanation, some four times more than has been paid to the Whyalla council by BHP over the last 20 years.

The next point which is important and which may perhaps be the subject of some discussion in committee is the environmental matters which relate to this indenture bill. The standards expected of corporations in 1937 and 1958 when the indenture acts were introduced in relation to the environment were virtually non-existent. There were not the environmental caveats on corporations with respect to the environment that is the case these days.

Under section 7 of the 1958 indenture act, the fact that BHP had an unfettered right to discharge effluent into the sea or discharge smoke, dust or gas into the atmosphere is hard to believe. But that was the way it was 40 years ago. The act requires that the new company, the long products division or whatever its name will be, will be operating under the full authority of the Environmental Protection Authority. That is not to say, of course, that BHP was not a good corporate citizen. I think there is not any suggestion that BHP has degraded the environment in Whyalla in any dramatic fashion.

Finally, BHP has agreed to a process whereby the new steel company will allow access to the port to any other businesses that may be seeking to locate in Whyalla. As honourable members know, there has been speculation that the ship breaking business, which had been billed for Port Adelaide at one stage and other venues not only in South Australia but around the nation, may, perhaps, still be located at Whyalla, in which case access to a port would obviously be a prerequisite for the establishment of that business.

This indenture legislation relating to BHP and its interest in Whyalla is being debated at a particularly important time for Whyalla. It is a watershed period. As we enter the new millennium, we talk about old economy and new economy. In the terms of the new definitions that are now used, steel is very much old economy. But nevertheless it should still be described as essential economy. Whyalla has produced over

many years a skilled work force and a fine reputation for building an efficient operation in terms of steel production.

In years gone by, it was also a place where major ships were produced for the Australian coastal trade. It should not be forgotten that the operation in Whyalla was made possible by iron ore from the Middleback Ranges, a very underestimated natural resource in South Australia which is often overlooked when compared with the Leigh Creek coal and the oil and gas of the Cooper Basin which have been exploited for the past 50 years for the benefit of this state and other states. The committee stage would be an opportune time to discuss the consequences of this indenture with respect to the Middleback Ranges.

Finally, this amending bill comes to the parliament after some intense, difficult and complicated negotiation between the interested parties. There has been cooperation between the government, the Whyalla council, BHP, the Whyalla Economic Development Board and the trade unions, and it has been pleasing to see the spirit in which discussions have taken place and the cooperation of the people concerned who realised that this was a chance to have a win-win situation to ensure that Whyalla's skilled work force has an opportunity to contribute to the future prosperity of the town by ensuring that the long products division remains in place, albeit under a new banner with the structure still to be announced.

Hopefully, this change of direction by BHP will in time produce new opportunities for Whyalla, not only in the long products division—which will be its own master rather than a division of BHP—but it may also assist Whyalla in time to host other important industries. The ship breaking industry is one suggestion. It is more likely that another option in the future will be the development of a pig iron plant. This is being spearheaded by Auiron, formerly Meekatharra Minerals. That company is looking to develop coal and iron ore deposits south of Coober Pedy and to fashion those ores into pig iron using a submerged lance technology developed by the CSIRO and, more latterly, another Australian company called Ausmelt.

With state and federal government backing and financial assistance, Thiess Contractors—a respected major Australian company—together with Auiron, is building a $16 million demonstration plant at Whyalla to test the technology. There is a real prospect that the decision to go forward with a commercial operation could be made as early as the first half of the year 2001.

If that occurs it is quite possible that the pig iron plant may well be located at Whyalla, creating jobs for hundreds of people as well as exporting 2.5 million tonnes of pig iron annually. This pig iron, as I understand, can be produced at one of the lowest costs in the world. There is the very real prospect that the pig iron could be exported either out of Port Bonython or, alternatively, via the Alice Springs to Darwin rail link. That may well be another growth opportunity for Whyalla in addition to the challenge which has been created for Whyalla with BHP's decision to separate off its long products division.

I support the second reading of this bill.

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

ALICE SPRINGS TO DARWIN RAILWAY

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

That this Council commends the Federal, South Australian and Northern Territory governments for their financial support of the Alice Springs-Darwin railway and recognises—

1. The jobs this project will create in regional South Australia; and

2. The long-term economic benefits to South Australia which will be generated by this new rail link.

(Continued from 10 November. Page 356.)

The Hon. CAROLYN PICKLES (Leader of the Opposition): The opposition supports the motion moved by the Hon. Mr Davis and has already indicated its bipartisan support for the Adelaide to Darwin rail link. Our concern in the past has been the federal government's contribution to this project; in fact, we recently passed legislation to allow this project to commence. The economic growth and rapid industrial development amongst our Asian neighbours provides a role for Australia and, more importantly, South Australia to play. We must not neglect this chance to establish ourselves as integral players and beneficiaries in the growth of our region.

Whilst the proximity of Australia to Asia and the complementary nature of our two respective economies puts us at an advantage, we must not become complacent. The growth of the international economy will see an increase of overseas players in our economies and domestic market but also provide us with the same opportunity in markets and economies overseas. It is important to transform Australia into a modern trading nation. South Australia is at a geographical disadvantage when one considers our location in the region. Slowly, we are overcoming this obstacle already with our transition into the information economy, the airport runway extensions and the Adelaide to Darwin rail link.

Ninety years ago the commonwealth committed itself to the construction of this line and, since then, the debates in favour of and against the proposal have taken place over and over. Finally, we will see this vital piece of infrastructure materialise. There are a number of benefits for South Australia and for the Northern Territory. It will provide an efficient passageway for our exports to Asia, helping industry growth in South Australia and the eastern seaboard. It will increase the cost-effectiveness of certain products on the export market and will encourage new development in areas previously not regarded as cost competitive. The project can only help improve Australia's external position through decreased dependence on foreign-owned shipping services, a costly contributor to our current account imbalance.

A revised analysis of the market for rail services made by the committee in Darwin in 1995 shows that over a period of 50 years the benefits to Australia of this project will exceed the costs by $193 million in present net value terms. The January 1993 Australian National report on the Adelaide to Darwin railway pointed to substantial increases in revenue from such things as income tax, company tax and fuel excise being of benefit to the commonwealth from the development of the railway. The Hon. Mr Davis and the Premier have stated that the delivery of jobs will be another benefit associated with this project. They have said that in the construction phase alone we will see the creation of 2 000 jobs, approximately half of which will be here in our state. I am wondering whether in his reply the Hon. Mr Davis will be able to give more details of the kinds of jobs that we will be looking at, which industries will be involved and how many of these jobs we can hope to see in regional South Australia.

The final point I will raise is the benefit that this project may have for our environment. Our community is becoming increasingly aware about environmental issues and insists that governments act in an environmentally responsible manner and that economic development be environmentally sustainable. The Adelaide to Darwin rail link will hopefully enable us to reduce the extent to which we rely on road vehicles, helping preserve valuable fuel resources along with reducing greenhouse gas emissions. Reducing our dependence on ageing freight ships also cuts the risk of environmental disasters on our coastline. The Adelaide to Darwin rail link is a project vital to the future of South Australia and, indeed, to the whole of Australia. The South Australian Labor opposition offers bipartisan support to this project, as we have indicated by our support for the legislation to allow this to proceed, and looks forward to its swift completion and the subsequent benefits to the state that will inevitably arise from its completion.

The Hon. J.S.L. DAWKINS secured the adjournment of the debate.

CORPORATIONS (SOUTH AUSTRALIA) (MISCELLANEOUS) AMENDMENT BILL

The Hon. K.T. GRIFFIN (Attorney-General) obtained leave and introduced a bill for an act to amend the Corporations (South Australia) Act 1999. Read a first time.

The Hon. K.T. GRIFFIN: 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 *Corporations (South Australia) (Miscellaneous) Amendment Bill 2000* makes a number of amendments to the *Corporations (South Australia) Act 1990* which have become necessary following four major Commonwealth legislative initiatives in the area of Corporations Law reform.

The Corporations Law scheme is administered jointly by the Commonwealth, the States and the Northern Territory under the Corporations Agreement. This agreement establishes a Council of Commonwealth and State Ministers known as the 'Ministerial Council for Corporations' to oversee the operation of the Corporations legislative scheme in Australia, and to co-ordinate legislative initiatives arising out of that scheme. South Australia is a party to the Corporations Agreement and the Attorney-General for South Australia is a member of the Ministerial Council.

The Corporations Agreement obliges a State to secure the enactment of a Bill required to complement a Commonwealth Bill which amends a Corporations legislative scheme law and which the Ministerial Council agrees should be enacted.

On 22 July 1999 at its 24th Ordinary Meeting, the Ministerial Council approved amendments to the Corporations [Name of State] Acts of the States and the Northern Territory, including the *Corporations (South Australia) Act 1990*, necessary to complement the following Commonwealth legislative initiatives:

- the *Company Law Review Act 1998;*
- the *Managed Investments Act 1998;*
- the financial sector reform ('Wallis') legislation of 1998 and 1999; and
- the *Corporate Law Economic Reform Program Act 1999* ('the CLERP Act').

On 24 March 2000 this year, at its 26th Ordinary Meeting, the Ministerial Council approved amendments to the Corporations [Name of State] Acts of the States and the Northern Territory, including the *Corporations (South Australia) Act 1990*.

The amendments in this Bill are consistent with amendments which either have been or will be enacted by the Parliaments of the Commonwealth, the other States and the Northern Territory pursuant to the Corporations Agreement.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

Clause 2 provides for the commencement of the Act which is to be on proclamation. For the sake of consistency across jurisdictions, those amendments which arise out of the financial sector reforms, being the change of name of the national corporate regulator from the Australian Securities Commission, or the ASC, to the Australian Securities and Investments Commission, or ASIC, and in particular to the legislation and regulations governing this body, must commence in all jurisdictions at the same time. Consequently, the date of commencement of these provisions will be coordinated on a nation-wide basis and may differ from the date of commencement of the remaining provisions.

Clause 3: Amendment of s. 1—Short title and purposes

Clause 3 amends section 1 of the Corporations Act. It strikes out the reference to the *'Australian Securities Commission Act 1989'* and replaces it with a reference to the *'Australian Securities and Investments Commission Act 1989'*. This reflects changes contained in the *Financial Sector Reform (Amendment and Transitional Provisions) Act 1998* of the Commonwealth.

Clause 4: Amendment of s. 3—Definitions

Following on from the same Commonwealth reforms, clause 4 strikes out all references to ASC in section 3 of the Act, and replaces them with references to ASIC.

Clause 5: Amendment of s. 15—Corporations Law of South Australia

The most recent of the Commonwealth's Corporations Law reforms are contained in the *CLERP Act 1999* which commenced on 13 March this year. This legislation reformed the Corporations Law provisions on Accounting Standards, Takeovers, Fundraising and corporate governance.

Section 15(2) of the Corporations Act provides that chapter 7 of the Corporations Law, which includes the fundraising provisions, do not bind the Crown in right of the State of South Australia, of the Commonwealth, or any other State or either of the Territories or Norfolk Island. As a result of the reforms contained in the CLERP Act two important amendments to section 15(2) are necessary.

Firstly, the Commonwealth has decided for policy reasons that it is to become subject to the fundraising provisions of the Corporations Law. The States, including South Australia, the Territories and Norfolk Island are to remain exempt from these provisions. Secondly, the fundraising provisions themselves have been relocated to new chapters, 6, 6A, 6B, 6C, and 6D of the Corporations Law.

Consequently, clause 5 of the Bill inserts a new section 15(1a) to clarify that the relevant provisions are now to be found in these new chapters, and the Crown in right of the States, the Territories and Norfolk Island, but not the Commonwealth, are to be exempt from these new provisions.

Clause 6: Repeal of Part 6

Clause 6 of the Bill repeals section 21 of the Corporations Act. Section 21 provides that any written accounting standards made by the Accounting Standards board under section 32 of the Commonwealth *Corporations Act 1989* for the purpose of Parts 3.6 and 3.7 of the Corporations Law of the Australian Capital Territory have effect under the Corporations Law of South Australia. The Commonwealth's Company Law Review Act repealed both section 32 of the Commonwealth Act and Parts 3.6 and 3.7 of the Corporations Laws of the ACT and South Australia.

Clause 7: Amendment of s. 60—Interpretation of some expressions in ASC Law, and ASC Regulations, of South Australia

Section 60 of the Corporations Act defines a number of terms for the purposes of the application of the legislation and regulations governing the Australian Securities and Investment Commission, formerly the Australian Securities Commission. Clause 7 of the Bill amends those definitions which been affected by the Commonwealth's reforms.

Clause 7(a) and 7(b) of the Bill amend the definitions of 'affairs' and 'books', taking account of changes brought about by the Company Law Review Act. Clause 7 (c) amends the definition of 'Commission' to reflect the fact that the ASC is now call ASIC. Clause 7(d) inserts a definition of 'panel proceedings', while clause 7(e) amends the definition of 'witness'. Both amendments arise as a result of the reforms implemented under the CLERP Act.

Clause 8: Repeal of s. 94

The Commonwealth's Managed Investments Act of 1998 introduced a new regime for the regulation of managed investment schemes. This regime replaced the regime which provided for the regulation of 'prescribed interest' schemes under the Corporations Law.

Section 94 of the Corporations Act provides that any prescribed interest scheme which was exempted from the prescribed interest provisions of the Companies Code, is taken to be exempted from Divisions 2 and 5 of the Corporations Law.

The Companies Code was replaced by the current Corporations Law regime on 1 January 1991. Division 5 of Part 7.12 of the Corporations Law was repealed by the Managed Investments Act. Section 94 of the Corporations Act is therefore no longer relevant. Consequently, clause 8 of the Bill repeals section 94.

Clause 9: Amendment of s. 97—Certain land transfers by companies not to constitute reduction of share capital

Clause 9 of the Bill amends section 97 of the Corporations Act to ensure the section has no ongoing operation. Section 97 relates to the transfer of land by companies in exchange or in satisfaction of rights referred to in section 195(13) of the Corporations Law. Section 195(13) was repealed by the Company Law Review Act.

Clause 10: ASC replaced with ASIC throughout Act

Clause 10 strikes out all remaining references in the Corporations Act to the 'ASC' and substitutes 'ASIC'.

The Hon. CAROLYN PICKLES secured the adjournment of the debate.

STATUTES AMENDMENT (PUBLIC TRUSTEE AND TRUSTEE COMPANIES—GST) BILL

The Hon. K.T. GRIFFIN (Attorney-General) obtained leave and introduced a bill for an act to amend the Public Trustee Act 1995 and the Trustee Companies Act 1988. Read a first time.

The Hon. K.T. GRIFFIN: 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 is necessitated by the New Tax System to come into operation on 1st July 2000 imposing a broad-based consumption tax, the Goods and Services Tax (GST).

Under the New Tax System, supplies of goods and services, including business and professional services such as those offered by corporate trustees, will be taxable. The tax will be borne ultimately by the consumer of the service. The service provider will be liable to pay the tax and will recover it from the consumer.

In the case of many supplies, there is no obstacle to the adjustment of the price of the good or service to reflect the new tax. However, there are isolated examples where, under the present law, it is not open to the supplier to increase the price of services beyond a maximum fixed by law. In those cases, when the price of the service is at or near the statutory maximum, the supplier is unable to charge the additional amount necessary to cover the GST.

This problem arises for the Public Trustee under s. 45 of the *Public Trustee Act* and for private trustee companies under sections 9, 10 and 15 of the *Trustee Companies Act*. The fees set by or under those Acts are maxima, and as the Acts currently stand, there is no room to on-charge the GST.

This Bill will remedy that situation by providing that where the Public Trustee or a trustee company is liable to pay GST in respect of a commission or fee, and the Act imposes a limit on that commission or fee, the company may also charge an amount that equates to that GST liability. Otherwise, it would, in the cases where the maximum fee is chargeable, be liable to pay the GST itself. That is not the way in which this tax is intended to operate.

The net result of the Bill is to preserve the status quo as to the charges which may lawfully be made by corporate trustees, following the commencement of the GST.

Explanation of Clauses

Clause 1: Short title

Clause 1 is formal.

Clause 2: Interpretation

Clause 2 is an interpretative provision.

Clause 3: Insertion of s.45A

Clause 3 inserts new section 45A in the *Public Trustee Act 1995* which provides that the Public Trustee can exceed the limit under the Act for its commission or fees to the extent necessary to recover the GST.

Clause 4: Insertion of s.16A

Clause 4 inserts a new section in the *Trustee Companies Act 1988* in similar terms to section 45A of the *Public Trustee Act 1995* inserted by clause 3.

The Hon. CAROLYN PICKLES secured the adjournment of the debate.

STATUTES AMENDMENT (EXTENSION OF NATIVE TITLE SUNSET CLAUSES) BILL

The Hon. K.T. GRIFFIN (Attorney-General) obtained leave and introduced a bill for an act to amend the Mining Act 1971 and the Opal Mining Act 1995. Read a first time.

The Hon. K.T. GRIFFIN: 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.

Part 9B of the *Mining Act 1971* was enacted to establish a 'right to negotiate' (RTN) in respect of mining activities on native title land. It commenced operation on 17 June 1996.

Part 7 of the *Opal Mining Act 1995* was enacted to establish an almost identical RTN scheme in respect of opal mining activities on native title land. It commenced operation on 21 April 1997.

Both Part 9B of the *Mining Act* and Part 7 of the *Opal Mining Act* contained a 'sunset clause' (sections 63ZD and 71 respectively) in recognition of the likelihood of amendments to the Commonwealth *Native Title Act 1993* and, in particular, the RTN regime in that Act, so as to avoid the possibility of South Australia being left with a more onerous regime than that contained in an amended Commonwealth Act.

The sunset clause in both Acts was synchronised in 1998 and extended to 17 June 2000 by an amendment contained in the *Statutes Amendment (Native Title) Act 1998*. That period is now about to expire.

The *Native Title Act 1993* (Cth) was substantially amended in 1998. Amendments to the State's RTN regime to reflect the changes at the Commonwealth level have been prepared. The content of those amendments is the subject of ongoing negotiations with the Commonwealth. At this stage, it is difficult to predict the precise content of those amendments and when they will be ready for introduction into Parliament. It is important to retain the existing RTN schemes, pending further negotiations with the Commonwealth.

In the meantime, the mining industry in South Australia is continuing to utilise the procedures in Part 9B of the *Mining Act* and, to a lesser extent, Part 7 of the *Opal Mining Act*.

In the circumstances it is both necessary and appropriate to continue the operation of Part 9B of the *Mining Act* and Part 7 of the *Opal Mining Act* for a further 3 years beyond 17 June 2000, up to 17 June 2003. It is appropriate to amend the Acts in such a way that the notion of a 'sunset clause' is preserved in both Acts.

I commend this bill to honourable members.

Explanation of Clauses

Clause 1: Short title

Clause 2: Interpretation

These clauses are formal.

Clause 3: Amendment of s. 63ZD—Expiry of this Part

The amendment postpones expiry of Part 9B (Native Title) of the *Mining Act 1971* until 17 June 2003.

Clause 4: Amendment of s. 71—Expiry of this Part

The amendment postpones expiry of Part 7 (Native Title) of the *Opal Mining Act 1995* until 17 June 2003.

The Hon. CAROLYN PICKLES secured the adjournment of the debate.

DEVELOPMENT (SYSTEM IMPROVEMENT PROGRAM) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 30 March. Page 738.)

The Hon. J.S.L. DAWKINS: I rise to contribute briefly to this bill and to support its passage. The Development Act

1993, as well as some associated acts and related regulations, came into effect in January 1994, establishing a framework for a new integrated planning and development assessment system for South Australia. Subsequently the government sought to make a series of changes to the Development Act in 1996 to provide greater certainty and better outcomes for proponents in the community at large.

Following that, in August 1998, the government appointed an independent consultant, Ms Bronwyn Halliday, to undertake a customer survey of the administration of the planning and development assessment system through the Development Act. This survey deliberately focused on the attitudes of those who used the system. Planners, local government, staff, elected members, developers, private certifiers, government officers, members of parliament and members of the wider community were invited to comment on the planning and development assessment system in several ways. There were discussion groups, regional meetings and agency meetings, and I think some people responded to newspaper advertisements. I am aware that there were opportunities for members of parliament to meet with Ms Halliday and express their views.

As a result of that, a customer survey report was released, and five major themes emerged: first, the need to further integrate the development assessment system more effectively and completely, in particular, making provision for a single assessment, one stop shop for more development activities; secondly, the need to focus on the provision of clearer planning policies to enable balanced state development, and more guidance on state policies and processes so that local government has a clear direction on priorities; thirdly, the need to support local government so that it can fulfil its role as a planning authority under the Development Act effectively and efficiently, and also be accountable for its decision making, in particular, the promotion of a shift in focus of councillors to strategic and policy issues rather than considering detailed operational matters; fourthly, the need to improve rules and processes so that there is greater certainty and faster decision making both within state government and local government bodies; and, fifthly, the need to better inform professional staff, counsellors and the development industry about the planning and development assessment system.

This bill deals with the first and fourth of these themes. The other important improvements to the system have been achieved in non-legislative ways. The government has insisted on a system improvement program for the planning and development assessment system. The minister and Planning SA in consultation and cooperation with the Local Government Association have gone through a comprehensive and exhaustive consultation process on what I think is a rather complex piece of legislation, but I think that every wide ranging aspect that has to be taken into account in this area has been canvassed strongly.

I commend the bill to members, and I hope it is supported. The bill not only introduces important improvements to planning and development processes in this state, but I think that it will achieve soon after the forthcoming local government elections a situation where information and awareness material and fora for all new members of council is totally up to date and incorporates the new processes. I think that is important rather than providing new members of local government with bits and pieces and then having to update because things have changed. Hopefully, this information can be given to them as soon as possible after the elections in the middle of May. I support the bill.

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

ROAD TRAFFIC (RED LIGHT CAMERA OFFENCES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 29 March. Page 710.)

The Hon. CAROLYN PICKLES (Leader of the Opposition): The opposition supports the second reading of this bill. I am happy to deal with the second reading but, as always, the opposition has sought advice on this legislation and some people have been pretty tardy in sending back their response. Sometimes one is tempted to ignore the golden rule of seeking feedback from the public. However, bearing in mind the rapidity with which legislation is dealt with in the House of Assembly, I think it is important that in respect of something like this we get some feedback.

This bill seeks to apply the demerit points system to red light camera offences and provide consistency to all camera detected offences in this state. At the moment, we have one standard for speed camera offences where demerit points and a fine apply and another for red light camera infringements where only a fine applies. The opposition sees no reason to differentiate between the seriousness of speeding and disregarding red lights: both are dangerous and both result in preventable injuries and fatalities.

The reason the opposition supports this bill is simple: public safety. This bill endeavours to bring South Australian road traffic rules into line with all the other states of Australia. It also fulfils South Australia's obligation under the Light Vehicle Agreement 1992 as part of the national driver licensing scheme, the implementation of which is required under national competition policy.

Some members of this Council will remember that South Australia trailed the rest of the country on another road safety issue: that is, reducing the legal blood alcohol limit from .08 to .05. I am confident that no member present disputes the figures which demonstrate the corresponding link between increased blood alcohol levels and the increased likelihood of a road accident. This change was brought about not only to decrease the number of accidents resulting from drink driving but also to change the community's attitude towards drinking and driving. It encouraged people to modify their behaviour by drinking less before driving. So, too, this bill encourages people to modify their behaviour—although some people will never modify their behaviour, no matter what the laws.

This bill also reinforces the seriousness of disobeying signals at intersections by allowing the aggregation of demerit points for such infringement along with an expiation notice. The opposition would rather see members of the community being reminded of the dangers of disobeying red lights through the accumulation of demerit points and fines than through their direct involvement in intersection collisions. Road accidents place a heavy emotional and financial burden on the community, and the tragedy behind road accidents is that most can be avoided. Although the minister quoted these figures in her second reading speech, I would like to repeat them, because they are very telling: 1998 saw 7 476 road crashes take place at signalised intersections; of these, 172 people were seriously injured and a further eight lost their lives. That is a pretty horrifying statistic. The Royal Automobile Association of South Australia is totally in

support of this bill and is pleased to see such a bill finally being introduced into the South Australian parliament.

This bill aims to target the driver during these offences and not the registered owner of the vehicle involved. There are in the bill provisions for registered owners of vehicles involved in red light camera infringements to nominate the driver of the vehicle if they themselves were not driving. It is also the responsibility of the registered owner to make a diligent effort to ascertain the identity of the driver of their vehicle when the infringement took place or risk incurring the penalties themselves. Finally, provisions to waive penalties are in place for registered owners who, through reasonable efforts, have shown that they were unable to find out the identity of the driver of their vehicle whilst the offence took place.

Amendments to current legislation proposed for this bill no longer allow for companies simply to expiate red light camera offences. A requirement to attribute demerit points to a driver will ensure that individuals become aware of and take responsibility for their behaviour on our roads. In this instance, as with an individual, a company will have the chance to nominate the driver and must show police that it has made some diligent efforts to find out the driver's identity if the driver of the vehicle is unknown. If a company fails to satisfy police that it made a reasonable attempt to identify the driver, it faces prosecution for the offence by the police. The maximum fine for red light camera offences for companies will be $2 500—double that for individuals.

The opposition has had some queries on this part of the bill and is still awaiting feedback from several organisations. As I have previously mentioned, the RAA welcomes moves to increase the number of cameras at signalised intersections around the metropolitan area. The opposition also agrees with the moves to increase the number of red light cameras. It is crucial that motorists are deterred from disobeying traffic signals. Increasing the prevalence of red light cameras will increase the deterrent effect and further reinforce the seriousness of such an offence to the general public.

I must say that I do not know why it is that in Australia the average driver sees an amber light and thinks that that is a signal for them to put their foot down and speed through an intersection. I have some questions to ask the Minister for Transport. How many new red light cameras does the government intend to introduce? At which signalised intersections are these cameras to be installed? What will be the cost to the government of the installation of new cameras? What criteria have the government used to decide the most appropriate intersections at which the new cameras will be installed?

One of my caucus colleagues was curious as to how the traffic light sequence was determined in metropolitan Adelaide. We are not told whether it relates specifically to the need to be able to control the traffic lights in case an emergency vehicle is going through. Perhaps the minister could detail that issue. Perhaps the minister might also like to tell us what is the worst metropolitan intersection.

The Hon. Diana Laidlaw: In my view it is the intersection of King William Street and North Terrace, and we would have to get the Adelaide City Council to agree to fund a red light camera!

The Hon. CAROLYN PICKLES: As I have said previously, the opposition is still awaiting feedback from several organisations. The opposition supports the principle of demerit points for those stupid and thoughtless individuals who choose to run a red light risking not only their own lives but also those of their passengers and other innocent people who may be in their destructive path. I support the second reading.

The Hon. J.S.L. DAWKINS: First, I thank the Leader of the Opposition for her words of support for what I think is a very sensible measure. The purpose of the amendments entailed in this bill is to introduce demerit points for red light offences detected by camera. This will move South Australia more into line with the national demerit points scheme, which provides that demerit points are incurred for speeding and red light offences without distinction based on the manner of detection. This measure was agreed nationally by the transport ministers' conference under the terms of the light vehicles agreement 1992 as part of the national driver licensing scheme and implementation is therefore required under national competition policy.

Demerit points already apply to all camera detected offences, speeding and red light, in New South Wales, Victoria, Tasmania, Queensland and Western Australia. The Australian Capital Territory does not use cameras for detection. While the Northern Territory uses cameras, it has not yet introduced the demerit point scheme. I understand that this matter has also been the subject of comment from the National Competition Council. Meanwhile, South Australian drivers incur demerit points for camera detected offences which are committed interstate.

Imposing demerit points on drivers who run red lights will help mollify such driving behaviour and reinforce with the public the seriousness of the offence. I emphasise and support the comments made by the Leader of the Opposition and by the minister in their respective second reading contributions. It is almost 30 years since I first took up a driver's licence. I seem to remember being told very strongly that an amber light meant that you slowed down. However, it does seem, as the Leader of the Opposition mentioned, that an amber light means you plant your foot. I think many of us who drive regularly particularly through the suburban areas notice that it is almost a signal saying, 'You have to go hell for leather to get across the crossing.'

The Hon. T.G. Roberts: If you don't, someone will run up your backside.

The Hon. J.S.L. DAWKINS: I will acknowledge that interjection from the Hon. Terry Roberts. I will not say it exactly as he said it but he is suggesting that, if you do not do that, someone behind you will be coming up the rear end of your vehicle. I will not delay the Council any longer but I emphasise that the introduction of this bill is part of the government's commitment to improving road safety, and I am pleased to hear that there is support for this from the other side of the chamber. It is a very important measure and, hopefully, one that will have a very speedy impact—no pun intended—on those who do seek to break the law in this manner. I am happy to support the bill.

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

ADELAIDE FESTIVAL

Adjourned debate on motion of Hon. Diana Laidlaw:

That this Council:

1. Congratulates the artistic directors, chairs and board members and management on the outstanding success of both the Telstra Adelaide Festival and Adelaide Fringe 2000; and

2. Thanks both Robyn Archer and Barbara Wolke for their creativity and commitment in presenting challenging and exciting performances and exhibitions which were strongly supported by South Australians and interstate and overseas visitors.

(Continued from 30 March. Page 741.)

The Hon. SANDRA KANCK: I, too, would like to take the opportunity provided by the minister's motion to congratulate Robyn Archer and Barbara Wolke, their chairs, boards and management for the outstanding success of both the Telstra Adelaide Festival and the Adelaide Fringe 2000. I would also like to add the staff of both organisations to that list, and of course I think a nod to the performers would also be in order. The general acclaim that accompanied the Fringe and the Festival is testimony to the vision and expertise of both these women. I take the opportunity of this motion to discuss the broader benefits that flowed to the people and traders of Adelaide during those three weeks in March. Each Festival South Australia proves once again its claim to being the state of the arts. At least part of this success is possible because of the human scale of the city of Adelaide.

In her contribution the minister talked of the delegates to the Australian performing arts market seeing Adelaide at its best when the arts and artists literally take over. The Hon. Carolyn Pickles made the same point by reference to the Sydney Festival, about which she notes that one does not get any feeling at all there is anything going on. I am aware that the Melbourne and Perth arts Festivals have similar problems. Adelaide is unique in creating the feeling that virtually the entire city is being supported by the arts. A crucial element of this impression is the size, scope and vitality of the Fringe, and it is the impact of the Fringe rather than that of the Festival that I would like to concentrate on at this point.

The Fringe has undergone substantial growth during the past two decades. This year some 5 000 artists were able to sell between them almost 215 000 tickets with total audience numbers estimated to be in excess of 850 000 people. That is roughly 40 000 people per day involved with the Fringe on some level. That number of people moving to and from Fringe performances, congregating beforehand or afterwards for a chat or perhaps a drink or something to eat is crucial to understanding why in Adelaide there is a sense of possession by the arts during the Festival.

Despite this there are suggestions that the Fringe has grown too large, that it has grown into a monster that needs to be tamed. The recently appointed artistic director of the 2002 Fringe festival, Katrina Sedgwick, appears to subscribe to this philosophy. She was quoted in the *Advertiser* as saying of the Fringe, 'It's huge now. It's definitely had its peak.' This view echoes comments made earlier by Robyn Archer. It appears also that this is the position held by influential people in Arts SA. The last brochure listing all Fringe performances was bigger than Ben Hur. I know there was a feeling amongst performers that the size of the program created difficulties in attracting an audience—that the cake had to be cut too many ways. Certainly with so many performance and exhibition venues there was not the sense of a centre or hub of the Fringe, which was unfortunate. A number of critics have argued that the Fringe has fallen captive to mainstream performers at the expense of the avant garde.

An honourable member interjecting:

The Hon. SANDRA KANCK: It depended on where you were. This suggestion centred on the belief that professional comedians with aggressive publicists are capturing an unhealthy audience share. There is a grain of truth in these concerns. Many performers face enormous hurdles in making ends meet, let alone turning a profit. That is most difficult at the experimental edge of the performing arts. Some performers and performances went all but unnoticed. Yet I do not believe downsizing or restricting the Fringe is the solution. The focus should remain on broadening the audience base rather than narrowing the program.

This year the Fringe certainly had a healthy contingent of comedians who work the circuit of Fringe type Festivals, and in many cases they attracted good sized audiences. Similarly in the 1980s cabaret acts were wooing large audiences at the Fringe. The Castanet Club played its mixture of golden oldies from the 1950s and 1960s to large, adoring crowds. There was nothing innovative about that, either, but cabaret was the flavour of the moment. But those cabaret acts in the 1980s dragged a different audience to the Fringe. The same argument could be made today for the stand-up comics. Rather than snaring too much of the existing audience, these acts may have succeeded in attracting a new audience—one that is then more likely to venture out to see other acts.

A broader audience base also makes the Fringe far more attractive to sponsors and advertisers. In turn, media exposure is increased, which in turn increases audience numbers. It makes little sense to consider excluding the catalyst for these extra benefits, therefore we reject the 'too mainstream' criticism. The Democrats support the continuance of an open access policy for the Fringe. If people want to present a performance it should have a place in the Fringe program provided the registration fee and venue hire can be met. The purpose of the Fringe is to provide an adequate level of support for all participating artists.

I am told that an excellent media guide was produced for the last Festival but that many performers were unaware of its existence. Complaints about the box office and Fringe program have surfaced. I have also heard that a shortage of technical staff hampered the quality of some performances. These problems suggest to me that there are funding shortages. Too much is expected from too few. The Fringe clearly needs additional funding to support its current performer and audience base. The question of whether the Fringe is worth extra government investment must then be asked. My personal and intuitive answer to that is that the Fringe is a social and cultural must, but that does not answer the question in economic terms.

It is my understanding that, unfortunately, no independent analysis of the Fringe's net economic worth has been conducted. The economic assessment to be released will be based on a combined analysis of the Adelaide Festival and the Fringe Festival, despite the two organisations having vastly different purposes and very different funding structures. Indeed, the state government sponsored a survey to assess the efficacy of the health message associated with the Fringe. Why this was not extended to incorporate an economic analysis is inexplicable. We need this information before appropriate changes can be made.

I take this opportunity to make it clear that this is not about funding the Fringe at the expense of the Festival. That would make a mockery of this motion. The point is to discover whether the Fringe is being under-valued and hence under-funded, and I urge the minister to look at this. Now for some brickbats and bouquets based on my personal experience of attending a number of Festival and Fringe events. There were some wonderful performances in both the Festival

and the Fringe, as well as some duds, and certainly in regard to the Fringe that is part of the joy: you go out and you find some diamonds and pearls and sometimes you find some mud; it is part of the risk.

I do want to have a bit of a whinge about the Fringe management. I bought tickets to see *Matla A Ma Africa* and instead saw an amateur performance of *A Midsummer Night's Dream*. I had purchased the tickets a good six weeks ahead of time, which meant there had been plenty of time for the Fringe management to advise me of a replacement act. I must say that, of all Shakespeare's plays, *A Midsummer Night's Dream* is the one that I least like. I really never understood why Shakespeare even bothered to write it. It was not a particularly good performance, and I certainly paid substantially more for the original tickets for *Matla A Ma Africa* than the ticket value of *A Midsummer Night's Dream*. I have written to the Fringe asking for a refund.

The Festival's *Yue Ling Jie*, I think, was a pointless exercise. It was beyond me to work out why we had to have a sex manual in the middle of it. Even though I was not particularly impressed by *A Midsummer Night's Dream* it provided more satisfaction than *Yue Ling Jie*. The high energy and athleticism of *Cool Heat Urban Beat* put it up high on my list of the most enjoyable acts, but if there is an accusation about Fringe acts being too mainstream it would equally have to be made about *Cool Heat Urban Beat* in regard to the Festival. Nevertheless, just as I have observed in regard to the Fringe, the inclusion of such acts in the Festival increases the chances of people attending other acts. Artistic snobbery should have no place in the choices for inclusion in the Festival of Arts program.

The Hon. T.G. Roberts: You won't legislate against that.

The Hon. SANDRA KANCK: No, I will not legislate against that. The highlight of the Festival for me was *Mizumachi*, but personal taste is so different because when I spoke to one woman who had seen it the night before she said to me, 'Take your knitting, darling.' There is no accounting for taste. *Mizumachi*, of course, was the first performance outside of Japan for the Ishinha Theatre Company from Osaka, and I am certain that its appearance at the Adelaide Festival will create a demand for future performances of this group elsewhere in Australia.

I have already written to a few of my friends interstate to tell them to watch out for this theatre company when it appears elsewhere in Australia. I also appreciated the marriage of the old and the new in *The Theft of Sita* and the cleverness of that puppetry. There are logistical problems with the current size of the Fringe, and the organisers came up with some very creative solutions to overcome this, such as having an art exhibition in a car showroom. The use by both the Festival and the Fringe of the Adelaide parklands is part of what gives our festivals their special flavour, and the greater movement of acts to the outer suburbs of Adelaide into the regions makes both festivals extremely accessible. Once again, Adelaide has turned on a magnificent Festival, magnificent weather, an amazing array of performances, and yet again we have shown that we are the best in the world.

The Hon. DIANA LAIDLAW (Minister for the Arts): I thank all members who have addressed the motion and for the praise and considered judgment about a number of performances. One of the extraordinary things about the Festival and the Fringe is that Adelaide people go out and are prepared to be tested. Generally we are accused of being rather conservative, staid and not being prepared to push the barriers or to look forward; we are accused of being more interested in the nimby syndrome, and so on. Adelaide and South Australia are full of contradictions in being able to set so many social agendas and yet at other times being obsessively and frustratingly conservative.

Festival people seemed to be prepared to be tested and to experiment with new things. What was extraordinary about this Festival, as has been mentioned by all who have spoken, is that the amount of new work commissioned by the Festival in this instance was exceptionally good for such risky ventures, and that is a real compliment to Robyn Archer and the people she selected and also to the audiences, because the work was not only critically good but a popular success. The Hon. Sandra Kanck mentioned works like *The Theft of Sita*. It was not necessarily an easy work to see, and it was quite bold, in terms of Australia's recent involvement with Indonesia, to put on a production of Indonesian cultural work that was very political in the way it addressed matters ranging from ancient myths to the recent issues of the forest fires, the corruption and more recently—

The Hon. Sandra Kanck: It exposed the culture.

The Hon. DIANA LAIDLAW: Exactly—it exposed the culture: political, social and economic. It was certainly a bold production. I knew the Festival was taking a risk, but it was good for us to learn about one of our nearest neighbours. Adelaide people went in their droves, which was fantastic. I want to remark on one other aspect.

I met with representatives of Telstra, the sponsors, yesterday at the Festival Feast and could not help but remark that they must have made a fortune in terms of telephone calls during the Festival, because the word of mouth was extraordinary. The telephones were ringing and people were talking about what they had seen and what you should and should not see. People not only were saying that this was a nice production they had seen but were also talking about the content of the performance. They were making last minute decisions to book for bold work. I had been quite concerned about the box office for the Festival, particularly before it began, but it picked up enormously during the Festival. I suspect with some cynicism that Telstra won out and probably recouped all its sponsorship handsomely during that period.

Finally, I welcome, as other members have in their contributions, Mr Peter Sellars as the new Director of the Festival and Katrina Sedgwick as the new Festival Fringe Director. I think it is going to be quite phenomenal to have both of them living and working in Adelaide and their contribution to our city and state will be outstanding. In acknowledging the contributions to the debate on this motion I, in turn, acknowledge the contributions of Robyn Archer and Barbara Wolke to the Festival and the Fringe and most sincerely thank them for their contribution to this city and state through the arts.

Motion carried.

MINING (ROYALTY) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 11 April. Page 875.)

The Hon. P. HOLLOWAY: When the Council adjourned last evening I was half way thorough some remarks on this bill. I had pointed out that the opposition will support the second reading of the bill. Its purpose is to provide the government with greater flexibility in setting mineral royalties so that downstream processing of minerals in South

Australia can be promoted. I pointed out last night that under the clauses of the bill the minister has the capacity to set a royalty rate of between 1½ and 2½ per cent so that he can use a lower rate to encourage downstream processing of minerals on site rather than have that processing done interstate or overseas.

That was the major amendment to the bill. Other amendments are contained in the bill, such as proposed new subclause (4a), which assess the royalty on the mine gate value rather than on the delivered value of the commodity. With these changes to the royalty regime it is argued that the minister can reward a mining operation for downstream processing by applying a lower royalty rate to the processed output. If the value of the minerals is doubled by further processing at the site, the government would receive more income even if the royalty was cut from 2.5 per cent to 1.5 per cent. In this case, the state would also benefit from higher employment and the associated returns from greater economic activity.

The opposition certainly supports the stated objectives of the bill and would wish to see the application of this bill resulting in greater processing of our minerals within the state. I assume that the government will apply this measure in such a way that its overall revenue impact on the state is not negative. It is also important that the application of any flexible and discretionary ministerial powers is transparent and equitable so that mines in a similar situation are treated in a similar manner. I seek the minister's assurance that we will not see a situation where two mines undertaking similar levels of value adding of a mineral are taxed at different rates.

We understand that the rates of levy that are applied under this bill, that is, the range of 1.5 per cent to 2.5 per cent of value, are similar to those that apply in other states. Perhaps the minister could supply information about those other rates when we get to the committee stage. That is important if we are deciding on a level of rate that is applicable in South Australia. We must be competitive with other states, so it would be helpful to know what rates apply elsewhere.

The bill also contains provisions for penalties for late payment of royalties and the late lodgment of six monthly mining returns. It is clearly anomalous that penalties do not currently apply for late payments, given that mining companies may benefit significantly from delaying payment. I trust that the penalty royalties of $1 000, plus $200 for each month for which the royalty remains unpaid, are sufficient to induce prompt payment, and the opposition looks forward to seeing this reflected in future statistics from the mining industry.

I ask the minister whether he can tell the Council how many individual mining returns were received by the department last year and how many of these were lodged late. Will the government undertake to supply this information in future budget papers so that the effectiveness of this bill can be gauged? With those brief comments and those that I made last evening, I indicate that the opposition supports the second reading of the bill.

The Hon. J.F. STEFANI secured the adjournment of the debate.

TOBACCO PRODUCTS REGULATION (EVIDENCE OF AGE) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 5 April. Page 820.)

The Hon. P. HOLLOWAY: The opposition supports the bill, which makes a simple modification to the Tobacco Regulation (Sale of Products Designed for Smoking) Amendment Bill, which was introduced by the member for Torrens in another place. That bill sought to broaden the law against the sale of tobacco products to minors to prohibit the sale to minors of non-tobacco products that are designed for smoking, such as herbal cigarettes.

The original amendment bill set out a list of authorised persons who are permitted to require identification of a person seeking to purchase such a product if they suspected on reasonable grounds that the purchaser was a minor. Such authorised persons included people who held a tobacco products retail licence and employees of that person, an authorised officer appointed by the minister and any member of the police force. The original bill did not include provision for a person who sells non-tobacco products designed for smoking but who does not hold a tobacco products retail licence. This bill amends the legislation to add that person and their employees to the list of authorised persons who have the power to require identification to be provided by a purchaser.

I note that my colleague the member for Elizabeth in her second reading speech in the House of Assembly raised the issue of the minister's sending in minors to test shopkeepers on their diligence in this area. The member for Elizabeth also repeated a series of questions asked last year by my colleague the Hon. Carmel Zollo of the Attorney-General in this chamber. I am informed that the Attorney has yet to respond to those questions in spite of the fact that they were asked in June last year, some 10 months ago. I am also aware that last week my colleague the Hon. Ron Roberts asked a series of similar questions in this Council and that the Minister for Human Services stated last week that a response to those questions was being prepared. We can only hope that the Minister for Human Services responds more quickly than the Attorney.

In any event, the opposition supports this bill, which simply rectifies an oversight in the original amendment bill to authorise people who sell non-tobacco products and do not possess a tobacco products retail licence to require identification of purchasers they believe may be minors.

The Hon. SANDRA KANCK: To me, the deliberate inhaling of noxious substances into one's lungs has always been a particularly stupid thing to do, but some people persist in doing it. I have felt that the use of herbal cigarettes, whether or not it is as harmful as the nicotine delivering-type cigarettes, can obviously train people in the habit of cigarette smoking, and that is unacceptable to me. I made that clear when we debated the parent act in 1999. This bill is effectively a tightening up measure. While licensed tobacco retailers can ask the age of somebody who comes in to purchase a tobacco product, when it comes to the herbal cigarettes that right is not there. This is obviously a sensible measure in making certain that herbal cigarettes are covered by the same regime. We support the second reading.

The Hon. R.R. ROBERTS: I rise to make a brief contribution to this bill. Members would be aware that I did raise a series of questions in this Council some two or three weeks ago about compliance issues in this legislation. I was approached by a small business operator in Port Pirie who had had two visits from the compliance division and who had received two letters, the first saying 'Congratulations, you

have passed the test; you didn't sell tobacco products to a minor,' and then, some two or three months later, another saying, 'Warning: you or one of your staff has sold tobacco products to a minor.' This raised a series of questions that I put to the minister through the forum of this Council about the people who are used to entrap small business operators.

I did not ask it at the time but I do put the question now: why does it seem that only small business operators are checked? When my constituent raised with the compliance unit the issue of supermarkets and other big retailer outlets he was told, 'They don't do these things; it is the small people and the garages.' It raises some very pertinent questions about the age of these people who are employed by the department to engage in this work. I asked the minister the question on a Wednesday. The Hon. Carmel Zollo asked a similar series of questions 12 months ago but received no reply for 12 months. I put on the record that I have received no official reply from the minister's office.

However, the day that I asked the questions I did send them to my constituent in Port Pirie and they were passed on to the ABC. To my absolute surprise, the very next day a representative of the compliance unit was on ABC radio answering the questions which Carmel Zollo had put 12 months before and which I had put the day before. Neither the Hon. Carmel Zollo nor I received an answer, yet when the ABC contacts the compliance unit these matters are expanded upon on the radio. This is an unacceptable situation, particularly when members of parliament act on requests from their constituents about matters of a serious nature. This particular person, 50 per cent of whose small business concerns tobacco products, is very concerned, because if he loses his tobacco licence he loses his business and his three employees lose their jobs.

There is a fundamental question that we ought to consider with this legislation. I intend to ask questions about the contracts of 16 year olds who do this work. What protections are they afforded against irate shop owners in case they are injured? I make the comment that, when the legislation was introduced, there were two ways in which we could have gone about this. We could have attacked the consumer, and those who bought cigarettes could have been fined. But it was determined that we go the other way to protect the children. 'What has been the effect of this?' is a fair question. The effect is that children have taken up smoking in greater numbers than ever before. A whole range of business people have been harassed, and attempts to entrap them into situations that would put their businesses at risk have occurred. I think there is a point in the comments of my constituent who said, 'I have all the responsibility and those who come and buy the cigarettes have no responsibility whatsoever.'

I think that it would probably be pertinent for the Minister for Human Services to look at this legislation. I think it was during the time that Martyn Evans was a member of the other place that we first discussed this issue, because I am sure that he had the carriage of the matter when he was the Minister for Health. So, that has to be 1993. He determined that we would go down this road. I think that, after seven years of operation, if we look at the results that we have achieved, we will see that it is really not doing a great deal to stop people from smoking. It is putting small business people under a lot of pressure that they can well do without. I think it behoves the minister in those circumstances to review this legislation.

Although I make those points, I support the bill because it enhances compliance with the legislation as it is. My question about the legislation is: is it still pertinent today, and should we not be looking at other methods to reduce smoking? Not only is it an unpopular social habit with most people who have taken the advice that has been given but also we have spent thousands of dollars on advertising campaigns, yet we have failed to stop youth smoking. Clearly, the legislation is not doing what it was designed to do, and I call on the Minister for Human Services to do two things: to review the legislation and to get some answers back to the people who are asking legitimate questions, through the forum of this parliament, in a timely way. Some 12 months and two or three weeks after the event, when people's livelihoods are at stake, is unacceptable and I believe that our constituents have every right to be annoyed with the government. I support this minor alteration to the current legislation.

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning): I thank honourable members for speaking to the debate and for their support of this measure. I will not reflect on the habit of smoking at any age, let alone as a minor, because that is when I started. I am concerned to learn of the situation outlined by the Hon. Ron Roberts, where questions asked some 12 months ago have not been responded to, yet the answers were clearly available when the issue was aired on the ABC. I will draw that matter to the minister's attention and seek to have the questions asked by the Hon. Ron Roberts and the Hon. Carmel Zollo responded to expeditiously.

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

HEALTH PROFESSIONALS (SPECIAL EVENTS EXEMPTION) BILL

Adjourned debate on second reading.

(Continued from 5 April. Page 821.)

The Hon. P. HOLLOWAY: The opposition supports the second reading of this bill, the purpose of which is to allow visiting health professionals to provide services to visitors who are participating in special events in South Australia. Similar bills have been introduced in other Australian states to deal with the situation that will arise during the weeks before and during the Olympic Games later this year. Specifically, medical practitioners travelling with Olympic teams that visit South Australia in September will be able to treat members of their team without breaking the law.

While individual visiting medical practitioners and other health professionals can be exempted under existing legislation, the paperwork required to exempt all such professionals during the Olympics would be horrendous, and we accept that special provisions such as are contained in this legislation are a more practical solution to the problem. We are told that South Australia is required to pass this legislation as part of a memorandum of understanding with SOCOG and with the commonwealth.

While the introduction of this bill is motivated by the Sydney Olympics, its provisions enable an exemption for visiting health professionals to be granted to other prescribed special events held in this state. Given South Australia's success in running a number of major international sporting and cultural events over past decades, this seems a sensible measure.

The opposition notes that the bill contains safeguards to restrict the services provided by visiting health professionals

to the visiting participants with whom they are travelling. While the health professionals may bring pharmaceutical drugs into Australia under the Therapeutic Drugs Act 1989, they cannot replenish their stocks or write prescriptions unless specifically authorised to do so. We also note the Minister for Human Services' comments that, given the significance of drugs in sport, it is far better that responsibility for issuing drugs to athletes be with a team's own visiting medical specialists rather than Australian doctors. The opposition notes that other legislation relating to drugs in sport has been introduced into parliament.

Finally, we are happy to cooperate to ensure that the Sydney Olympics are a great success and that our role in hosting visiting Olympic teams for practice and qualifying events reflects well upon this state. We support the bill.

The Hon. A.J. REDFORD secured the adjournment of the debate.

NATIONAL TAX REFORM (STATE PROVISIONS) BILL

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

GOODS SECURITIES (MISCELLANEOUS) AMENDMENT BILL

The House of Assembly agreed to the bill without any amendment.

ADJOURNMENT

At 11.28 p.m. the Council adjourned until Thursday 13 April at 2.15 p.m.