LEGISLATIVE COUNCIL

Thursday, 1 June 2017

The PRESIDENT (Hon. R.P. Wortley) took the chair at 11:01 and read prayers.

The PRESIDENT: We acknowledge Aboriginal and Torres Strait Islander peoples as the traditional owners of this country throughout Australia, and their connection to the land and community. We pay our respects to them and their cultures, and to the elders both past and present.

Bills

PUBLIC INTEREST DISCLOSURE BILL

Conference

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (11:02): I move:

That standing orders be so far suspended as to enable the sitting of the council to be continued during the conference with the House of Assembly on the bill.

Motion carried.

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (11:02): I move:

That standing orders be so far suspended as to enable petitions, the tabling of papers and question time to be taken into consideration at 2.15pm.

Motion carried.

Motions

PORT GAWLER CONSERVATION PARK

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (11:03): I move:

That this council requests His Excellency the Governor to make a proclamation under section 29(3) of the National Parks and Wildlife Act 1972 abolishing the Port Gawler Conservation Park.

The purpose of this motion is pretty straightforward: it is to allow for the area to be added to the Adelaide International Bird Sanctuary National Park—Winaityinaityi Pangkara, under section 29(3)(a) of the National Parks and Wildlife Act.

The Port Gawler Conservation Park was constituted in 1971, I am advised, and protects 418 hectares of mangroves, samphire and coastal dune systems and the species, of course, that that environment supports. The Adelaide International Bird Sanctuary is an internationally significant area for local and migratory shorebirds, traversing approximately 60 kilometres of coastline on the eastern shores of Gulf St Vincent, which has been formally recognised with a Certificate of Participation in the East Asian-Australasian Flyway, a network of international entities committed to the preservation of migratory bird species.

The Adelaide International Bird Sanctuary National Park—Winaityinaityi Pangkara has been created as a core protected area within the bird sanctuary. The Port Gawler Conservation Park rests adjacent to and is central within other land parcels under consideration for addition to the new national park.

The proposed change in status of the land is consistent with the characteristics and values of the land and will contribute to the recognition of this area as an important part of the Adelaide International Bird Sanctuary. Both the bird sanctuary and the new national park have received broad support across the community, local government and the native title claimant group, reviving hope and positive aspirations for the people of northern Adelaide.

The existing Port Gawler Conservation Park does not permit any mining access. The land will be subject to that same restriction on being added to the national park. Once the Port Gawler Conservation Park has been abolished, it can be reconstituted by proclamation as an addition to the Adelaide International Bird Sanctuary National Park—Winaityinaityi Pangkara pursuant to section 28(1) of the act. The Governor will proclaim, I hope, the abolition of the Port Gawler Conservation Park, and the proclamation of the land as an addition to the Adelaide International Bird Sanctuary National Park—Winaityinaityi Pangkara, on the same day. I commend the motion to the council.

Debate adjourned on motion of Hon. J.S.L. Dawkins.

Bills

STATUTES AMENDMENT (POSSESSION OF FIREARMS AND PROHIBITED WEAPONS) BILL

Introduction and First Reading

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (11:05): Obtained leave and introduced a bill for an act to amend the Firearms Act 2015 and the Summary Offences Act 1953. Read a first time.

Second Reading

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (11:07): I move:

That this bill be now read a second time.

The Firearms Act 1977 (the current act) and the Firearms Regulations 2008 (the current regulations) are a complex legislative scheme for the control of firearms. A key purpose of the act and regulations is to ensure public safety by preventing persons considered not fit and proper to possess firearms, from those with mental health or demonstrated behavioural issues and offending antecedents to those with a propensity for violence, or those who associate with such people, from possessing firearms. An example of how the current act does this is by the power it provides at section 10B(1) that empowers the Registrar of Firearms (the Registrar) to issue a firearms prohibition order (FPO).

Since 2009, FPOs have been issued to maintain public safety by providing a legislative framework to prohibit, in set circumstances, people from holding and accessing firearms. The framework provides a rebuttable presumption of possession which operates against a very small group of the community to whom an FPO applies (264 persons as at 18 April 2017), many of whom are known criminal offenders who have become the subject of an FPO in order to protect the community. There are no adverse impacts or risks associated with this proposal. In December 2015, the Firearms Act 2015 (the new act), which will repeal the current act, passed both houses of parliament. This amendment is to be made to the new act (to section 45(16)(a)) before it is proclaimed.

The bill also raises a small number of other amendments (discussed below), however its main purpose is to amend firearms prohibition orders legislation at section 45(16)(a) of the new act in order to resolve any uncertainty before it is proclaimed. The amendment sought is a narrowly defined issue arising from a judicial interpretation in the decision of the Crown v Ioannidis (2015). The issue relates to the operation of a presumption of possession in relation to firearms prohibition orders.

In January 2016, the DPP alerted the Commissioner of Police to the Chief Justice's interpretation of the statutory construction and operation of legislation in relation to FPOs. The matter arose out of the Ioannidis matter. In Ioannidis, police stopped a vehicle in which the defendant was a passenger. The defendant subsequently alighted from the vehicle, before police lawfully searched the vehicle and a handbag belonging to the defendant in which ammunition was found. The

possession of ammunition by Ioannidis constituted a breach of an FPO to which Ioannidis was subject.

Whilst this Supreme Court appeal decision fell in the Crown's favour, and the defendant was ultimately found to be in possession of the ammunition in contravention of her FPO, the Chief Justice suggested the presumption only applies if an item (in this case ammunition) is found when the person is in the vehicle at the time the item is found during a search. By implication, the presumption is suggested not to arise if the person has exited or been removed from the vehicle before a successful search is conducted, which are common practices facing and employed by investigating police for reasons of safety.

In this case, the DPP suggests that parliament may not have intended the presumption to operate in this way. It is undesirable for the Chief Justice's comments to stand unremedied at law. The new act is anticipated to come into effect on 1 July this year. The bill will amend the new act to resolve any uncertainty on the Ioannidis issue before section 45(16)(a) is proclaimed.

The presumption of possession in relation to FPOs, legislated at section 10C(14)(a) of the current act and replicated verbatim at section 45(16)(a) of the new act, is in the following terms:

> (a) if a person to whom a firearms prohibition order applies is on or in premises or a vehicle, vessel or aircraft (other than any premises, vehicle, vessel or aircraft to which the public are admitted) when a firearm, firearm part or ammunition is found on or in the premises, vehicle, vessel or aircraft, the person will be taken to possess the firearm, firearm part or ammunition unless it is proved that the person did not know, and could not reasonably be expected to have known, that the firearm, firearm part or ammunition was on or in the premises, vehicle, vessel or aircraft...

On a strict interpretation of the statutory construction and operation of the presumption of possession, as found by the Chief Justice in Ioannidis, the presumption only applies when the relevant person is on or in the premises or vehicle, etc., when a contraband item is found. By implication the presumption is suggested not to arise, for example, if the person has exited or been removed from a vehicle moments before a successful search is conducted.

It is assumed unlikely that parliament intended this presumption to operate in this way given the express inclusion of the word 'vehicle' in the draft of the section but given the circumstances of Ioannidis, there is ambiguity. This will be overcome by the provision of clause 6 of the bill to clarify that the rebuttable presumption of possession can be relied upon when an FPO is not physically on or in the premises, vehicle, vessel or aircraft when a relevant item is found. This amendment will allow, for prosecution purposes, proof only that the person had been on or in the premises, vehicle, vessel or aircraft immediately before a relevant item was found on or in, or in the immediate vicinity of, the premises, vehicle, vessel or aircraft.

An identical amendment is proposed by clause 7 of the bill, to alter the presumption of possession at section 21I(10) of the Summary Offences Act 1953 (SOA) that is only applicable to the holder of a weapons prohibition order (WPO) of which there were only nine such persons at 18 April 2017. This amendment provides consistency with the proposed change to section 45(16)(a) of the new act, removes potential ambiguity in section 21I(10) of the SOA and remedies the possibility of section 21I(10) being subject to a future judicial interpretation similar to that in the case of Ioannidis.

Clause 4 of the bill provides a minor amendment to alter section 12 of the new Firearms Act, to the effect of clarifying that a firearms licence issued under the new act may authorise the manufacture of firearms and firearm parts, as contemplated by section 37 of the new act.

Clause 5 of the bill provides a further minor amendment proposed to the title to part 6 of the new act in order to align that title with the title of the Code of Practice for the Security, Storage and Transport of Firearms, Ammunition and Related Items at schedule 1 of the Firearms Regulations 2017, the making of which is currently the subject of a separate submission to cabinet.

In relation to the Ioannidis issue, consideration has been given to the need to amend section 10C(14)(a) of the current act in line with the proposed amendment to section 45(16)(a) of the new act; however, such an amendment is not sought at this time given the anticipated short period of time until the current act will be repealed by the new act, and the unlikelihood of the Ioannidis issue arising again during that short period of time. If the anticipated proclamation of the new act was not so

proximate to the making of this submission then action seeking amendment to the current act would have been taken. I commend this bill to members, and I seek leave to have the explanation of clauses inserted without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Firearms Act 2015*

4—Amendment of section 12—Licence categories and authorised purposes

This amendment is for clarification purposes and amends section 12 to indicate that a firearms licence may authorise the manufacture of firearms and firearm parts (as contemplated by section 37 of the Act).

5—Amendment of heading to Part 6

This clause corrects the heading to Part 6 of the Act to reflect the fact that under section 35 of the Act, the code of practice may address the security of items in addition to firearms and ammunition (such as sound moderators and restricted firearm mechanisms).

6—Amendment of section 45—Effect of firearms prohibition order

Section 45 of the Act provides that if a person who is subject to a firearms prohibition order is on or in premises or a vehicle, vessel or aircraft when a firearm, firearm part, sound moderator or ammunition (a relevant item) is found, there is a rebuttable presumption that the person is in possession of the relevant item. This clause amends the provision to clarify that, in order to rely on the presumption, the person does not need to be physically on or in the premises, vehicle, vessel or aircraft when the relevant item is found. This means that it will only be necessary to prove that the person and the relevant item were in or on the premises, vehicle, vessel or aircraft at the same time (not that the relevant item was found on or in the premises, vehicle, vessel or aircraft at the same time the person was on or in the premises, vehicle, vessel or aircraft).

Part 3—Amendment of *Summary Offences Act 1953*

7—Amendment of section 21I—Effect of weapons prohibition order

This amendment makes the same change to a similar provision of the *Summary Offences Act 1953* in relation to a weapons prohibition order.

Debate adjourned on motion of Hon. T.J. Stephens.

ELECTORAL (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 31 May 2017.)

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (11:16): I would like to thank honourable members who have contributed to the second reading debate on this bill. I would like to take the opportunity to refer to amendments that the government has filed in relation to this bill. Many of those amendments relate to part 13A of the Electoral Act, the funding, expenditure and disclosure scheme, and I will quickly go through some of the key changes in those areas.

First, there is a change to the definition of 'political expenditure'. The new definition will allow items of political expenditure to be prescribed rather than just 'purposes' that are considered to be political expenditure purposes, as is currently the case. The change is intended to allow greater flexibility in terms of providing in regulations what is and what is not political expenditure.

Second, there is a change to try to stop parties or candidates incurring political expenditure on electoral matter outside of the capped expenditure period when that electoral matter is for the primary purpose of use in the capped expenditure period. Currently, political expenditure is taken to be incurred 'when the services for which the expenditure is incurred are actually provided or the goods for which the expenditure is incurred are actually delivered'. This is found in section 130A(6) of the Electoral Act.

The amendments propose to insert a new section 130A(6a), which provides that where political expenditure is on an electoral matter relating to a candidate or group for election, and is incurred after the polling day of the last preceding election and before the commencement of the capped expenditure period, and the political expenditure is for the primary purpose of publication, use or display of that electoral matter during the capped expenditure period, then the expenditure will be taken to have been incurred during the capped expenditure period. This is intended to prevent a party or candidate incurring a significant amount of political expenditure in, for example, the months before an election period in order to avoid the capped expenditure period.

Third, as was foreshadowed in the debate on the Electoral (Funding, Expenditure and Disclosure) Amendment Bill, which passed last year, there are some changes proposed in relation to section 130C. The text of current section 130C is unclear and ambiguous. There have been difficulties trying to ascertain the intention behind it although it is apparent that it relates to the interaction between South Australia's funding, expenditure and disclosure scheme and the scheme under the Commonwealth Electoral Act. The amendments delete the current section 130C entirely and propose a replacement. The new section 130C will say that:

> A registered political party is only required under this Part to disclose donations and amounts received or applied for State electoral purposes.

There is also related amendment to section 130L to provide that a registered political party does not need to put a gift that is not intended to be used for state electoral purposes into a state campaign account. The intention behind these amendments is to draw a line between donations to a registered political party that relate to its registration under the South Australian Electoral Act and, where that party is also federally registered, donations that relate to its registration under the Commonwealth Electoral Act.

State-registered political parties that are also registered federally will, of course, need to have a state campaign account. They may also have a federal campaign account. These amendments seek to make it clear that a party may put donations to a federal campaign account, and those donations do not need to be reported to the South Australian Electoral Commission. However, there cannot be transfers from the federal campaign account to the state campaign account. This protects the integrity of the disclosure scheme.

Questions may arise about what are 'state electoral purposes'. That phrase should be read broadly, having regard to the objects of part 13A, which include 'to ensure transparency in political donations'. 'State electoral purposes' would include purposes relating to elections under the South Australian Electoral Act, as well as the operations of political parties that are registered for the purposes of the South Australian Electoral Act, but would exclude purposes directly relating to commonwealth elections or the federally-focused activities of political parties.

Fourthly, there are some amendments that are intended to help the Electoral Commissioner to administer the funding expenditure and disclosure scheme and to simplify the key dates under the scheme. They include that there will now be just one capped expenditure period. It will start on 1 July the financial year before a state election. For new candidates or parties that emerge after that time, there is no longer a special shortened capped expenditure period. The same capped expenditure period applies to everyone.

Similarly, there is just one designated period that commences on 1 January in the year of an election. If a candidate does not declare that he or she will run until after 1 January, there is not a new special designated period for the person: the same designated period applies. What has changed to ensure that candidates who decide to run late in the day and not be disadvantaged is that they are exempt from any requirement to furnish returns on a date prior to the commencement of their disclosure period.

Fifthly, there is an amendment to section 130A(5), which is intended to ensure that a registered political party is not required to have a state campaign account for every candidate. The party and its candidates are only required to have one state campaign account.

Finally, there are amendments to section 130Z and the provisions relating to the political expenditure cap that is agreed between political parties and their endorsed candidates. Currently, there is a requirement for parties to provide the Electoral Commissioner with a copy of any agreements setting out a candidate's political expenditure cap within three days of the agreement being made. There is scope to change the agreement; if it is changed then, again, the new agreement would need to be provided to the Electoral Commissioner within three days.

The Electoral Commissioner has advised that this information is not required; the Electoral Commissioner just requires the final agreement. As such, amendments have been made to provide that. Where there is an agreement between a party and it's endorsed candidate about the candidate's expenditure cap, a copy of that agreement must be provided to the Electoral Commissioner eight days prior to polling day. That agreement cannot then be varied.

The Electoral Commissioner must not publish an agreement until after the end of the capped expenditure period. Again, I thank members for their significant contributions to date, and I look forward to dealing with it quickly through the committee stage.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. R.I. LUCAS: At the outset, I indicate a couple of issues in response; firstly, to the minister's second reading closure contribution. In doing so, I thank the Attorney and his hardworking staff for their considerable assistance in trying to understand the complexities of the various changes that are to be debated in the committee stage. I also thank members of the crossbench for their consideration of complicated amendments, which we will continue with today, and for their cooperation in terms of the discussions.

I will say at the outset two things. One is that, insofar as the contribution from the minister in closing the second reading debate provides further clarification of the thinking and intention of the government as the movers and proponents of the legislation—and his comments as they relate to part 13A, which is the public funding and disclosure provisions—as a representative of the Liberal Party, I support the government's outline of the intentions of the various changes.

As I outlined in the second reading, we have had considerable discussion with the government, and there has been agreement in relation to the public funding and disclosure provisions amendments that are included here. The government has provided further clarification for future benefit in terms of interpreting what was intended by the parliament. So, the government has indicated what they intended. Rather than me repeat it at every particular amendment, I would outline at the start, representing the views of the Liberal Party, that we agree with the intention of the amendments.

The second point I make at the outset of clause 1 is something that I referred to in the second reading, and I will briefly summarise again today; that is, I pay tribute to the Attorney-General and the former member for Davenport, who were the original negotiators in relation to this complex funding package. There is no doubting that they achieved significant progress in making what we have in South Australia a simpler system than New South Wales, but, as the proponents and practitioners have looked at the detail of what was achieved and we are looking at these amendments now, the brutal reality is that this is an extraordinarily complicated system.

We are going to have to work our way through the process as best we can not just today in terms of the legislation but in terms of trying to comply with all the requirements of the legislation between now and election day in March 2018. As I said, the brutal reality is that whoever is in government after March 2018 will need to commission a comprehensive review of the practical

implications, the strengths and weaknesses of the legislation, that parties and candidates will have had to operate with in the period leading up to March 2018.

Certainly, if there is a Liberal government, we would be committed to undertaking such a review. My understanding of the government's position is that, should they be re-elected, that would be a similar position for them. There would be a role, potentially, for a parliamentary committee. There are some discussions ongoing in relation to the equivalent of a commonwealth committee which looks at the implications of election results, but there would also have to be a more formal review, which would inform the parliamentary debate and discussion. The parliamentary debate would be one which would be the vehicle through which all interests, multipartisan interests, could be involved in looking at the implications.

Clearly, some of these funding issues will have greater impact on bigger and more complicated party organisations. Nevertheless, I suspect smaller party organisations, those that are just being established, will still have considerable difficulty in complying with or understanding the implications of the legislation, and similarly Independents as well.

So, it will be important that in any review there is an appropriate vehicle for all interests, those of the bigger parties and the smaller and the newer parties and Independents, to be able to have some sort of a role in terms of what the practical implications and difficulties were of the legislation.

Clause passed.

Clause 2.

The Hon. K.J. MAHER: I move:

Amendment No 1 [Employment–1]—

Page 3, lines 4 and 5—Delete the clause

This amendment deletes the commencement clause of the bill, which currently provides that the act will come into operation on a day to be fixed by proclamation. The effect of deleting the commencement clause is that the act will commence on assent. This is necessary, having regard to a number of the government's amendments that relate to funding, expenditure and disclosures and needs to be in place prior to 1 July 2017.

The Hon. R.I. LUCAS: The Liberal Party supports the amendment.

Clause negatived.

Clauses 3 to 8 passed.

New clause 8A.

The Hon. K.J. MAHER: I move:

Amendment No 2 [Employment–1]—

Page 4, after line 5—Insert:

8A—Amendment of section 42—Registration

Section 42(2)(e)—delete paragraph (e) and substitute:

(e) comprises or contains the word 'Independent'.

This is the first of a series of amendments that are based on a number of fairly straightforward provisions. If you are an Independent, you can call yourself an Independent, but if you are a registered political party you can call yourself by your registered name. However, a party should not be able to have the best of both worlds; that is, to call itself independent, and an Independent should also not be able to associate itself with a party on its how-to-vote cards.

Currently, section 42(2)(e) provides that you cannot register a political party name that contains the word 'independent' or 'independent party' or the name or abbreviation or acronym of a political party or a registered political party or something that closely resembles the name of a political party. The effect of this change is that now you will not be able to register a party name that has the

word 'independent' in it. This will provide for a clearer distinction between a person who is running as an Independent and a person who has formed a political party and is running as a political party.

The Hon. R.I. LUCAS: The Liberal Party supports the amendment. We think it is a sensible one. The existing provisions in the act are a clear intention as to the thinking of the previous parliament on the issue, and this just further tightens and clarifies the issue.

New clause inserted.

Clauses 9 and 10 passed.

New clause 10A.

The Hon. M.C. PARNELL: I move:

Amendment No 1 [Parnell–2]—

Page 4, after line 12—Insert:

10A—Insertion of section 50A

Before section 51 insert:

50A—Interpretation

In this Division—

prescribed amount means $1,000, or such lesser amount as may be prescribed by the regulations.

For the benefit of members, I point out that I had a set of amendments; namely, set 1. I am not proceeding with those; I am proceeding with set 2. In this set of amendments there are three amendments—1, 2 and 3—that relate to the same issue, and that is the issue of candidate deposits. I have structured these amendments so that they are in the alternative.

Amendment No. 1 provides for a maximum deposit of $1,000 for both the upper house and the lower house. If that fails—as I expect it might, having discussed this with some colleagues—then my amendments Nos 2 and 3, which come later, provide for a deposit in the lower house of a maximum of $1,000 and a deposit in the upper house of an amount prescribed, which is the status quo. It is currently prescribed at $3,000. I hope the government will see fit to reduce it but, in the end, the effect of my amendments Nos 2 and 3 is to reduce the lower house deposit to $1,000.

I will speak generally now to the issue of deposits, so that I do not need to repeat myself when I get to amendments Nos 2 and 3. As I have said before, South Australia is an outlier when it comes to the deposits required for nomination to parliament. The government put through regulations after the proroguing of parliament prior to the 2014 election, which meant that there was no opportunity for the parliament to debate disallowance of regulations. We went to the 2014 election with deposits of $3,000 in the upper house and the lower house.

The deposits in the lower house of other state and territory parliaments range from $200 in the Northern Territory through to the highest state, which is $500, while the commonwealth is $1,000. The South Australian lower house deposit is six times that of the highest state and territory and three times that of our national parliament.

When it comes to the upper house, the highest state is again New South Wales, with a $500 deposit, and the commonwealth has a $2,000 deposit. At $3,000, South Australia's deposit is still $1,000 more than the nomination fee or the deposit, if you like, for the Senate. I seek leave to incorporate into *Hansard* a brief statistical chart. It is only 10 rows by three columns and sets out the deposits, for the record, so that readers of *Hansard* can see what the deposits are.

Leave granted.

Candidate fees—State, Territory and Federal Parliaments

State	Lower House	Upper House
SA	$3,000	$3,000
NSW	$500	$500
VIC	$350	$350

State	Lower House	Upper House
WA	$250	$250
TAS	$400	$400
QLD	$250	N/A
ACT	$250	N/A
NT	$200	N/A
Federal	$1,000	$2,000

The Hon. M.C. PARNELL: The words 'fee' and 'deposit' are often used interchangeably. It is probably fair to say that this issue does not really bother the major parties that much because, regardless of what the fee is, they are going to get it back, as the threshold for the return of the deposit is 4 per cent of the vote. I am not aware of any circumstance where either of the major parties has not achieved at least 4 per cent in every seat. I know there are possibly some occasions when a major party might get down to single figures, but I have never seen it below 4 per cent.

On the other hand, for Independents and small parties it is actually a struggle to get more than 4 per cent in many seats. The combination of the 4 per cent threshold and deposits that are effectively out of the ballpark is a serious impediment to Independents and minor parties contesting the election. As I pointed out previously, if a small party wanted to run a candidate in 47 lower house seats and a team of three in the upper house, they are currently obliged to have $150,000 in cash or banker's cheques. That is a serious hurdle to contesting the election.

That is mainly what I want to put on the record. As I have said, my amendments provide two alternatives. This amendment limits the deposit to $1,000 in both houses. If it is unsuccessful, then I will move my amendment No. 2 to clause 11 and the consequential amendment to clause 12, which basically provide for a $1,000 maximum deposit in the lower house and the government having a discretion to prescribe a deposit in the upper house.

The Hon. K.L. VINCENT: It should come as no surprise that the Dignity Party will support this amendment, given that we worked on it with the Greens and the Animal Justice Party. As has already been said by the Hon. Mr Parnell, $3,000 is a figure that is way out of the ballpark, not only in comparison to many other states and jurisdictions but in comparison to what many people who might wish to run for parliament, because they feel marginalised, forgotten and excluded, may be able to afford. Just to use one example, 45 per cent of people with disabilities in this country, as I am speaking, live at or below the poverty line.

To pay a $3,000 deposit would be extremely difficult, if not impossible, for many of those people. Given that we think that running for parliament is a good way to have your voice heard and to raise issues in your community and one that should be accessible in a democracy, a $3,000 deposit is, in our view, anti-democratic. We certainly support this amendment, given that people with disabilities and, indeed, many other minority groups are already excluded in many ways from many systems, including the electoral system. Let us not put another barrier in the way.

The Hon. K.J. MAHER: In relation to this particular amendment that would impose a $1,000 maximum on either the Legislative Council or the House of Assembly, the government is opposed. I will not reagitate all the reasons we went through when it was raised to $3,000 except to say that the objective behind the increase for the Legislative Council was to create a disincentive for some of the very microparties nominating candidates, in the context of concerns about preference harvesting for the Legislative Council and, if parties have a genuine support base and receive 4 per cent of the first preference votes, they will have their deposit returned.

We will not be supporting this particular amendment. I thank the honourable member for foreshadowing his further amendments, should this one fail. I can indicate that, in a perfect world, the government's policy position is for it to remain as it has been at $3,000 for both houses. I know that there have been discussions and we understand where the general will is heading and where the numbers lie: in support of the Hon. Mark Parnell's proposition for it to remain where it is for the Legislative Council but to be lowered to $1,000 for the House of Assembly.

The Hon. R.I. LUCAS: The Liberal Party position, as I indicated at the second reading, was that we would continue to support the nomination fee of $3,000 for the Legislative Council; however,

as I indicated in the second reading a couple of days ago, we were prepared to look at a more sensible position in relation to lower house nomination fees. I think the point the Hon. Mr Parnell has made publicly, but also privately to me and to others, is that the notion of a minor party having to fork out $150,000 for a full team of candidates is an extraordinary ask for a minor party, even if you are confident that you are going to get 4 per cent in the vast majority of seats and get the fees back.

I think there is an argument that that is anti-democratic. That has certainly been my personal view. I remember the debate about the Legislative Council and I was, and remain, supportive of the reasons for it being in the Legislative Council but, for the reasons that I outlined in the second reading debate, we will support the alternative proposition, which is that there be $1,000 for House of Assembly nomination but that it remain at $3,000 for the Legislative Council. To that end, we will oppose this particular provision that the member is moving, but we would flag that when he comes to move his amendments later on in the bill, we will be supportive of those particular amendments.

The Hon. D.G.E. HOOD: I rise to indicate the Australian Conservatives' position on the Hon. Mr Parnell's amendment. We will be supporting the Hon. Mr Parnell's amendment, but it is for different reasons. I think it is important to acknowledge that our party has found itself in a fortunate position financially where the $3,000 imposition across the lower house seats (all 47 of them) and then two candidates in the upper house, equalling $150,000 in order to register your candidates to stand for election, has not been something that has been a particular challenge for us, but we do acknowledge that it has been for smaller parties than ours.

We see it as almost an affront to democracy that people should not be able to run for parliament for financial reasons. They should have access to putting their name on the ballot paper to participate in our democracy and one thing we feel strongly that should not preclude them from doing so is some sort of financial imposition.

I also want to comment on the government's point, which I actually agree with, and that is that this is seen as a disincentive for what you might call crowding the Legislative Council ballot paper, for want of a better term. I would argue that the $3,000 fee is not an effective disincentive for people nominating for the Legislative Council. We saw that at the last election where the $3,000 fee was in place in the Legislative Council and yet there was still a very high number of candidates standing in the Legislative Council.

It was not quite the famous tablecloth ballot paper that we saw in New South Wales a number of years ago, but it was still a very substantial number. Yes, it was down on the previous election. I cannot recall the numbers, but I did look at it some weeks back. Yes, the number of candidates standing was down on the previous election and so you can argue that it had some effect, although if that was the reason, we do not know.

If the government was serious about that—and I am not critical; I suspect they are—I think a more effective way of doing it would be to introduce a minimum threshold. I would argue that a minimum threshold should be at a very low level, something in the order of 2 per cent, and that would certainly serve as a disincentive for having what you might call an overly large ballot paper in the Legislative Council.

To sum up, the Australian Conservatives will be supporting the Hon. Mr Parnell's amendments. We believe the fees are too high and they serve as an unnecessary barrier to the participation of democracy in our society.

The Hon. J.A. DARLEY: I will be supporting the Hon. Mark Parnell's amendment.

New clause negatived.

Clause 11.

The Hon. M.C. PARNELL: I move:

Amendment No 2 [Parnell–2]—

Page 4, after line 25—After subclause (2) insert:

(3) Section 53—after subsection (10) insert:

(11) In this section—

prescribed amount means—

(a) in the case of a candidate nominating for election as a member of the House of Assembly—$1,000, or such lesser amount as may be prescribed by the regulations; or

(b) in the case of a candidate nominated for election as a member of the Legislative Council—the amount prescribed by the regulations for the purposes of this paragraph.

I have spoken to the issue in relation to the previous clause. This is the alternative position, and I acknowledge that the Hon. Rob Lucas has indicated that the Liberal Party will be supporting it. On the basis of contributions made by Australian Conservatives, the Nick Xenophon Team and the Dignity Party, I expect that they will be supporting it as well, so I look forward to my amendment No. 2 passing and also to the consequential amendment No. 3.

Amendment carried; clause as amended passed.

Clause 12.

The Hon. J.A. DARLEY: I move:

Amendment No 1 [Darley–1]—

Page 4, after line 28—After its present contents (now to be designated as subclause (1)) insert:

(2) Section 53A—after subsection (4) insert:

(4a) If a nomination paper lodged under subsection (2) does not fully comply with the requirement under subsection (3)(a)(ii), the relevant district returning officer must, if practicable, give the nominated candidate notice of the non-compliance sufficient to enable the candidate to fully comply with the requirement before the hour of nomination.

This amendment gives the commissioner the ability to offer candidates the opportunity to rectify any mistakes made on nomination papers. This is already done in practice but, given the potential prevalence for mistakes in garnering the details of 250 electors, if there is sufficient time to rectify the mistake the candidate should be given the opportunity.

The Hon. K.J. MAHER: I rise to indicate the government's support for the Hon. John Darley's amendment. A single candidate nominating in the Legislative Council needs to have their nomination papers signed by 250 electors. If a nominated candidate failed to comply with this requirement this amendment would mean that the relevant district returning officer would, if practicable, give a nominated candidate notice of their noncompliance.

Advice from the Electoral Commissioner is that, where possible, the commission endeavours to do this anyway. Appropriately though, the amendment contemplates that it will not always be practicable for the district returning officer to provide notice of the noncompliance; for example, where a candidate submits their nomination in the moments leading up to the close of nominations, the district returning officer would not be able to do that. Given that the amendment essentially provides for what happens in practice but contemplates things like the particular example I have given, the government is not opposed to this amendment and will support it.

The Hon. R.I. LUCAS: For similar reasons, the Liberal Party will support the amendment.

Amendment carried.

The Hon. M.C. PARNELL: I move:

Amendment No 3 [Parnell–2]—

Page 4, after line 28—After its present contents (now to be designated as subclause (1)) insert:

(2) Section 53A—after subsection (5) insert:

(6) In this section—

prescribed amount means—

(a) in the case of a candidate nominating for election as a member of the House of Assembly—$1,000, or such lesser amount as may be prescribed by the regulations; or

(b) in the case of a candidate nominated for election as a member of the Legislative Council—the amount prescribed by the regulations for the purposes of this paragraph.

It is consequential; it is the same issue as the previous successful amendment.

Amendment carried; clause as amended passed.

Clause 13 passed.

Clause 14.

The Hon. J.A. DARLEY: I move:

Amendment No 2 [Darley–1]—

Page 5, lines 8 to 11—Delete the clause

The government is seeking to remove the three-word descriptor on the ballot paper for Independents. The amendment seeks to retain it. The government argues that a ballot paper is not a place to push your agenda and that the issues you stand for should have been advertised during the campaign period. However, I do not see the three-word descriptor as anything other than an identifier for voters to be able to distinguish candidates from one another. People may well forget the name, 'John Smith'; they are more likely to remember, 'John Smith, honest bloke', or, 'John Smith, works in taxation', or even, 'John Smith, purple refrigerator monkey'.

The Hon. K.J. MAHER: The government opposes this amendment. This amendment deletes clause 14 of the bill, which removes the scope for Independents to have descriptive information printed on the ballot paper next to their name. It is, in a sense, the flip side to an issue we talked about earlier today: not allowing a political party to use the word 'independent' and allowing a political party to have the best of both worlds by claiming that tag of 'independent' as well.

In many ways, Independents can now have the best of both worlds by allowing themselves to use descriptors that then tag them with a particular issue or particular policy position. It is the government's view that if that is what an Independent wants to do then they have the right to register as a political party, but if an Independent truly wants to be an Independent they can use the word 'independent' to describe themselves.

The Hon. R.I. LUCAS: We do see this as different to the earlier issue that we have addressed in the committee stage, and the Liberal Party will support the amendment. This particular provision in the act was the result of a previous debate and a compromise. There was almost unlimited capacity in the past. There was a discussion and a debate when this bill was last opened, or when the act was last opened, and the compromise position is essentially what exists there now, that is, a three-word descriptor plus 'Independent', being 'Independent Save the River Murray' or 'Independent Lower Taxes' or 'Independent' whatever it might happen to be.

We see this as different to the earlier issue, where if you are a registered political party you cannot seek to portray yourself as being or having 'independent' in your name. On the basis that this was, in our view anyway, a compromise negotiated position last time and, secondly, on the basis that we think it is not an unreasonable position for an Independent to be able to have a short descriptor to indicate what their cause is or what their view is on particular issues, we therefore will support the amendment of the Hon. Mr Darley.

The Hon. M.C. PARNELL: This is a tricky one, but to put the honourable member out of his misery, the Greens will be supporting the amendment.

The Hon. T.A. Franks: Not me.

The Hon. M.C. PARNELL: You said you would.

The Hon. T.A. Franks: Three words, I support.

The Hon. M.C. PARNELL: That is the three words.

The Hon. T.A. Franks: It is.

The Hon. M.C. PARNELL: We are good; the united force of the Greens. As part of the preparation for the debate on this issue, I—

The Hon. J.M.A. Lensink: Did you consult your colleague?

The Hon. M.C. PARNELL: I consulted.

The Hon. J.M.A. Lensink: Good.

The Hon. M.C. PARNELL: —I downloaded all the names of the parties and the candidates that contested the 2006 election, which was a five-word election; the 2010 election, which was a five-word election; and the 2014 election, which was a three-word election, if I can describe them as such. I said that it is a tricky issue. The vast majority of the Independent candidates who have chosen to use a descriptor, whether it was five or three words, were mostly fairly accurate, I think. You could tell what they stood for. 'Independent Hemp Help End Marijuana Prohibition': as far as I know that was the cause those people were espousing.

The trickiness has been that there is a minority of people whose descriptor has not been as accurate, for example, 'Independent for Social and Environmental Justice'. Well, I am yet to meet a person who is outright opposed to justice, whether it is social or environmental. 'Independent Ralph Clarke Buy Back ETSA': I think we know where Ralph stood on that issue, that is pretty straightforward. That was the 2006 election.

In the 2010 election, there was again 'Independent Social Environmental and Economic Justice'. Again, I have yet to meet someone who is not in favour of those concepts, so it does not really help candidates a great deal, whereas when it comes to 'Independent Trevor Grace Save the Unborn', I do not think anyone was in any doubt about where he stood. We all saw his graphic posters on the stobie poles.

When we get to the 2014 election and we look at the Independent candidates who have been able to use three descriptive words, the bulk of them were accurate and reflected the politics of the people behind them. 'Independent Animal Justice' was one, and they have now formed a party, but that was pretty accurate; another was 'Independent Legal Voluntary Euthanasia'. But the tricky ones have been things like 'Independent Your Voice Matters'. Again, I am yet to meet a person here who is prepared to say publicly that they do not think that their constituents' voices matter. So, I am not sure that 'Independent Your Voice Matters' adds a great deal. 'Independent Environment Education Disability' does not help a great deal. 'Independent Powerful Communities' is a nice label but is not necessarily that helpful.

One of the reasons that I and my colleague Tammy are keen to support the three-word descriptor is that, whilst it is not before us at present, there is another electoral bill that is coming along, and that bill deals with preference harvesting and the way votes are tallied and preferences allocated. It could all go pear shaped, as it has in previous years, but my hope and belief is that some form of voting that does away with group voting tickets will come in. What that means is that the incentive for people to set up front parties or to be merely a preference harvesting machine will be reduced. I am hoping we will end up with a pool of genuine Independents who will genuinely, in the three words available to them, describe what it is they are standing for.

It is a bit of a roundabout way of saying it, but I wanted to put on the record that we are supporting the Hon. John Darley's amendment.

The Hon. D.G.E. HOOD: Very briefly, I must say this is also something that has been somewhat conflicting for the Australian Conservatives, and I think the Hon. Mr Parnell has articulated quite well—

An honourable member: Does Brokey agree with you though?

The Hon. D.G.E. HOOD: No, there has been a big divide in the party! That was a joke, by the way—for Hansard. There is no divide whatsoever, none at all. I have totally lost what I was going to say now. I think there have been attempts—as I think the Hon. Mr Parnell outlined quite well—to use what are essentially party names under an Independent banner. I think a couple of the examples

given exemplified that, such as 'Uniting Communities' or 'Your Voice Matters', for example. I think people might generally associate those descriptors more with a political party than an Independent as such. So, it is somewhat conflicting for us, but nonetheless in our robust internal party debate we did decide to support the amendment.

The Hon. K.L. VINCENT: The Dignity Party opposes this amendment. We can definitely see multiple sides to the debate, and far be it from me to stand in the way of 'purple monkey dishwasher', but ultimately the decision we have reached is that if we support the government amendment to stop people using the word 'independent' to cloud their allegiances or their views, then we also do not want to create a situation where they could use those same words on the other end of their name. So, for the sake of consistency we do not support this amendment.

Clause negatived.

New clause 14A.

The Hon. K.J. MAHER: I move:

Amendment No 3 [Employment–1]—

Page 5, after line 11—Insert:

14A—Amendment of section 66—Preparation of certain electoral material

(1) Section 66(2)(f)—after subparagraph (i) insert:

(ia) by use of a word or set of words that comprises or contains the word 'Independent' and—

(A) the name, or an abbreviation or acronym of the name, of a parliamentary party or a registered political party; or

(B) matter that so nearly resembles the name, or an abbreviation or acronym of the name, of a registered political party that the matter is likely to be confused with or mistaken for that name or that abbreviation or acronym; or

(2) Section 66(2)(f)(ii)—delete '(2)(e) or'

(3) Section 66(2)—after paragraph (f) insert:

(fa) must not identify a candidate by use of the word 'Independent' if the candidate is endorsed by a registered political party; and

The Hon. R.I. LUCAS: This is consequential on the earliest issue which we voted on, which was supported by the committee. We supported it and we again support this amendment. We see this as part of the package and consequential on the earlier vote.

New clause inserted.

Clause 15 passed.

Clause 16.

The Hon. K.J. MAHER: I move:

Amendment No 4 [Employment–1]—

Page 5, lines 29 to 33 [clause 16, inserted subsection (2)(b)]—Delete paragraph (b) and substitute:

(b) the issue of declaration voting papers to an elector who appears personally before an officer in South Australia other than at a polling booth must only occur at times determined by the Electoral Commissioner that fall within the 5 days before polling day;

This amendment restructures the proposed new section 73(2)(b) of the Electoral Act as set out in the bill, which is the provision that restricts pre-poll voting to five days prior to polling day. This amendment restructures the provision so that it is more clear in its effect and ensures that the requirement that declaration voting papers are only issued in the five days before polling day does not apply to declaration voting papers issued at mobile polling booths, including those in remote subdivisions. This responds to a concern that was raised by the Electoral Commissioner.

The Hon. R.I. LUCAS: There are two issues and this is a little bit complicated. Can I address the substantive issue in relation to this particular clause. This is the fundamental issue that I addressed in the second reading debate. Essentially, the current situation which was arrived at after previous discussions and compromises was that the pre-poll centres for the next election, on the advice of the Electoral Commission, will essentially be operating for a period of nine or 10 business days, or 12 days, that is, the Monday on the week before the election (not the week immediately preceding it but the week before the last week) will be when the pre-poll centres will open, so that is essentially 12 days prior to election day.

Given that there is a public holiday in the last week on the Monday, it essentially means, under the current arrangements, if there are no changes, pre-poll centres will be operational for five days in the second last week and four days in the last week, so nine business days or working days is the current arrangement. The Liberal Party's position is quite clear. We support that position; we do not think that is unreasonable, for the reasons I outlined in the second reading.

There are many people for whom the notion of, in 40º heat, having to queue for an hour or an hour and a half in queues of 100 or 200 metres on election day, because of ill health, disability or a variety of other issues, is too onerous a task for them. There are clearly other reasons why currently we allow people, because they have to work or are travelling, etc., to vote at pre-poll centres or through postal voting. We think that is a reasonable position.

I think in some other jurisdictions, possibly federally (although I will not swear to this), that pre-poll issue might be even longer than that—it might be a period of three weeks or something, particularly if you have a long campaign. But that is not the case in South Australia. We have had advice from the Electoral Commission that, given close of nominations, when you have to do various things, with the work they have to do, the earliest they will have pre-poll centres, if all the printing gets done, will be on the Monday 12 days out. If the printing is held up or something like that it might not be until the Tuesday, but they are currently planning on 12 days out, or nine business or working days for pre-poll centres. We think that is a reasonable proposition. It is the current arrangement, and therefore we will be strongly supporting that.

The government is wanting to further restrict that. The government, in essence, is saying that it should be only five days rather than the 12 days. There is an interesting legal issue of whether or not, because of the public holiday, it will be only four days. The government's advice to various members is that, no, it will still be five days. I am not sure whether that means the Electoral Commissioner will decide to operate on the public holiday, or there seems to be an interpretation under the Acts Interpretation Act that you can go back to the previous Friday, but in essence it would be five days as opposed to the nine days that has been talked about.

We think that is unreasonable and should not be supported, and we do not intend to support it. That is the substantive issue that has been moved in relation to clause 16. However, this amendment of the government is really a technical amendment. In essence, it says that, if the committee and the parliament ultimately agree to restricting it to five days, then the five days should not apply to mobile polling booths and a variety of other options that are available.

From that viewpoint, whilst we will be arguing against the whole clause, we will support this particular amendment; that is, if we do lose—and we hope we do not lose—the argument against the whole clause and this were to become a five-day provision, it does not make sense to restrict mobile polling booths and other options like that to the five-day provision. For that reason, we see this as a technical amendment. We will support the technical amendment, but then we will argue against the whole clause.

The Hon. M.C. PARNELL: Just to put the Greens' position on the record: if the pre-poll period was only five days, then it does make sense to allow some of those remote mobile polling booths to operate for a longer period. The tyranny of distance means that they would physically have difficulty in a short period getting around to all the places they need to get. In relation to the substantive issue, the Greens accept the status quo, and that is, effectively, the two-week pre-poll period.

The Hon. D.G.E. HOOD: The Australian Conservatives also take the view that we will support the status quo. There is an interesting question here with respect to a democracy where we

have compulsory voting. If we do have compulsory voting, it does not seem unreasonable to give people a reasonable amount of time to fulfil their obligations. Two weeks is not unreasonable, in our view. With 10 business days there is the complication of the public holiday, but our interpretation is that an extra day would be added so that we would have 10 full days in which to fulfil that function.

I suspect that we will be back here in a few years redebating this point as our federal parliament examines the issue of electronic voting and other options, so it remains to be seen how that unfolds. We support the status quo as well.

The Hon. J.A. DARLEY: Mr Chairman, I will definitely be supporting the status quo.

The Hon. K.L. VINCENT: Likewise, the Dignity Party supports the status quo. Given that many points of this bill try to make voting more accessible and easily understandable to everyone in the community, we think it makes sense to give people as much time to engage in that system.

It is all very well and good to set up an easily understandable and accessible system, but if people cannot actually get there on time and cast their vote, either because they have work or family commitments which mean they cannot get there within a five-day period, or they might even have a disability or be elderly and so on and not have access to independent transport, there are many barriers that people already face. We will support the status quo; that is, two weeks in this respect.

I also make the point that, whether pre-polling is open for five days or two weeks or some other period of time, we also need to work to ensure that these pre-poll centres are accessible to everyone in our community—be that people with disabilities, parents with prams and so on. I am not talking about assisted access either where someone can help you get in. Near enough is not good enough when it comes to access.

I am also not talking about the situation that we currently see happen sometimes, too, which is the ballot paper being carried outside, which comes with some pretty obvious not only dignity related concerns but also privacy concerns. So, we maintain the status quo in terms of the two-week period and also hope that, whatever the period is, the pre-polling experience will be autonomously accessible to all in the very near future.

Amendment carried; clause as amended negatived.

Clause 17 passed.

Clause 18.

The Hon. R.I. LUCAS: I move:

Amendment No 2 [McLachlan–1]—

Page 6, lines 11 to 14—Delete the clause

This is in the same package of amendments as the most recent issue we have discussed, but let me explain it. As a result of the long discussion when this act was last opened, there was a compromise position that was arrived at, which is the status quo. We are going to support that and urge the committee to support the status quo. Under the old arrangements that were stamped out—mainly the big parties but anyone could do it—we had a situation where we were allowed under the act to actually write to people or send them material and say, 'If you want a postal vote, come back and contact the Liberal Party'—or the Labor Party.

Then, they would come back and contact us and we would know that Mr Smith was looking for a postal vote. We would then send them or deliver them the official postal vote application form from the Electoral Commission. They would fill it in. If they needed a witness, you would witness it, and you would be aware that John Smith was lodging a postal vote and have the opportunity to give them how-to-vote material, etc.

As a result of discussions last time, that practice was stamped out. So, the status quo now uses an entirely reasonable proposition from that viewpoint; that is, parties can no longer do that. What they are entitled to do, and indeed what any individual can do, is give people an official application form for a postal vote or a declaration vote. If it is filled in, it cannot be returned to an individual or a political party. It has to be returned to the Electoral Commission.

So, there is nothing that prevents a political party or an Independent from providing copies of the Electoral Commission's official application form, which must be returned to the Electoral Commission, for a postal vote or a declaration vote. What the government is seeking to do—and this is to disturb the status quo—is to say, 'Well, you can't even do that.'

If this amendment from the government was to be successful, it does raise the rather bizarre prospect in which, for example, if someone contacted you and said, 'I'm interested in getting a postal vote. What do I do?' and you, by electronic means, just happen to forward the electronic version from the Electoral Commission site to that individual, you would be committing an offence because you have distributed by electronic means the Electoral Commission's official form.

If you actually had an official postal vote application form from the Electoral Commission and you handed it to your electorate office (or whatever it is) and said, 'You have to send that off to the Electoral Commission, if you want one,' then you would be committing an offence—that is if this amendment is successful. That just seems to be an entirely bizarre proposition. We have a position that has now taken it out of the hands of the political parties.

If an individual or a political party still wants to provide a service to people to say, 'Hey, if you are travelling or if you are going to be going overseas'—or whatever it is—'you have to fill out a particular form, send it to the Electoral Commission and they will then send the vote to you, if you are eligible, and you will have to fill it in,' then that is a matter entirely between the individual elector and the Electoral Commission.

The political party or the individual does not know that that has occurred because that is an issue between the individual and the Electoral Commission. Unless the individual makes that known to a political party or a candidate, that is entirely an issue between the elector and the Electoral Commission. That is the status quo. We think that is a reasonable proposition and should be supported as the status quo.

As I said, if we do get to the situation where the government's amendment is successful, we open up the bizarre proposition that any assistance you may provide by way of even forwarding an electronic version of the postal vote application form from the Electoral Commission website (or whatever it is) to a constituent who says, 'Hey, I'm travelling; what do I need to do?' you would be committing an offence. I think it does not make much sense at all to go to that particular extent. For those reasons, we support the status quo and, therefore, do not support this proposition from the government in the bill.

The Hon. K.J. MAHER: I rise to indicate the government's opposition to this particular amendment. I know this provision was also the subject of some debate and amendment when we canvassed these matters in a previous parliament with the Electoral (Miscellaneous) Amendment Bill 2013. There, the government proposed to amend section 74A so that only the Electoral Commission can distribute declaration voting paper application forms.

At that time, as I think has been outlined, there were amendments that resulted in the current position where any person can distribute the declaration voting papers, providing the application is in the prescribed form and that it is stated on the front that it must be returned directly to the Electoral Commissioner and that no additional information or matter appears on the form or on the reverse side of the form.

Clause 18 of this bill, again, proposes to amend this section to provide that only the Electoral Commissioner can distribute such papers. So, we are being consistent in our view and what we are putting forward. I appreciate that the opposition is also being consistent in their view and what they are putting forward in prosecuting this.

The Hon. J.A. DARLEY: I indicate that I support the status quo and will be supporting the Liberal amendment.

The Hon. M.C. PARNELL: I have a question for the mover. As I understand the Hon. Rob Lucas, he effectively said that a member of parliament, for example, could not keep a stock of postal vote applications in their office to hand to constituents and they could not email an electronic copy of a postal vote application form. If someone emailed a member of parliament and said, 'I'm interested in postal voting. How do I do it?' and the member of parliament or their staff emailed the person back

and said, 'You have to go through the Electoral Commission website—here's the link,' would that infringe this clause, or would it be the physical sending of the application form that is the problem?

The Hon. R.I. LUCAS: The Hon. Mr Parnell is a lawyer. I am a mere non-lawyer, but my reading is that you could certainly refer the constituent to the Electoral Commission's website, but I suspect that if you went to the position of actually providing the link, that would be an interesting legal question. The act provides:

> In this section—
>
> distribute an application form includes make the form available (including in electronic form) to other persons.

I think that you lawyers, as opposed to we non-lawyers, may well argue that by providing the link you have provided it in an electronic form.

Other lawyers, even more clever lawyers, might argue that you have not actually provided it by electronic means. I think they are the sorts of issues that are just ridiculous, frankly. This is an application form for a postal vote or a declaration vote, it is official and it does not go to a party. If all you are doing for a constituent is saying to them, 'Here's the form. You can complete it, fill it in, send it off to the Electoral Commission and go your hardest,' that is an entirely reasonable proposition. To actually make it an offence, with a maximum penalty of $5,000, to provide that sort of service is, in my view, bizarre and nonsensical and does not deserve support.

The Hon. M.C. PARNELL: I thank the member for his answer. I will confess to not having a postal vote application form in front of me, but does the member know if they need to be witnessed or if it is just a question of the voter themselves declaring their eligibility to vote by post? The reason I am asking is that if there was a witness involved and it was the member of parliament's electorate office that was providing the witness service, then I can see that there might be an issue there. Does the member know what the situation is? Do you need to get these forms witnessed?

The Hon. R.I. LUCAS: I think that may well be something for the government advisers. I do not have a copy in front of me. Certainly, in days gone by—and I am talking some years ago—you did have to have it witnessed. In terms of a distributed application form, given that you are not physically there with the person, if you have provided it by electronic means or if you have handed it to somebody, it is unlikely that you are going to be there to witness it anyway.

The practice under the current arrangements is that, in my political party for example, a member may well send a letter by physical means which says, 'There's an election coming up. It's very important that you vote. The government's terrible'—or the government's great, depending on which particular party you happen to be in—'and by the way, if you're not going to be here and if you qualify for a declaration vote'—or whatever it is—'here's an application form which you have to send to the Electoral Commission.'

That would go to John Smith at his house and he would then handle the process from there. If it does require a witness, his partner or next-door neighbour or whoever is more likely to be the witness because we, as a political party, no longer have the capacity to know which 1,000 or 2,000 of the 25,000 electors are going to be applying for a declaration vote. We are not in a position to provide that service.

Under the old arrangement, which has now been stamped out, when they came back to the Liberal Party we would ring them up and say, 'Do you need it? We will bring it around to you, and if you need someone to assist you, we can do that.' That has all been cut out. We have an entirely reasonable and defensible proposition which does not favour any particular political party. It is, in essence, an assistance to allow people to know that they are entitled to a vote and this is what they have to do if they want to participate in the process of voting on election day.

The Hon. K.J. MAHER: I think I might be able to enlighten everyone a little on the application form for a postal vote. Electoral Regulations 2009, schedule 1, which includes form 6, is the schedule that has the form for the application for a postal vote. Down the bottom of the application form it needs both the signature or mark of the elector and the signature of an authorised witness.

The Hon. D.G.E. HOOD: Philosophically, the Australian Conservatives would be sympathetic to the government's position, which is essentially to remove political parties from the

process of distributing what you might call some of the formalities with respect to voting. Generally speaking, we would be sympathetic to that because where political parties can, to the extent of their legal capacity, no doubt they will exert their influence to their advantage.

Where the Australian Conservatives part company with the government is in having what is not an insubstantial penalty at all for what may be just a simple error. As the Hon. Mr Lucas has outlined succinctly, you might have a situation where a more well-meaning, unaware member of parliament simply forwards the form to an individual and then that could land them in a very significant situation with a substantial penalty of up to $5,000. We cannot support that and for that reason we will be supporting the Liberal amendment.

The Hon. M.C. PARNELL: I have another question for the minister. Are the application forms available at post offices? Where do people normally get them from? The Hon. Rob Lucas has said that they used to get them from parliamentary offices or electorate offices but where else do you go? Do you go to a post office or a government agency?

The Hon. K.J. MAHER: I thank the honourable member for his question. I may be an expert on many things, but exactly where these forms are located at any given time I am afraid I cannot enlighten him. Certainly, as we have discussed, they are available through requests of the Electoral Commission, but whether other government outlets have them, I do not know. I can remember post offices, certainly in the past, having forms to enrol to vote, but I am just not sure from where one might pick up forms outside the South Australian Electoral Commission.

The Hon. M.C. PARNELL: I will ask another question. This is one of these rare occasions when the power of debate potentially influences an outcome because I must admit our inclination was not to support this amendment. What I really want to hear from the government is: what electoral advantage is there in the remnant involvement of political parties in postal vote applications? Given what the Hon. Rob Lucas said—he said there is no political advantage—I would like to know, is there still a political advantage? Our view would be that if this regime does provide political advantage then we want parties out of it altogether. However, if there is no political advantage then I am wondering what the fuss is about.

The Hon. K.J. MAHER: I thank the honourable member for his question. Certainly, under the old regime, which applied before the last election, there were very distinct political advantages. As a party you would have the forms returned to you and then you and only that party would know who was postal voting, so you could tailor your specific earlier campaign for the postal votes. You could, in essence, target your campaign to a class of voters you thought were more likely to vote for you to encourage them to postal vote.

Everyone would know who was getting the postal vote but you could target your campaign to those who you considered more likely to vote for you via whatever method you use as a party to do so. There is a possibility for a campaign advantage, possibly, off the top of my head. Those who run parties are very clever and wily people, in my experience, and would, no doubt, find further campaign advantage.

The Hon. R.I. LUCAS: I would like to make some concluding remarks on that, given that we are in the business of trying to influence the Hon. Mr Parnell. I would not downplay the significance of parliamentary debate because I am sure there are many occasions when the Hon. Mr Parnell comes into the chamber with an open mind, as indeed we do, and listens to the arguments and then makes a mature judgement.

On this issue, the Hon. Mr Maher nailed it on the head. He is a former party operative, as indeed I am. In days gone by, prior to the new practice, there was a potentially significant advantage because they were coming back to the Liberal Party and the Labor Party. They would have teams of people who would then go back, as I indicated earlier, and knock on the door of John Smith and say, 'You've asked for an application form. Here is the official one. Fill it in and we will assist you with that by witnessing it. You send it off. We therefore know. We give you a how-to-vote-card. We give you some Liberal Party'—or Labor Party—'material and all of that.'

That has all gone. This is now an entirely reasonable proposition that basically says that now—which was as a result of a compromise after the last debate—you can circulate the official

form, and that is it. You do not know, as I said. If a letter is sent out to 15,000 households, for example, in an average electorate (or whatever it might be, but an average electorate) you do not know of those 15,000 residences that 1,000 or 1,500 send them off to the Electoral Commissioner.

You have no idea in relation to it unless they take—and some people still do; they ring up and say, 'Hey, I'm a Liberal Party person. I'm going away. How am I meant to vote in such-and-such an electorate?' The same service would be provided in the Labor Party, and I suspect the same thing with the Greens if someone rang them up and asked, 'How am I going to vote? I'm going to be away.'

We think it is an entirely reasonable proposition and we hope that the weight of the substantive argument in the committee stage might convince the Hon. Mr Parnell, and if not the Hon. Mr Parnell the Hon. Ms Franks, to support the issue.

The Hon. M.C. PARNELL: At the risk of giving the Hon. Rob Lucas a big head over this, his arguments have been quite compelling, so the Greens will be supporting the Liberal position.

Clause negatived.

Clauses 19 to 27 passed.

New clause 27A.

The Hon. J.A. DARLEY: I move:

Amendment No 3 [Darley–1]—

Page 11, after line 3—Insert:

27A—Amendment of section 112A—Special provision relating to how-to-vote cards

Section 112A—after subsection (5) insert:

(5a) If the Electoral Commissioner is satisfied that a how-to-vote card has been distributed in contravention of this section, the Electoral Commissioner may request that the person who authorised the card do either or both of the following:

(a) immediately cease distributing, or causing or permitting the distribution of, the how-to-vote card;

(b) publish a retraction in specified terms and a specified manner and form,

(and in proceedings for an offence against this section arising from the distribution of the how-to-vote card, the authorised person's response to a request under this subsection will be taken into account in assessing any penalty to which the person may be liable).

This amendment will give the Electoral Commissioner the power to deal with misleading how-to-vote cards in the same manner that they can deal with misleading advertising. I believe this may have been overlooked when the provisions regarding how-to-vote cards were initially introduced. The act has provisions relating to how-to-vote cards but the Electoral Commissioner cannot take any immediate action. My amendment will give the commissioner the ability to deal with misleading how-to-vote cards.

The Hon. K.J. MAHER: I rise to indicate that the government will support this amendment. As the mover has outlined, this will allow the Electoral Commissioner, where the Electoral Commissioner is of the view that the how-to-vote card has been distributed in contravention of section 112A, to request that the person cease distributing it and/or issue a retraction, and for that reason the government will be supporting it.

The Hon. R.I. LUCAS: The Liberal Party supports the amendment.

New clause inserted.

New clause 27B.

The Hon. K.J. MAHER: I move:

Amendment No 5 [Employment–1]—

Page 11, after line 3—Insert:

27B—Amendment of section 112B—Certain descriptions not to be used

(1) Section 112B(1)—after paragraph (a) insert:

(ab) by use of the word or a set of words containing the word 'Independent' and—

(i) the name, or an abbreviation or acronym of the name, of a parliamentary party or a registered political party; or

(ii) matter that so nearly resembles the name, or an abbreviation or acronym of the name, of a registered political party that the matter is likely to be confused with or mistaken for that name or that abbreviation or acronym; or

(2) Section 112B(1)(b)—delete '(2)(e) or'

(3) Section 112B—after subsection (1) insert:

(1a) A person must not publish or distribute an electoral advertisement or a how-to-vote card that identifies a candidate by use of the word 'Independent' if the candidate is endorsed by a registered political party.

Maximum penalty: $5,000.

(4) Section 112B(2)—delete 'Subsection (1) applies' and substitute:

Subsections (1) and (1a) apply

(5) Section 112B(3)—delete 'Subsection (1) does' and substitute:

Subsections (1) and (1a) do

This change is made for the same reason as an amendment much earlier on this morning, amendment No. 2 standing in my name. It follows from the change made to that amendment. The propositions underpinning this amendment are that if you are an Independent, you call yourself an Independent, and if you are a registered political party, you can call yourself by that name, but a party should not have the benefit of using the word 'independent'. I think it is consequential, almost, from the amendment that we passed before.

The Hon. R.I. LUCAS: The Liberal Party supports it as it is consequential on two earlier votes.

New clause inserted.

Clause 28.

The Hon. R.I. LUCAS: I move:

Amendment No 3 [McLachlan–1]—

Page 11, lines 4 to 6—Delete the clause

This is a very simple amendment. It is essentially about the extent of the penalty that you think should apply. The government is seeking to increase the penalty to $50,000. On my reading, in the current provisions, if the offender is a natural person it is $5,000. If I am reading it correctly, the government is increasing that penalty from $5,000 for a natural person to $50,000 as a maximum penalty, and for a body corporate from $25,000 to $50,000. We think the existing penalties are significant, and we therefore do not see the reason or the need for the very significant increase in the penalty to $50,000.

The Hon. M.C. PARNELL: As a party, the Greens have been the victim of grossly misleading advertising in the past. I do not think we have ever been the perpetrator, and I would certainly be most surprised if we ever were. The consequences of misleading behaviour can be dire and long lasting—we are talking about eight-year terms in the upper house of a state parliament—so the Greens will be supporting the increased penalties.

The Hon. K.J. MAHER: It will come as no surprise that we will be opposing the amendment in favour of the increased penalties. The intent is not just a punitive intent to punish someone by the

increased penalties, but also that it might act as a deterrent in relation to anyone who might be considering engaging in conduct that might slight the Greens or any other candidate or political party.

The Hon. D.G.E. HOOD: This is one of those ones that we have had debate on internally; not a split, but a debate. Again, one can see the government's intention here. I think, as the Hon. Mr Parnell said, that the implications of false or misleading advertising can be very significant in the light of eight-year terms or in the case of close elections. Our view in the end is that $50,000 is a very substantial fine, and we are not able to support such a high level. The current level is probably too low, but in our view, $50,000 is too high. We will be supporting the amendment.

The Hon. J.A. DARLEY: I will be supporting the amendment.

The committee divided on the clause:

Ayes 10
Noes..... 11
Majority..... 1

AYES

Franks, T.A.	Gago, G.E.	Gazzola, J.M.
Hanson, J.E.	Hunter, I.K.	Maher, K.J. (teller)
Malinauskas, P.	Ngo, T.T.	Parnell, M.C.
Vincent, K.L.		

NOES

Brokenshire, R.L.	Darley, J.A.	Dawkins, J.S.L.
Hood, D.G.E.	Lee, J.S.	Lensink, J.M.A.
Lucas, R.I. (teller)	McLachlan, A.L.	Ridgway, D.W.
Stephens, T.J.	Wade, S.G.	

Clause thus negatived.

The ACTING CHAIR (Hon. J.S.L. Dawkins): We now come to two amendments, one in the name of the Hon. Mr Darley—Amendment No. 4 [Darley–1]. There is also amendment No. 6 [Employment–1], which is on the same issue. Both would insert a new clause 28A. The Hon. Mr Darley's amendment was lodged first, so I give him the call now.

New clause 28A.

The Hon. J.A. DARLEY: I move:

Amendment No 4 [Darley–1]—

Page 11, after line 6—Insert:

28A—Insertion of section 115A

After section 115 insert:

115A—Automated political calls

(1) A person must not make, or cause or permit the making of, an automated political call unless the following statements are made at the beginning of the call:

(a) the name and address (not being a post office box) of the person who is making, or who authorises the making of, the call;

(b) if the call is authorised for a registered political party or a candidate endorsed by a registered political party—the name of the political party;

(c) if the advertisement is authorised for a relevant third party—the name of the relevant third party.

Maximum penalty:

(a) if the offender is a natural person—$5,000;

(b) if the offender is a body corporate—$10,000.

(2) In this section—

automated political call means a telephone call consisting of a pre-recorded electoral advertisement;

relevant third party means an organisation or other person, other than a registered political party, candidate or natural person, who—

(a) as at the day on which the automated political call to which subsection (1) relates is made, intends to spend more than $2,000 on electoral advertisements—

(i) if the call is made in an election period—during that election period; or

(ii) in any other case—during the election period for the next general election due to occur; or

(b) spent more than $2,000 on electoral advertisements during the election period for the general election immediately preceding the day on which the automated political call to which subsection (1) relates is made.

My amendment deals with robocalls–

Members interjecting:

The CHAIR: Order! I cannot hear the Hon. Mr Darley and I suspect other members cannot as well, so I give the call to the Hon. Mr Darley.

The Hon. J.A. DARLEY: My amendment deals with robocalls. As outlined in my second reading, robocalls are no different to other forms of political advertising and there should be a requirement that it be disclosed as such. My amendment provides that disclosure should be at the beginning of an automated political call. This brings requirements in line with other political advertising such as TV, radio or printed advertisements where there are disclosure requirements.

With disclosure at the beginning of the call, voters can decide if they want to listen to the rest of the message or not. I do have some concern that if disclosure were to occur anywhere within the call rather than at the beginning then people may present this information after five or 10 seconds of silence. This silence could be perceived as the call ending and the recipient may hang up before the disclosure is made.

The Hon. K.J. MAHER: The government will be opposing the Hon. John Darley's amendment but the next amendment deals with this particular matter. I think the Hon. Rob Lucas, in his second reading speech, canvassed this quite well and made the analogy with other forms of electronic election advertising, where a radio or television advertisement requires authorisation, generally by the party official, at the end of the advertisement. In opposing the Hon. John Darley's amendment in preference to the government's amendment, we will be treating this the same as other forms of electronic advertising, that is, requiring an authorisation at the end of the advertisement.

The Hon. M.C. PARNELL: The Greens will be supporting the Hon. John Darley's version of this provision. What it has in common with the government's version is that there will be some disclosure. The main question before us is: is the disclosure going to be at the start of the message or at the end? I do not accept the analogy with TV and radio ads for one simple reason: when you are watching the television and you see a political advertisement, you know that it is going to go for 30 seconds, or it might go for a minute, and you are very unlikely to turn the television off and therefore miss the credits at the end. You know it is going to be short and you know what it is about. You may have guessed who it is from, by the content, but you are not going to turn the television off. Similarly with the radio, you know it is going to be a short message, you might yell at the radio, you might growl or whatever, but you are not going to turn the radio off.

A robocall is entirely different. You are holding a receiver in your hand and you are completely in control. You have heard some of the message and you hang up before it is finished. The Hon. John

Darley mentioned that he got a call—and I do not want to misrepresent him—and I think he said he was not quite sure who it was from because he hung up before the call had finished. I think that is what people are going to do. If you are a political party putting stuff out there that is very contentious and hard-hitting, and you want to give the impression that it is a real nurse or a real tradie or whatever, you might make that message long enough that very few people wait until the end. You have it within your control to hang up.

It is a similar philosophy that applies with online ads and videos. Various rules say that you have to get your main message in the first 10 seconds because they know that most people hit 'skip' or 'end' or they stop hearing it. They will not hear who it is from. So, I do not think it is the same for robocalls as it is for TV or radio ads. The Hon. John Darley's amendment says that at the start it will be, 'Hi, I'm nurse Betty, this is a call on behalf of' Jay Weatherill, Steven Marshall, or whoever it might be, and you will know up-front exactly where that call is coming from.

Robocalls are not popular in the community. They are less popular because people do not even know who they are from and where they have come from. I think the Hon. John Darley's amendment gives people the best opportunity to know where calls come from. They can still decide whether to hear the end of it or not. Regardless of how they vote, they might want to hear what the other side is saying about an issue that they care about, but at least everyone will know because it will be right up-front who the call is coming from and who it has been authorised by.

The ACTING CHAIR (Hon. J.S.L. Dawkins): Before I give the Hon. Mr Hood the call, it has been suggested to me that I should get the minister to move his new clause.

The Hon. K.J. MAHER: I move:

Amendment No 6 [Employment–1]—

Page 11, after line 6—Insert:

28A—Insertion of section 115A

After section 115 insert:

115A—Automated political calls

(1) A person must not make, or cause or permit the making of, a telephone call consisting of a pre-recorded electoral advertisement unless, immediately after that part of the call consisting of the advertisement, the following statements are made:

(a) the name and address (not being a post office box) of the person who is making, or who authorises the making of, the call;

(b) if the call is authorised for a registered political party or a candidate endorsed by a registered political party—the name of the political party;

(c) if the call is authorised for a relevant third party—the name of the relevant third party.

Maximum penalty:

(a) if the offender is a natural person—$5,000;

(b) if the offender is a body corporate—$10,000.

(2) In this section—

relevant third party means an organisation or other person, other than a registered political party, candidate or natural person, who—

(a) as at the day on which the automated political call to which subsection (1) relates is made, intends to spend more than $2,000 on electoral advertisements—

(i) if the call is made in an election period—during that election period; or

(ii) in any other case—during the election period for the next general election due to occur; or

(b) spent more than $2,000 on electoral advertisements during the election period for the general election immediately preceding the day on which the automated political call to which subsection (1) relates is made.

and to make a related amendment to the *Local Government Act 1999*

I have spoken on our preference for the government's amendment over the Hon. John Darley's amendment.

The Hon. D.G.E. HOOD: A question for the government (although I am aware that we are not dealing with its amendment first) as to how these robocalls work: do they contact mobile phone numbers or is it only landline numbers? Are we aware?

The Hon. K.J. MAHER: I thank the honourable member for his question. My involvement in campaigning predated the use of robocalls, so I am not sure, but I can find that out and come back with an answer. I am not sure whether mobile numbers are included. If they are in a data set and are able to, they may be, but I do not know.

The Hon. D.G.E. HOOD: I thank the minister for his answer and thank the Hon. Mr Lucas for his clarification. The reason for my question was that, with the rapid decline in landlines, I do not think it will be long before robocalls, if they are only going to landlines, fade out of practice because there simply will not be any landlines left in the not too distant future. Given that it seems that they go to mobile phones as well, the Australian Conservatives are inclined to support the Hon. Mr Darley's amendment. As the Hon. Mr Parnell said, these things are very unpopular, they can be manipulated and we should be doing what we can to control them, reasonably.

The Hon. R.I. LUCAS: As I outlined in the second reading debate, the Liberal Party supports the premise behind the amendment being moved to provide greater regulation of automated political calls, but that we support the position now reflected in the government amendment. So, therefore we will not support the Hon. Mr Darley's amendment but will support the alternate amendment from the government.

In our view—and I understand it is not the view of some others—we should be treating this sort of electoral advertisement (and both amendments refer to the fact that this is a pre-recorded electoral advertisement) in the same way as other electoral advertisements, that is, television and radio. In those television and radio advertisements the authorisation is required to be put at the end of the advertisement, and we see no difference in relation to this.

I put on the public record that this was an interesting debate, and I guess, for those practitioners in the field, we had a discussion to say that maybe this amendment ought to be broadened to include digital advertising, because if we are talking about where the whole world is moving, it has moved already and will continue to move in terms of digital advertising. You cannot open up a Facebook page, a Twitter account, or whatever it is, without seeing somebody advertising something, including at certain times in an electoral cycle political parties (or governments for that matter) advertising their wares.

The issue was then: should there not be an authorisation for those? In practice there should be, but we were told, when we looked at amendments in relation to that, that there is already an existing provision in the Electoral Act that requires authorisation at the end of the advertisement. I am not sure that is entirely known to all practitioners in the field, so it is probably a salutary lesson for those who are involving themselves in the art of digital advertising that those requirements, based on the legal advice we have been given, are the same for digital advertising as they are for television, radio and print advertising. Everyone ought to be aware of that. That is a little bit of a segue. To conclude, we will support the government's amendment and will not support the amendment of the Hon. Mr Darley.

Parliamentary Procedure

VISITORS

The ACTING PRESIDENT (Hon. J.S.L. Dawkins): Before I call the Hon. Mr Hood (I am sorry to do that to you again, but I am sure you will be pleased with the reason), I am very pleased to welcome students from the Tatachilla Lutheran College. I welcome them to the Legislative Council.

Bills

ELECTORAL (MISCELLANEOUS) AMENDMENT BILL

Committee Stage

In committee (resumed on motion).

The Hon. D.G.E. HOOD: Welcome to the students. As a point of clarification, the Australian Conservatives will support the Hon. Mr Darley's amendment, but should it fail (and I suspect it will) we will support the government's amendment.

The Hon. K.L. VINCENT: Hello to the young person behind me, as well. The Dignity Party will be supporting the amendment from the Hon. Mr Darley; that is, to have it made clear at the beginning of the robocall. I have to stop myself from saying RoboCop. Perhaps that would be one way to get more engagement in the political system: if RoboCop went round to everyone's house. We agree that it should be made clear at the beginning of the robocall that it is a call that is political in nature.

In addition to what members have already said about the way in which phone calls differ from television advertising, there are a couple of other points that I would make. Firstly, I think it is easier to tell from TV advertising that it is an advertisement that is political in nature because you have visuals. You might have a shiny new hospital or something in the background. Jay Weatherill might be looking outraged about something, or Steven Marshall might be looking outraged about another thing. I think it is easier, from those visuals, to gain context about the fact that this is a political advertisement. Secondly, I think it is reasonable that most people would expect that calls they receive to their personal telephone, be it a landline or mobile, are personal in nature. Therefore, I think it is reasonable to expect that it be made clear from the outset if that is not the case.

We can also draw parallels from other cold calls that we might receive, for example, from a charity. Amnesty International is one example that springs to mind. To my recollection, they always make it clear from the outset that, 'This is Kelly calling from Amnesty International. I am calling to ask you for money for the following cause.' Therefore, I am clear on what is being asked of me and I am able to make a decision from the outset whether or not I have the time to sit on the other end of that call. But if it is not clear and I have to listen the whole way through to make the decision, I might have made a different decision had I known from the outset that it was a call that was political or seeking donations. That is why we think it should be made clear from the outset so that people can make that choice as to whether they want to continue with the call or not.

The Hon. M.C. PARNELL: I have a very quick question on notice. I will not delay this vote; we know where it is going. Does the Do Not Call Register apply to political parties or even to third parties who are campaigning? I understand it applies if you are selling insurance or a new mobile phone plan, but does it apply to political parties?

The Hon. K.J. MAHER: I am getting some half-hearted nods. I am happy to go away and find out a definitive answer for the honourable member on that particular question.

The Hon. J.A. Darley's amendment negatived; the Hon. K.J. Maher's amendment carried; new clause inserted.

Progress reported; committee to sit again.

PUBLIC INTEREST DISCLOSURE BILL

Conference

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (12:58): I seek leave to move a motion without notice concerning the conference with the House of Assembly on the bill.

Leave granted.

The Hon. K.J. MAHER: I move:

That the sitting of the council be not suspended during the continuation of the conference with the House of Assembly on the bill.

Motion carried.

Sitting suspended from 12:59 to 14:17.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Minister for Employment (Hon. K.J. Maher)—

Regulations under the following Acts—
Public Corporations Act 1993—Adelaide Film Festival

By the Minister for Sustainability, Environment and Conservation (Hon. I.K. Hunter)—

Department for Education and Child Development—Report, 2016
Regulations under the following Acts—
Cost of Living Concessions Act 1986—Indexation
Motor Vehicle Accidents (Lifetime Support Scheme) Act 2013—
Release of Information

By the Minister for Police (Hon. P.B. Malinauskas)—

Regulations under the following Acts—
Firearms Act 2015—
Fees
General
Public Sector (Data Sharing) Act 2016—General
Rules of Court—
Magistrates Court—Magistrates Court Act 1991—Civil—Amendment No. 17

Ministerial Statement

ARRIUM

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:17): I table a copy of a ministerial statement made by the Treasurer in the other place on the Arrium sale update.

MINTABIE TOWNSHIP

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:17): I seek leave to make a ministerial statement on the review of the Mintabie township.

Leave granted.

The Hon. K.J. MAHER: I rise today to inform the council that the state government will review the Mintabie township lease agreement in partnership with Anangu Pitjantjatjara Yankunytjatjara and the federal government. As part of the review, the government will consider returning ownership and management of Mintabie, which is located on the APY lands, to the traditional owners. On many recent visits to the APY lands, I have been told by residents and service providers that many of the operations at Mintabie were detrimental to the wellbeing of Anangu and that change was required.

The Federal Court found that Nobby's Mintabie General Store operator, Mr Lindsay Kobelt, engaged in credit activity that contravened the commonwealth National Consumer Credit Protection

Act 2009 and the commonwealth Australian Securities and Investments Commission Act 2001. The court found that Mr Kobelt withdrew almost $1 million from customers' accounts over a period of around 18 months, including $56,944 in one 24-hour period. On 13 April, Mr Kobelt was ordered to pay $167,500 in penalties.

The practices outlined in the Federal Court decision are disgraceful and cannot be tolerated. The review that we have initiated follows on from these Federal Court findings and from discussions with the APY Executive and the federal government.

Following the Federal Court's findings, the state government has also cancelled Mr Kobelt's commercial licence, meaning that his store can no longer trade. His application for a residential licence is also under consideration by the state government.

The Federal Court's findings against Mr Kobelt and the review the state government has initiated send a strong message to any operators who are engaging in unethical and predatory book-up practices that they may be prosecuted. I have also today written to other Mintabie traders advising them that the improper practices associated with book-up in Mintabie are unacceptable and that the state government will be closely monitoring the business practices of all operators.

On my travels across the APY lands, I also heard that it is important that people living in remote communities have access to fair forms of credit. That is why we have engaged MoneyMob Talkabout to provide no-interest loans as well as financial counselling. In conjunction with the review, the state government will be providing a $300,000 grant to MoneyMob Talkabout to increase their ability to provide Anangu with access to a financial counselling service and to connect those seeking credit with an accredited provider.

This funding will have flow-on benefits to Aboriginal people living on the APY lands, ensuring that families are not locked into prolonged dependence on unlicensed credit providers engaging in unconscionable business practices. MoneyMob Talkabout is an accredited provider of no-interest loans through the not-for-profit agency Good Shepherd Microfinance. The agreement with MoneyMob means that people can access fair credit options. It will also allow them to address financial issues such as paying fines or dealing with Centrelink payment issues. This funding announcement will enable MoneyMob Talkabout to deliver more extensive financial literacy education to local Aboriginal people and increase the number of no-interest loans delivered on the APY lands.

I wish to thank the APY Executive, who are nominating Anangu to be involved on the review team, and the federal government, particularly the Minister for Indigenous Affairs, Nigel Scullion, for the cooperative way we have been working together on this issue. We are putting those people taking advantage of Anangu on notice: we are watching you, and your behaviour cannot continue. I will provide the chamber with further updates as the review progresses.

NATIONAL HOUSING AND HOMELESSNESS AGREEMENT

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:21): I table a copy of a ministerial statement made in the other place by the Minister for Social Housing entitled National Housing and Homelessness Agreement.

Parliamentary Procedure

ANSWERS TABLED

The PRESIDENT: I direct that the written answers to questions be distributed and printed in *Hansard*.

Question Time

NORTHERN ADELAIDE IRRIGATION SCHEME

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:22): I seek leave to make a brief explanation before asking the minister for environment and water a question about the Northern Adelaide Irrigation Scheme, known as NAIS.

Leave granted.

The Hon. D.W. RIDGWAY: In a joint press release in April this year, the minister announced the project. The state government will invest $110 million in the project through SA Water. In a briefing with SA Water on 17 May, SA Water representatives confirmed that this $110 million would have to come out of SA Water's existing capital works program. My question to the minister is: can the minister confirm that the state government's contribution to the NAIS will be funded from cash reserves, additional borrowings or from the reallocation of SA Water priorities?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:23): I thank the honourable member for his most important question. The Northern Adelaide Irrigation Scheme is an opportunity to expand the use of recycled water for horticultural irrigation in the Northern Adelaide Plains. NAIS is a PIRSA-led Northern Adelaide Plains agribusiness initiative. I understand that the industry would have access to this water to increase horticultural production and exports, transforming the region into the national leader in intensive, high-tech food production.

In August 2015, SA Water released an expression of interest to the market asking for proposals to transport and make use of recycled water in a way that would generate the greatest economic benefit and jobs growth for South Australia. I understand that there is a strong industry interest in purchasing recycled water through the Northern Adelaide Irrigation Scheme. While it is proposed that NAIS will have an initial capacity of 12 gigalitres at this stage, it is planned that NAIS will be built to enable a capacity of 20 gigalitres when future demand exceeds the initial supply.

An economic assessment was done and it was identified that 12 gigalitres of recycled water a year will create about 3,700 jobs, attract about $1.1 billion in private investment and add $578 million a year to the state's economy, I am advised, and the NAIS would make good use of recycled water to create positive outcomes for the environment, as well as the state's economy. Subject to receiving the National Water Industry Development Fund grant, which is a federal government grant, obviously, the project will be funded through a mix of SA Water funds and up-front users' contributions from NAIS customers.

It is undoubtedly an important process for the state to get right, with strong interest in additional recycled water. I am advised that the Department of Primary Industries and Regions SA will continue to work with the proponents, industry groups and growers in the region to discuss how they can participate in additional recycled water allocation to deliver the greatest state benefit. I am advised that PIRSA and SA Water will continue to work with the proponents, industry groups and growers to ensure a fair, equitable and transparent process to determine how they can participate in additional recycled water allocation that delivers the greatest state benefit.

This Australian government funding would enable the water to be provided at an affordable price, enabling growers to be globally competitive. It is important to state that without that extra assistance, Mr Premier—Mr President, I should say—

Members interjecting:

The Hon. I.K. HUNTER: I nearly elevated you, sir. I understand there is no constitutional impediment, of course, but that's for another thing—

The Hon. D.W. Ridgway: Could you answer the question.

The Hon. I.K. HUNTER: I have already.

The Hon. J.S.L. Dawkins: No, you haven't.

The Hon. I.K. HUNTER: I have.

The Hon. D.W. Ridgway: You haven't.

The Hon. I.K. HUNTER: Go back and read *Hansard* later on and you will find that I have. It is very important to make this project as viable as possible so that the large cost of providing the service so far out to the north of Adelaide can be amortised over a period of time and keep the cost of recycled water right down for the end users. We do need to have that federal government grant, and, as has been indicated to us, in the reduced components of the grant available from the federal government, there is interest, and that was obviously backed in by their grant to us in the first stage

to do the body of work required to see if it was a viable project. We are still awaiting advice from the federal government about that but we are particularly hopeful.

NORTHERN ADELAIDE IRRIGATION SCHEME

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:26): Mr President, the minister failed to even address the question, but my supplementary question is: will the minister guarantee that SA Water's maintenance schedule, particularly in regard to water pipe or network upgrades, will not be delayed as a result of this project being funded through the existing capital works budget for SA Water? That was the question. It would be simpler to answer that rather than tell us for the sixth or seventh time about the project we all know about.

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:27): As I have said in this place previously, SA Water's capital works program for the regulated part of the business, at the very least, is agreed with ESCOSA over a four-year period. That won't change.

NORTHERN ADELAIDE IRRIGATION SCHEME

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:27): Supplementary: then where will the $110 million come from for the project that you announced in April this year? Is it borrowings, cash reserves or a reallocation of priorities, which was my question in the first place?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:28): I said in my opening remarks in response to the Hon. Mr Ridgway's question, subject to receiving the National Water Industry Development funding grant, the project will be funded through a mix of SA Water funds and up-front user contributions from NAIS customers. It will be for SA Water to work out the best way to fund that and, because it won't be a part of the regulated business, they will need to consider how they utilise their cash on hand and the normal business practices on that.

It may well be that I will need to give some direction to SA Water to make that happen, but we believe that this has such an important role for not only the growers up there, of course, but future jobs growth in the region that this is a great developmental project for the state and one that we would see SA Water's role in as being very beneficial, not just to growing a very significant part of our agricultural sector but in employing people in the north of Adelaide.

NORTHERN ECONOMIC PLAN

The Hon. J.M.A. LENSINK (14:29): I seek leave to make a brief explanation before asking the Minister for Employment a question about jobs in northern Adelaide.

Leave granted.

The Hon. J.M.A. LENSINK: There has been a lot of focus on the unemployment rate in Adelaide's north, which currently sits at 8.7 per cent, which is the highest in South Australia. Data from ABS labour force region SA4 has shown a significant decline in jobs in certain industries over the 12-month period from February 2016-17 in accommodation and food services, which declined from 15,900 jobs to 9,900, and in transport, postal and warehousing, which declined from 13,500 jobs to 10,700. These figures are amongst the biggest drops across Australia. My questions to the minister are:

1. Given these large decreases across several industries, which are meant to be growing, can the minister explain how he expects to fulfil the promise of 15,000 jobs announced as part of the Northern Economic Plan?

2. In which industries are those 15,000 jobs located?

3. How many jobs have been created in the northern area since the minister made that 15,000 job promise, and how many have been lost over the same period?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:30): I thank the honourable member for her question, which is very similar, I think, to a question the Hon. Jing Lee asked just

last week in relation to jobs in northern Adelaide. Certainly, there are some areas that are growing in northern Adelaide. An example that is often talked about is the growth in jobs in the food manufacturing area. For 17 years in a row, food manufacturing has been growing in northern Adelaide, year on year. There are other areas where jobs have been growing right across South Australia.

Whilst it is true that there are some areas that have seen job declines, there are areas that have seen job increases. We talked about it just last week, or the week before, the fact that except for one month over the last 18 months employment has grown every month, month on month, in South Australia. Every month, month on month, employment has grown in South Australia.

Members interjecting:

The Hon. K.J. MAHER: I know it is an inconvenient fact, and it is probably not one the member opposite has looked at or understands particularly well, but there is a point to be made when you contrast the plans for northern Adelaide between the Labor and Liberal parties. Last year, we put over $24 million into a northern Adelaide economic plan, the Northern Economic Plan. We have had one suggestion for policies from those opposite that would go to this: their 2036 plan. From their 2036 plan, do you know how many times it mentions northern Adelaide? Not once. Do you know how many times it mentions Holden workers or automotive? Not a single time.

An honourable member: Not once.

The Hon. K.J. MAHER: Not once. Do you know how many times it mentions submarines? Not a single time. Do you know how many costings or what sort of detail about policies there is? Not a single thing—not a single thing.

The Hon. J.M.A. Lensink: It's a broad document.

The Hon. K.J. MAHER: Do you know how much detail there is? Very, very little. It does mention things, because it is a broad document. It mentions the word 'believe' 159 times. Just because you want or believe something to be true or you believe something, it is not the case. You have to have details and you have to have policies. I am very proud of what this government has done in supporting workers and in supporting industries in northern Adelaide. It stands in stark contrast to what those on the other side have put forward.

NORTHERN ECONOMIC PLAN

The Hon. J.M.A. LENSINK (14:33): At the risk of being labelled—that I am quoting *Grease*—tell me more! Can you please tell me more about some of the industries that are doing well and others that aren't and where the jobs have come from and where they have gone from? Rather than this sort of deflecting tactic that you guys use all the time, can you just give us some details for once?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:33): I will be more than happy to give a very detailed response and bring back some very detailed areas where jobs are coming from. I have talked about this in the house before, and I am sure if the honourable member looks back in *Hansard* she will find some, but I am happy to come back with even greater detail.

NORTHERN ECONOMIC PLAN

The Hon. J.M.A. LENSINK (14:33): Further supplementary: is the minister saying that he doesn't actually have any details about which industries his 15,000 job promise was to come from? Does he not even have that information on him to provide to us?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:34): These jobs are going to come from a range of industries. I have mentioned one already: food manufacturing. Defence will be providing jobs in northern Adelaide. The NDIS, we have talked about, is providing almost

2,000 jobs in northern Adelaide. These are a few of the areas that we have concentrated on in the Northern Economic Plan, and rightly so because we know that is where jobs are going to be.

POPULATION GROWTH

The Hon. S.G. WADE (14:34): I seek leave to make an explanation before asking the Minister for Employment questions in relation to population growth.

Leave granted.

The Hon. S.G. WADE: Earlier this week, the planning minister released a revised 30-Year Plan for Greater Adelaide which projects significantly lower population growth than the original 30-year plan released in 2010. Last week, Deloitte released phase 1 of its Make it Big Adelaide report, which put forward strategies to strengthen the South Australian economy. One of the major recommendations of the Deloitte document is a call to double South Australia's population growth so as to reach a population in Adelaide of two million people by 2027. Deloitte sees a population of two million people in Adelaide being achievable more than a decade earlier than the government. My questions to the minister are:

1. Does the minister concede that a target population of $2 million for greater Adelaide by 2027—

Members interjecting:

The Hon. S.G. WADE: Two million people for greater Adelaide.

An honourable member interjecting:

The Hon. S.G. WADE: The minister might like to concentrate on the answer rather than the question. Does the minister concede that a target of two million people for greater Adelaide—

Members interjecting:

The PRESIDENT: Order! The honourable member has the floor and has the right to ask his question in silence.

The Hon. S.G. WADE: Does the minister concede that a target population of two million people for greater Adelaide by 2045 will be insufficient to undergird South Australia's economic growth and employment conditions, considering that stakeholders are advocating a doubling of population growth over the next 10 years?

2. Is the government, in setting such a low bar for population growth, in effect condemning South Australia to long-term weak employment conditions and the continued exodus of young workers from this state?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:36): I thank the honourable member for his question about $2 million people—I think was the question, Mr President. In relation to population growth, yes, certainly the 30-year plan is a living document that is revised based on latest figures and latest information.

Deloitte released a paper, and I have seen a number of papers over quite a lengthy period of time, with forecasts and with ideas and views about different rates of population growth. I don't think anyone would argue that sustainable population growth is a good thing to grow an economy. The 30-year plan talks about population rates based on current evidence but certainly, as is evidenced with the changes to the planning laws that we made in this place in the last year and the ambitions we have to grow population in South Australia, we are in favour of population growth.

POPULATION GROWTH

The Hon. M.C. PARNELL (14:37): Supplementary: the minister referred to sustainable population growth. Does the minister envisage that there would ever be an end to growth? Does sustainable population growth mean that the state population must always grow or is there an end

point to growth in population numbers for South Australia? What is the carrying capacity for South Australia and is there a limit to growth?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:38): I thank the honourable member for his very good, slightly esoteric question. I am happy to take that question away and see if there are long-term forecasts about what is the sustainability over the long term, given South Australia's resources.

POPULATION GROWTH

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:38): Can the minister explain why the city of Port Pirie in the electorate of Frome has had the largest reduction in population in the last five years?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:38): I thank the honourable member for his question. I have not been here as long as he has but I have learnt very quickly in this place not to take on face value the assertions he and his colleagues, particularly the Hon. Rob Lucas, make when they ask questions. I am prepared to take that on notice so that the veracity of the facts that he comes out with can be checked and if he is wrong I will certainly come back and let him know, and if he is right I will see if there is an answer that can be found.

ABORIGINAL AFFAIRS

The Hon. T.T. NGO (14:39): My question is to the Minister for Aboriginal Affairs and Reconciliation. Can the minister tell the chamber how the government is working with other jurisdictions to improve the lives of Aboriginal South Australians?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:39): I thank the honourable member for his question and his interest in the relationship South Australia has with other jurisdictions. The South Australian government has been working with our Central Australian counterparts for a number of years, particularly with Western Australia and the Northern Territory. In 2015 we signed a memorandum of understanding with the Northern Territory government with the aim of working closer together in areas of mutual interest, such as tourism, policing, roads and, importantly, agreeing to the development of a strategy to address family violence in Central Australia.

Last week, there was a joint South Australia-Northern Territory cabinet meeting held in Alice Springs, including most of the South Australian cabinet and all bar one of the Territorian ministers. It was at this meeting that the Premier and the Chief Minister of the Northern Territory, Michael Gunner, signed a new strategic framework to progress action on key agreed priorities.

Working more closely with the Northern Territory will see joint policy development, funding and service delivery in a range of important areas across Central Australia particularly. Combining resource and influence to achieve outcomes is of clear economic benefit to South Australia as well. But it doesn't make just good economic sense; it's common sense, particularly when it comes to the lives of Aboriginal people in Central Australia.

The SA-NT border is not marked with a big fence. It is just a line drawn on the map. The line doesn't mean much to many Aboriginal people of Central Australia, who for 50,000 years knew of no such line on a map. The NPY (Ngaanyatjarra Pitjantjatjara Yankunytjatjara) lands are over 350,000 square kilometres, spread over our state, the Northern Territory and Western Australia. Approximately 6,000 Anangu live in this region, who at times can be highly mobile between the 26 major remote communities and homelands in this tri-state area.

Family and cultural connections are strong across this region. Working with the NT government on areas such as combating family violence will support even stronger families. We

know that victims of family violence are predominantly women and children. Aboriginal women and children are more likely to experience family violence than their non-Aboriginal counterparts.

Just last year, we jointly funded the NPY Women's Council for a series of workshops and to establish a coalition of male leaders to promote healthy and respectful relationships. NPY Women's Council plays an integral role in this region and has built up extensive community support among families. The government recognises that addressing an epidemic like family violence is not going to happen overnight, but after consultation with the NPY Women's Council, they identified their greatest need as hiring new caseworkers on the ground.

I am proud to be able to say that the South Australian government is committed to funding three new caseworker positions for the NPY Women's Council. New funding of $1 million will allow the NPY Women's Council to deliver the domestic and family violence programs for two years and include funding for two primary prevention workers and one domestic and family violence caseworker.

This program is a community-led strategy, which increases its chances of success, as do all programs that are developed with Aboriginal people. I look forward to updating the chamber on this and other important initiatives as we go forward with our new strategic partnership with the Northern Territory.

DRUG-RELATED SENTENCING

The Hon. D.G.E. HOOD (14:43): I seek leave to make a brief explanation before asking the Minister for Police a question relating to a stabbing incident at Paradise Interchange.

Leave granted.

The Hon. D.G.E. HOOD: Last year, a man under the influence of drugs, it is claimed, stabbed another person, unprovoked, at the north-eastern bus interchange. The victim suffered a collapsed lung in addition to the stab wound and the cut inflicted by the perpetrator. The victim was not known to the perpetrator; he was simply sitting there, minding his own business. He was approached by this individual and stabbed without any conversation at all, as I understand it.

In sentencing, after applying a 30 per cent reduction, the court imposed a head sentence of just 2½ years and a non-parole period of 17 months. The perpetrator will actually take longer to heal than the offender will spend in gaol. My questions to the minister are:

1. Is the government satisfied with the outcome of the sentence handed down just last week?

2 Will the government appeal the imposed sentence on the ground that it is manifestly inadequate?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:44): I thank the honourable member for his important question. I think, firstly, it is probably worthwhile pointing out that issues around sentencing and the appeals processes around sentencing within the courts are principally matters for the Director of Public Prosecutions, which of course falls under the jurisdiction of the Attorney-General.

What I can say generally, though, is that of course this government is alarmed at any stabbing incident, or any violent incident for that matter, that results in serious injury, as clearly was the case in this particular instance. I know that SAPOL works incredibly hard to ensure that where such travesties and tragedies do occur, those responsible are quickly apprehended and held to account. Of course, I applaud the efforts of those men and women in uniform who have sought to hold to account and bring justice to the individual who committed this terrible crime.

I am more than happy to take on notice the component of the Hon. Mr Hood's question that speaks to the government's position regarding the appeal. What I can say, though, is that the decision around appealing manifestly inadequate sentences is a decision that principally resides with the DPP. I am sure that is something they will be considering in due course, but nevertheless I am more than happy to take that component of the question on notice for the Attorney-General in the other place.

MANUFACTURING WORKS

The Hon. R.I. LUCAS (14:45): I seek leave to make a brief explanation before directing a question to the Leader of the Government on the subject of Manufacturing Works.

Leave granted.

The Hon. R.I. LUCAS: Senior executives at the Department of State Development recently made clear two issues. One was that even though Manufacturing Works was a 10-year approved government strategy there is zero funding provided in the forward estimates from 2018-19 onwards, so for the remaining four or five years of the program.

Secondly, as was outlined, I think, in a question earlier in the week from my colleague the Hon. Mr McLachlan, they also confirmed that there was to be a second review of Manufacturing Works and its effectiveness or otherwise. The executives also confirmed that they expected to have the results of that assessment, that is, of the 17 separate component programs and the overall program itself, concluded by the end of June, just four weeks away. My two questions to the minister are:

1. If Manufacturing Works is a 10-year program, why was zero funding provided by the minister and the government from 2018-19 onwards?

2. Has the government now appointed a consultant to do the review? If so, what is the name of the consultant, and is the minister still committed, as his senior executives were, that the results of that review will be concluded by the end of June?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:47): I thank the honourable member for his questions about the South Australian government's manufacturing programs. I might answer the second one first. In relation to the review, there was, as is often talked about in this chamber, particularly by the Hon. Andrew McLachlan, an early review of some aspects of Manufacturing Works, the famous Frost and Sullivan report. The department is committed to another review of programs under Manufacturing Works. The review will assess the administrative performances and outcomes, review the data gathered for each program and, as the first one did, survey participants across various programs.

I am advised that EconSearch has been engaged for the review and is expected to deliver its findings and recommendations in the middle of this year, as I think the honourable member mentioned in his question. We talked before about the Frost and Sullivan review at the start of some of these programs. This review will review some of the programs towards the end of the programs, to ensure that they are still meeting their policy and strategic objectives.

In terms of funding for the out years from this budget cycle or beyond, they will be in part guided by the results of the review, but also we will look to see what is needed at the time. We are an economy in transition. That is exactly why, as I have talked about regularly in this chamber, we committed $80 million in the last budget to the new industries in a transitioning economy: the South Australian Early Commercialisation Fund, which the Hon. David Ridgway is very fond of, the South Australian Venture Capital Fund and other initiatives. We will use the review as one of the bases to look at funding and what happens to funding for programs under Manufacturing Works, but we know that we need funding in a whole range of areas and that is why we committed $80 million in the last budget.

MANUFACTURING WORKS

The Hon. R.I. LUCAS (14:49): Given that the results of the second review by EconSearch won't be available until after this budget is released, and the minister has indicated that future funding will be contingent on the results of this review, does this mean that there will be no funding provided to manufacturing works from 2018-19 onwards, which is the current case, or will there be interim funding provided to allow the continuation of some programs until an analysis of the EconSearch review has been concluded?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:50): I thank the honourable member for his question. As I think I said in the previous answer, certainly that review will be one of the ways that will in part inform the government about these programs. But I am not—as I am sure the honourable member when he was treasurer would not have wanted his ministers to speculate what may or may not be in this budget or budgets in the future.

MANUFACTURING WORKS

The Hon. R.I. LUCAS (14:50): I would certainly agree with that but given the government announced a 10-year Manufacturing Works program, and it stops funding just over halfway through, this is not actually some new program; this is an announced 10-year program which for some reason is defunded in 2018-19 onwards.

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:51): I am very happy to reveal to the shadow treasurer what programs are in this budget, and then in future budgets, but like everyone else, and like I am sure he would be very understanding of, he will just have to wait and see.

WORLD ENVIRONMENT DAY

The Hon. J.M. GAZZOLA (14:51): My question is to the Minister for Sustainability, Environment and Conservation. Will the minister update the chamber on how South Australians celebrate World Environment Day?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:51): I thank the honourable member for the most important question, and at the end someone might like to ask him how he will be celebrating World Environment Day. He can join me on Saturday if he likes. Since 1974, World Environment Day has become the United Nations' most important day to increase worldwide action and awareness of environmental issues. The day is an occasion where people can highlight the things they do to take care of the environment. This might be action taken locally or globally, or something done by an individual or by a community or an organisation. No action is too small because many people working together can have a big impact.

Each World Environment Day has a theme that focuses on a particular environmental issue or concern. The theme for 2017 is 'Connecting People to Nature'. Consistent with this theme, the inaugural World Environment Fair will be held on 3 to 4 June at Wayville Showground in the lead-up to World Environment Day on 5 June. This event will bring together the community, advocates, businesses and individuals who care about the environment and will provide a huge cross-section of information about how everyone can support sustainability. This is a great opportunity for people of all ages to engage with environmental and sustainability issues. There will be plenty of fun, hands-on activities for young people and important take-home messages about how families can look after the environment through their own actions.

I am advised that more than 50 organisations have committed to the event so far, with 22 interesting speakers engaged. Booth holders range from Mitsubishi and Tesla through to community organisations such as the Junior Field Naturalists and the Whale Centre. A number of tourism-orientated organisations are involved as well as farmers' markets and food and wine companies. There will also be a number of activities and presentations which aim to attract young families: a very large nature play area; a nylon zoo with a giant inflatable turtle with storytelling and dress-up activities; native animal displays and shows; a bugs and slugs invertebrates display; a reptile display including a mini noctarium; and two inflatable planetariums for journeys through the night sky. Some 60 hands-on science exhibits on loan from Questacon and a children's craft area managed by the Wilderness Society also cater for families with younger children.

In addition, there is an impressive line-up of speakers led by Professor Ross Garnaut AO and environmentalist, author and media identity Ms Tanya Ha. The Adelaide cycling community is

also involved in coordinating a bike hub supported by Bike SA, the Bicycle Institute and the Adelaide Community Bike Workshop. Bike tune-ups and bike education activities will feature in this space.

There is an entertainment stage, which will host a local reggae trio—can't wait to hear that—and a number of solo performers over the weekend. It will also feature musician and storyteller Mr Tony Genovese from Cool 4 Kids, who will present his 'Let's be sustainable' music show twice each day.

The Adelaide Showground will run regular tours of their rooftop solar panels throughout the weekend, and the Adelaide Sustainable Building Network has its own hub featuring sustainable building products and designs and regular presentations from leading practitioners in the space. The Department of Environment, Water and Natural Resources is providing attendees with information and activities focused on water and climate change, parks and places, urban sustainability and sustaining natural resources. It will take visitors on a journey through the environment from coast to bushland to backyard.

This is a government, of course, that is committed to the environment and sustainability in supporting projects like this. It would take all of question time today to run members through all of our achievements in this space, but let's quickly gallop through a couple.

We have realised an investment of, currently, $7.1 billion in renewable energy investment, with more than 40 per cent of that value remaining in regional South Australia. We have achieved a net reduction in carbon emissions of over 8 per cent since 1990, whilst seeing the economy grow by 60 per cent. We have released a new climate change strategy that sets a target of zero net emissions by 2050, and have launched Carbon Neutral Adelaide, the bold and ambitious target to make Adelaide the world's first carbon neutral city.

In June 2016, I launched Healthy Parks Healthy People SA, a nature-based approach to population health. It aims to ensure all South Australians are connected to nature and recognise it as an integral component of their health and wellbeing. We have committed $10.4 million to help get metropolitan Adelaide residents outside, which includes of course $1.5 million to establish the Mount Lofty Ranges as an international mountain bike destination for Adelaideans to enjoy our beautiful peri-urban parks.

You can see this government's longstanding commitment to the environment has been delivered in projects like these, and to educating South Australians about the need to live sustainably and conserve our environmental resources for the future. I encourage all honourable members to attend South Australia's inaugural World Environment Fair, about which more information can be found at the worldenvironmentfair.org.au website.

ULURU STATEMENT

The Hon. T.A. FRANKS (14:56): I ask the Minister for Aboriginal Affairs and Reconciliation: what is his response to the Uluru statement broadly? Specifically, will he consult and consider First Nations' representation to be dedicated for this parliament?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:57): I thank the honourable member for her question. The statement that came out of the discussions at Uluru, with almost 300 Aboriginal delegates from right around Australia I think, was quite a remarkable process that led to that. There were 12 dialogues right around Australia involving Aboriginal people, culminating in the meeting at Uluru over a few days at the end of last week.

One of the things that struck me is that all too often recommendations are made about or for Aboriginal people and not by Aboriginal people, and this was one of those occasions where both the process and the outcome was driven by Aboriginal people. The one-page statement that outlined the consensus view of those delegates who met in Uluru will now be considered by the Referendum Council, and I think it is either the end of June or July that the Referendum Council, incorporating what came out of Uluru, will provide a report to both the Prime Minister and the Leader of the Opposition.

I am not going to come out and say that I completely support everything that was said, or dismiss everything that was in that statement, but, as I say, I think it was a remarkable process and a well thought out statement that was arrived at. Certainly in some areas, like talking about a process for treaty, it is my view that this is unfinished business for us as a nation. We are one of the very few countries of those we compare ourselves with, like Canada, the US or New Zealand, that didn't have such a process at the time of colonisation. It is my personal view that this is something that is going to have to be addressed—the national issue of treaty—which was one of the two main elements that came out of the statement at Uluru.

In terms of Aboriginal representation, or the issue of reserved seats, that was not something that was contemplated in the statement that came out of Uluru. The discussion about treaty was one component; the other major component was a discussion about a body to give advice on legislation for the federal parliament. Certainly, reserved seats or guaranteed representation is not something we are contemplating in South Australia at this moment.

The other thing I want to mention in relation to the statement that came out of Uluru is the diversity of representation across Aboriginal Australia—representatives from right around this nation. For anyone who saw *Q&A* on Monday night out of Parliament House in Canberra, the statement out of Uluru was the topic of discussion. At the end of *Q&A*, the statement was read out in its entirety by Sally Scales, who is the recently elected APY female from the Pipalyatjara/Kalka area and the new deputy chair. I think that was an extremely proud moment for Sally and her family and, I think, for APY in South Australia.

ICE TASKFORCE

The Hon. J.S. LEE (15:00): I seek leave to make a brief explanation before asking a question of the Minister for Police in his role as the chair of the Ice Taskforce.

Leave granted.

The Hon. J.S. LEE: Reported by ABC News, an analysis of the city's sewage has shown that methamphetamine use in Adelaide rose 25 per cent in the past year and tripled over five years. Data analysed by the University of South Australia shows that across metropolitan Adelaide there were more than 450 doses of ice each week per 1,000 people in December 2016, up from a little over 150 doses a week in 2012. South Australian Network of Drug and Alcohol Services executive officer Michael White said more support and a broader range of rehab services were desperately needed. It was further reported that SA is the only state to not establish a dedicated 24/7 drug and alcohol support hotline.

Unfortunately, as we know, drug use and its destructive social impacts do not confine themselves to the hours of 8.30am to 10pm, which are the current contact hours of the Drug and Alcohol Services South Australia hotline. The final report of the National Ice Taskforce identified the importance of having 24-hour access to drug and alcohol services responsive to individual needs, particularly where ice use is concerned, and stated that telephone counselling was a vital engagement mechanism. My questions for the minister are:

1. As recommended in the final report of the National Ice Taskforce, when will the minister establish a dedicated 24/7 hotline for drug and alcohol-related issues? With methamphetamine use in Adelaide rising by 25 per cent in the past year, how does the minister, as the chair of the Ice Taskforce, aim to reduce the number of users?

2. What other measures has the government put in place to provide timely support and medical advice to ice users and their families?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:03): I thank the honourable member for her important question. As I foreshadowed yesterday, the state government has undertaken a very significant piece of community consultation in the lead-up to developing our response to the Ice Taskforce. This has been an exhaustive process, but indeed a very necessary one. Certainly, that came through by virtue of the strength of feeling and the strong attendance that we received at each and every one of the community forums that we went to around the state regionally but also a number of forums within metropolitan Adelaide.

The Hon. Ms Lee is right to point out that there has been a substantial increase shown through the wastewater testing that has occurred in South Australia regarding crystal methamphetamine. It is probably important to note that this isn't a problem that is exclusive to South Australia: indeed, it is a problem that is experienced throughout the country, including the issue of the disproportionate representation of regional users of ice in comparison to some metropolitan locations.

It is a national problem, but it is a national problem that South Australia is very much feeling the full force of, hence the Ice Taskforce development. It is important to note—which I did not go into yesterday in my earlier response—that there is already an extraordinary amount of work going on within the community, at a federal government and a state government level and also within the non-government sector, in trying to tackle the issue of drug use generally, including the use of ice. This task force has never put itself out to be somehow the finder of all solutions or silver bullets regarding this substantial problem.

Instead, the task force has been charged with a very specific responsibility, and that is to see what things the state government, in its capacity, can contribute to reducing the amount of harm going on within our community. There are some levers available to federal governments and there are some levers available to the non-government sector, but equally there are some levers that are exclusively available to the state government. It has been our task to establish what things the state government can do to help mitigate the impact of ice. We are not going to fix this problem. This problem is going to be here for some time yet, but I think it is right to put our minds to what we can do to help minimise the impact.

In due course, I expect within coming weeks, the state government will announce its response arising out of the task force's effort. That will contain within it a number of measures that seek to address the issue. Of course, those responses need to be contemplated in the context of cost and in terms of the state budget. Inevitably, when one wants to undertake various reforms, there is a cost attached to that, including the idea of having a 24-hour call centre. What we have to do is weigh up how the South Australian community, particularly those people suffering from this insidious drug, are going to get the best bang out of their taxpayer dollar to actually have an impact on the ground.

I can confirm that we have heard the feedback the Hon. Ms Lee refers to during the course of the task force's effort. Many ideas were thrown up during the task force. Our challenge as a government is to do what all good governments are required to do, and that is to try to balance up all those best ideas and make sure that we come up with the right policy mix, which we have to develop in the context of an environment with finite resources. We will announce our response in due course. Like I said, we do not expect to fix the problem, but we do very much hope to have a positive impact in the right direction.

METROPOLITAN FIRE SERVICE

The Hon. G.E. GAGO (15:07): My question is to the Minister for Emergency Services. Can the minister update the council on the latest recruit graduation for the Metropolitan Fire Service?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:07): I thank the honourable member for her question because I was very privileged, immediately before question time, to attend the Metropolitan Fire Service graduation and address 18 graduating new fire officers. This is the second opportunity I have had to attend the MFS recruit graduation, and I have to say that they are profound events. There is a great sense of joy in the room. Many proud loved ones and parents of MFS graduates are there to see those people who have gone through an exhaustive process before becoming firefighters.

These graduates have faced an incredibly competitive field of over 2,200 applicants—18 people out of 2,200 applicants—to join the MFS. It is a job within the community that is well and truly sought after. These graduates made it through a gruelling 15-week training program involving over 700 hours of exhausting and emotionally demanding physical training. They studied their way through in excess of 100 lectures on subject matter critical to their new roles.

These graduates come from a diverse range of backgrounds, including a former member of the Finnish navy, a Sri Lankan-born musician, former Australian Light Horse and Artillery soldiers, an Army helicopter pilot, former personal trainers and others who have worked in real estate, business development, carpentry, sports coaching, mining and education—a wide variety of backgrounds. This follows the MFS launching its inaugural diversity in recruitment campaign last September, which saw culturally and linguistically diverse applicants jump from 1 per cent to 10 per cent, while applications from females tripled.

The MFS is encouraged by the upward trend and is determined to continue building on the result to ensure its workforce increasingly reflects the diversity of the community it serves. It is anticipated that today's recruits will be the first of three courses of 18 recruits who will join the MFS as part of their latest recruitment intake. As our firefighting recruits commence their careers and go on shift for the first time, they will be in the business of protecting everyday South Australian lives and rescuing families from the brink of tragedy.

Protecting the roofs over our heads, protecting businesses, industry, infrastructure and our economy alike, they will respond to road crashes, house fires, gas leaks, chemical spills and rescues, and they will be there to help our community when people are at their most vulnerable and distressed. Through service above self, they will play a critical role in strengthening and maintaining the emotional, social and economic bonds that hold our great state together as one. Our recruits are becoming a part of something larger than themselves, a part of a fire service that has a rich and proud history. Counting over 150 years' service to the community, the MFS is one of the oldest known legislated professional fire services in the world.

Each recruit firefighter will have the opportunity to expand their skills from operational firefighting and specialise during their careers into areas such as community education, fire cause investigation, 000 communications, urban search and rescue, and management. Of course, this Labor government is committed to ensuring that we do all we can to support our fire services, both now and into the future. Over the last 15 years, the government has invested more than $36 million in delivering eight new replacement MFS fire stations across metropolitan Adelaide and major regional centres to ensure that we continue to meet the community's expectations, which are rightly massive.

We have helped the MFS deliver six brand-new combination aerial pumping appliances or fire trucks over the last three years at a massive cost of $1.3 million per truck. As part of the $7.8 million combination aerial pumping appliance project, the six appliances have been strategically located throughout metropolitan and regional areas to enhance the operational response and community safety. These investments are all about providing the best possible resources to enable our first responders to serve the community with confidence and protection.

I take this opportunity to again congratulate the 18 newest members of our MFS and wish them all the very best in a long and fulfilling career. We are lucky to have a fire service that is so committed to the safety of our state. There is a great culture within the MFS. No doubt there is an extraordinary degree of camaraderie between all of the people who work at the MFS and we wish these new graduates all the very best in what will, hopefully, be a safe and fulfilling career.

METROPOLITAN FIRE SERVICE

The Hon. R.L. BROKENSHIRE (15:12): I have a supplementary question arising out of the massively long answer: of the 18 graduating fire officers, how many were women?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:13): I was very privileged to be able to meet one of the female officers today. There is no doubt that the MFS still has work to do when it comes to improving the gender diversity within the fire service, but I am pleased to be able to report that the MFS Chief Officer, Mr Greg Crossman, is committed to putting policies in place to increase the number of female applicants to the MFS, which will in turn result in more successful female applicants coming into the fire service.

I think the Chief Officer, Mr Greg Crossman, is sincere in his desire to see a diverse fire service. We have seen the police force come on in leaps and bounds in this state to ensure that the community they serve is reflected within the actual police service itself. The MFS is now itself

undertaking such a task and I think that our Chief Officer, Mr Greg Crossman, is sincere in wanting to achieve that objective and we, as a government, will be providing him every support.

METROPOLITAN FIRE SERVICE

The Hon. R.L. BROKENSHIRE (15:14): I have a further supplementary based on the minister's answer and based on the fact that both the police commissioner and the chief fire officer, with the endorsement of the minister, have gone for a fifty-fifty policy on gender in both SAPOL and SAMFS recruitment. Does the minister believe that SAMFS is on track with its fifty-fifty commitment to men and women being recruited into the fire service?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:14): I have to say that SAPOL's commitment to a fifty-fifty recruitment target is well noted and well known, and the state government wholeheartedly supports the police commissioner in that endeavour. I am pleased to report that it is coming along in leaps and bounds. I made an offer to the Hon. Mr Brokenshire yesterday, which is a sincere one, but if he wants to—

The Hon. R.L. Brokenshire interjecting:

The PRESIDENT: Order! Will the Hon. Mr Brokenshire allow the minister to finish his answer. Minister.

The Hon. R.L. Brokenshire: Sorry, sir; I like talking to the minister.

The Hon. P. MALINAUSKAS: I appreciate the honourable member's passion toward emergency services and policing, being portfolios that he held a massively long time ago. But my offer to the Hon. Mr Brokenshire is sincere and if he wants to come down to the academy he will see firsthand that there is a very large number of women coming through as police. As I said in my previous answer to the earlier supplementary question, the MFS is committed, to the best of my knowledge and from what I can ascertain—and I have been asking questions about this—to having an increased female presence within the fire service. It is something that we will be monitoring and hope to see reflected in the number of female graduates in due course.

METROPOLITAN FIRE SERVICE

The Hon. J.S.L. DAWKINS (15:16): I have a supplementary question to which the minister may have to come back, but would the minister provide information as to whether the management of MFS actually looks at recruiting some of the very good young women who are CFS volunteers and who have shown themselves to be very good firefighters, albeit in different scenarios? Will the minister bring back some information in that regard?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:16): One of the things I love to see when I talk to people, both in the CFS and in the MFS, is the cross-pollination that exists between the two organisations in terms of personnel. There is a colloquial term that is used within organisations about people who wear both uniforms, but often when I am visiting CFS brigades I come across those people who are also employed within the MFS. That is a great thing to see and naturally there are a number of people who come into the MFS or, indeed, into organisations like SAPOL, who have had experience in the volunteer side of emergency services, whether it be in the SES or the CFS. Indeed, it is not uncommon at all.

In regard to the honourable member's question, I am not aware but I am happy to ask a question about whether or not the MFS has a specific policy of trying to recruit or target female volunteers. I know there are a large number of volunteers within the CFS of the fairer sex who do an outstanding job serving our state, and that number continues to grow. More and more women are coming into volunteer organisations, which is a really good and healthy thing to see.

I am more than happy to find out whether or not there is a specific program. I am not aware if there is one and I would have thought that is something I would have been aware of but I certainly know that there is a general effort to look favourably upon those people applying for roles within the MFS who have other experiences in serving the community, particularly in emergency services.

EYRE WESTERN CRIME STATISTICS

The Hon. K.L. VINCENT (15:18): I seek leave to make a brief explanation before asking questions of the Minister for Police about the April 2017 Eyre and Western LSA crime statistics.

Leave granted.

The Hon. K.L. VINCENT: The most recent Eyre and Western LSA crime statistics from April this year have been brought to my attention. Members of this chamber might be aware that this covers the Ceduna region where the cashless welfare card has been introduced compulsorily for many welfare recipients, including people receiving a Disability Support Pension.

The federal Coalition government has cited reduced crime statistics as a justification for maintaining the cashless welfare card in Ceduna and for expanding it to other regions in South Australia; yet the 2017 Eyre and Western statistics seem to contradict this belief that the cashless welfare card is reducing the crime rate, at least in and of itself.

While I acknowledge that there are some areas of improvement to overall categories or subcategories, I note the following offence statistics: serious assault not causing injury, a 7 per cent increase; assault of police, a 33 per cent increase; non-aggravated sexual assault, a 50 per cent increase; aggravated robbery, a 13 per cent increase; non-aggravated robbery, a 150 per cent increase; serious criminal trespass, residential, an 8 per cent increase; receive or handle proceeds of crime, a 21 per cent increase; obtain benefit by deception, a 49 per cent increase; and other fraud, deception and related offences, a 150 per cent increase.

Should the minister like to view the statistics, I have a copy of them here on my desk for him, or I can provide him with the web link, since what I have is in very small font. My questions to the minister are:

1. Has the minister read the Eyre and Western LSA crime stats, April 2017?

2. If he has read the statistics, how does he interpret them, particularly the increase in the nine areas I have just listed above?

3. Has the minister written to the Hon. Alan Tudge MP, Minister for Human Services, to express his concerns about the introduction and further rollout of the cashless welfare card and the resulting potential increase in crime in the Eyre and Western region?

4. If he has not written to the Minister for Human Services to express his concerns about the introduction and further rollout of the cashless welfare card, will he undertake to do so and, if so, when?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:20): Let me start with the last part of the honourable member's questions. No, I have not written to the federal minister, the Hon. Mr Tudge, regarding this, and no, I do not have an intention to. But I do have an intention to continue to follow this closely. Without having them at hand I cannot comment specifically on the statistics that the Hon. Ms Vincent has, but what I can inform the chamber and the Hon. Ms Vincent is that this is something that I have been paying close attention to, because I think it is an interesting area of public policy.

I think all of us in this chamber would be committed to observing policy reforms that may have a positive impact on regional communities, particularly potential reforms that might have a positive impact on Indigenous communities. But we want to see that bear out in evidence, and I think the evidence will be where the proof of the pudding is—in the eating.

I have been asking SAPOL to provide me with regular updates in terms of what are the crime statistics that exist around the area. In regards to the Hon. Ms Vincent's statistics there, I am not too sure whether or not they pertain exclusively to Ceduna or to the whole LSA—

The Hon. K.L. Vincent: The region.

The Hon. P. MALINAUSKAS: The whole LSA, yes. So, of course the western Eyre LSA is a very large LSA geographically, probably one of the largest in the nation, and it also has a number of large population centres within it and a number of populations within it that go beyond the area

where the cashless card applies. So, I think it is important, when determining what is the effect that the cashless card has in terms of crime, to be looking at the statistics that speak specifically to the area where the cashless card is in effect, which is principally of course in and around Ceduna.

In the reports that I have been receiving that do look specifically to that cohort of crime, there have been a variety of numbers that have come through, some pointing to positive change, some going in the other direction. I think what is going to be necessary here is to analyse those statistics over a sustained period in that specific geographical area to see if there has been a positive impact.

What I can say, having visited there last year and having spoken to the LSA commander regarding the cashless card in terms of how it is playing out, is that the anecdotal evidence, backed up by some statistical evidence, suggests that it is working well. But I think there is a lot of work that needs to occur to actually substantiate that. I think we need to test those numbers in a way that is robust and free of any particular prejudice, one way or another. But I have to say I think the cashless card exercise is worthwhile pursuing. I think we have to commit ourselves to being bold and innovative. I think the cashless card concept, albeit controversial, combined with substantial wraparound services and programs, which has been the case and has occurred in that area, and working with the Indigenous community locally in the area, which I understand occurred in this particular trial, put together are worthwhile of analysis, free of prejudice one way or another.

I will be continuing to make sure that we look at those statistics into the future to ensure that when we get numbers back from SAPOL they can be passed on to the relevant federal authorities to actually make sure that what we do in this important policy area is underpinned by evidence and also numerical facts that our police collect.

EYRE WESTERN CRIME STATISTICS

The Hon. K.L. VINCENT (15:25): Supplementary: can the minister outline the wraparound—

The Hon. I.K. HUNTER: Point of order. The time expired for taking questions whilst the minister was still on his feet. If the honourable member has further questions, she can ask them in next question time.

The PRESIDENT: Well, that's your opinion. Would someone like to move an extension of time to allow Ms Vincent to ask her question?

The Hon. M.C. PARNELL: I move:

That question time be extended to enable the Hon. Kelly Vincent to ask her supplementary question and for the minister to answer.

Motion carried.

The PRESIDENT: The Hon. Ms Vincent.

The Hon. K.L. VINCENT: Thank you, sir. If that is your ruling, I am happy to follow it. I wonder if the minister could outline the wraparound services he described in his answer, particularly given that the administrative cost for the rollout of the cashless welfare card is estimated to be $10,000 per recipient of that card? How does the cost or the funding allowed for wraparound services compare to that cost?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:26): The Hon. Ms Vincent is asking a range of questions that don't pertain to my specific portfolio area, but I am more than happy to see if we can acquire that information. I have to say that if the $10,000 spent is delivering an outcome, then I think that might be a worthwhile investment, but rather than comment off the cuff, I am more than happy to see if the responsible minister who is handling these particular areas in the other place can take that question on notice.

Bills

ELECTORAL (MISCELLANEOUS) AMENDMENT BILL

Committee Stage

In committee (resumed on motion).

New clause 28B.

The Hon. A.L. McLACHLAN: The Hon. Mr Lucas will be speaking to the amendment and moving it with my consent.

The Hon. R.I. LUCAS: I move:

Amendment No 1 [McLachlan–2]—

Page 11, after line 6—Insert:

28B—Amendment of section 117—Candidates not to take part in elections

Section 117(2)—delete subsection (2)

This amendment, as I understand it, is going to be supported, so therefore I will not speak at any length. Put simply, the situation is that, under the federal electoral provisions, candidates for the federal election are allowed to participate in canvassing for votes on polling day. So, they can stand outside a polling booth and hand out how-to-vote cards without anyone challenging them.

We have this provision in the state arena where candidates are not allowed to do those sorts of things. However, it does not stop candidates and sitting members spending the whole day running around with cups of tea or drinks and food and whatever it might happen to be and providing it to their polling booth workers. If they happen to see voters at each of the polling booths, they say g'day and have a chat anyway, but technically they are not allowed to canvass for votes.

All this provision is seeking to do is, in essence, allow candidates for elected office to do the same as candidates for a federal elected office can do on polling day; that is, they can canvass for votes. They are in the same position in terms of not being able to do anything within six metres of the door to a polling booth, etc., so all the other restrictions apply to them, but it just removes the current restriction. Given, as I understand it, it is going to be supported, I will not speak at any greater length.

The Hon. K.J. MAHER: I rise to indicate the government's support for this amendment. It is an inconsistency with the federal provisions in relation to a candidate, in effect, being involved in the electoral process on election day and handing out how-to-vote cards. I had the very strange sensation at the last state election of, for the first time in my life, not being able to hand out how-to-vote cards as a candidate for an election. I know, from my time as a party official and as state secretary, there is nothing worse than having to keep a state candidate calm all day while they are not able to be on a polling booth, so I fully support a measure that gives candidates something to do for the whole day.

The Hon. M.C. PARNELL: The Greens will also be supporting the measure. I note by way of observation that it is probably one of those provisions that has been breached at every election, because the words are, 'A candidate must not personally solicit the vote of any elector on polling day.' I would have thought every TV or radio interview that any candidate did on polling day as the polls open, saying, 'We are running and I hope people vote for me and my party,' was probably already in breach of the rule, but I accept what the minister is saying. I think it makes no sense for candidates not to be able to stand at a polling booth and hand out how-to-vote cards. We wholeheartedly support this amendment.

New clause inserted.

Clause 29.

The Hon. M.C. PARNELL: I move:

Amendment No 4 [Parnell–2]—

Page 11, lines 7 to 22—Delete the clause

This is a simple amendment that relates to the pre-poll voting places, which the committee has agreed will be open for probably nine or 10 working days; 12 days in total. The government's bill proposed to prohibit advertising, for want of a better word, within 100 metres of those places. That would include corflutes on stobie poles or signs on fences. The Greens do not believe that those restrictions make any sense.

I understand the government's intention was that they did not want people opportunistically to come across these signs, realise there is a pre-poll place nearby and take the opportunity to duck in to vote. The government's policy seems to be that these places should stay fairly anonymous and only those with a detailed understanding of the address should get there, but I think it makes no sense. People should be able to have signage up and to hand out how-to-vote cards outside, just as they do on regular polling day. Hence my amendment, which is to delete the clause.

The Hon. R.I. LUCAS: The Hon. Mr Parnell, in our view, makes a good degree of sense in relation to both his amendment and the reasons for it. For those reasons, we support it. It would leave it in a completely inconsistent position where the location of a polling booth on the day would allow certain canvassing within 100 metres, but for the nine days prior it would be banned or barred. So, for those reasons we support the amendment.

The Hon. K.J. MAHER: I indicate that the government opposes the amendment and on this occasion the Hon. Mark Parnell has correctly stated our position and the policy decision behind this. The aim of the section in the bill that this seeks to remove is to try to avoid attention being drawn to a pre-poll centre. I think the Hon. Mark Parnell is right, that people, effectively opportunistically, will see the advertising and cast a pre-poll vote. Of course, there are eligibility criteria for people who cast a pre-poll vote and there is a good chance that those who, in the Hon. Mark Parnell's words, 'opportunistically' cast a pre-poll vote may not meet those criteria.

The Hon. D.G.E. HOOD: The Australian Conservatives support the amendment.

The Hon. J.A. DARLEY: I will be supporting the amendment.

Clause negatived.

Clause 30 passed.

New clause 31.

The Hon. K.J. MAHER: I move:

Amendment No 7 [Employment–1]—

Page 11, after line 36—Insert:

31—Amendment of section 130A—Interpretation

(1) Section 130A(1), definition of *capped expenditure period*—delete '(subject to subsection (9))'

(2) Section 130A(1), definition of *designated period*—delete '(subject to subsection (10))'

There are a suite of amendments and I will not go into great detail here. I went into some detail during my second reading reply speech about the six different categories of amendments that we are dealing with here. The Hon. Rob Lucas also talked about the amendments and the practical effect these have for those who have to administer these changes.

Amendment carried.

The Hon. K.J. MAHER: I move the next part of amendment No. 7:

(3) Section 130A(1), definition of *political expenditure*—delete the definition and substitute:

political expenditure means expenditure incurred—

(a) for the purposes of the public expression of views on a political party, a candidate in an election or a member of the House of Assembly or the Legislative Council by any means; or

(b) for the purposes of the public expression of views on an issue in an election by any means; or

(c) for the purposes of the production of any political material (not being material referred to in paragraph (a) or (b)) that is required under section 112, 115A or 116 to include the name and address of the author of the material or of the person who takes responsibility for the publication or authorisation of the material (as the case requires); or

(d) for the purposes of the carrying out of an opinion poll, or other research, relating to an election or the voting intentions of electors; or

(e) for any other prescribed purpose,

and includes expenditure of a prescribed kind, but does not include—

(f) expenditure that is a GST payment; or

(g) expenditure of an electorate allowance or another allowance, expense or benefit (as determined by the Remuneration Tribunal) under section 4(1)(c) of the *Parliamentary Remuneration Act 1990*; or

(h) administrative expenditure; or

(i) expenditure of an allowance or benefit of a kind contemplated under section 6A(1) of the *Parliamentary Remuneration Act 1990*; or

(j) expenditure of a prescribed kind;

The CHAIR: I will ask Mr Darley to move his amendment to new clause 31(1), (2) and (3).

The Hon. J.A. DARLEY: Mr Chairman I will be withdrawing my amendments and supporting the government amendments.

The Hon. R.I. LUCAS: I thank the Hon. Mr Darley because that will expedite matters. To restate the position of the Liberal Party, essentially the Hon. Mr Darley and the government were heading in the same broad direction; that is, to try to clarify what is and what is not political expenditure. This is one of the very difficult, complex issues which, after the election, will have to be reconsidered in light of the practicality of the legislation and the experiences over the next nine months.

The Liberal Party's position was to support the government's position, as we have been having some detailed discussions in relation to this. This political expenditure provision, now, is modelled a little bit on the New South Wales legislation, which is much more explicit and detailed than our original attempts. New South Wales endeavoured to give a considerable list of things that would be included in political expenditure and a list of things that were not included in political expenditure. The same structure and modelling is being done here, except there will be legislative changes and then, subsequently, some regulations, which will be tabled in the house and obviously will be capable of being disallowed, but work is still being done in relation to that.

This sets up the framework in terms of the legislative background for what will and will not be political expenditure—a bit more detail, a bit more clarity—and then there will be even more detail and even more clarity when, finally, an agreed set of regulations are proclaimed. Ultimately, members of this chamber will have the capacity, if they wish, to seek to disallow them, but they will be the best endeavours from the government. We have certainly had some input in terms of trying to make sense of what should and should not be clarified as political expenditure. With that background, we indicate our support for the government's amendment.

Amendment carried.

The Hon. K.J. MAHER: I move the next part of amendment No. 7:

(4) Section 130A—after subsection (1) insert:

(1a) For the purposes of this Part, if the disclosure period for a return required to be furnished under this Part by a candidate or group has not commenced, a requirement in this Part that a return be furnished at a prescribed time during a designated period is not to be taken to require the furnishing of a return by the candidate or group at that prescribed time.

(5) Section 130A(5)—delete '(other than Division 3)'

(6) Section 130A(6)—delete 'For' and substitute 'Subject to subsection (6a), for'

(7) Section 130A—after subsection (6) insert:

(6a) Political expenditure on electoral matter in relation to a candidate or group for election that is incurred—

(a) after polling day for the last preceding general election and before the commencement of the capped expenditure period for the election; and

(b) for the primary purpose of publication, use or display of that electoral matter during the capped expenditure period,

will be taken to have been incurred during the capped expenditure period.

(8) Section 130A(9) and (10)—delete subsections (9) and (10)

Amendment carried; new clause inserted.

New clauses 32 to 37.

The Hon. K.J. MAHER: I move:

32—Substitution of section 130C

Section 130C—delete the section and substitute:

130C—Application of Part

A registered political party is only required under this Part to disclose donations and amounts received or applied for State electoral purposes.

33—Amendment of section 130L—Gifts to be paid into State campaign account

Section 130L—delete 'the gift is made or received in contravention of this Part or is otherwise a gift that must not be paid into such an account in accordance with this Division' and substitute:

—

(a) the gift is made or received in contravention of this Part; or

(b) in relation to a gift received by or on behalf of a registered political party—the gift is not intended by the registered political party to be used for State electoral purposes; or

(c) the gift is otherwise a gift that must not be paid into such an account in accordance with this Division.

34—Amendment of section 130M—Payments into State campaign account

Section 130M—after subsection (1) insert:

(1a) If a registered political party keeps an account with an ADI for federal electoral purposes, the agent of the registered political party must ensure that no amount is paid or transferred from that account into the State campaign account.

35—Amendment of section 130Y—Application of Division

Section 130Y(2)(b)—delete 'the capped expenditure period commences in relation to the candidate or group for the election' and substitute:

—

(i) the capped expenditure period commences in relation to the candidate or group for the election; or

(ii) the disclosure period for a return required to be furnished under this Part by the candidate or group in relation to the election commences,

whichever period commences later

36—Amendment of section 130Z—Expenditure caps

(1) Section 130Z(1)(c)—delete '(or, if different amounts are so allocated to the candidate at different times, the amount so allocated at the end of the capped expenditure period)'

(2) Section 130Z—after subsection (2) insert:

(2a) For the purpose of subsection (2)(a), the amount agreed between the candidate and the agent of the party may vary at different times, provided that the

candidate and agent may not vary the amount agreed after notice of the agreement has been given to the Electoral Commissioner under subsection (3).

(3) Section 130Z(3)—delete 'within 3 days of the agreement' and substitute:

at least 8 days before polling day for the election

(4) Section 130Z—after subsection (3) insert:

(3a) The Electoral Commissioner must not publish an agreement given to the Electoral Commissioner under subsection (3) until after the end of the capped expenditure period for the election to which the agreement relates.

37—Amendment of section 130ZF—Returns by certain candidates and groups

Section 130ZF—after subsection (5) insert:

(5a) Despite section 130ZZ, if no details are required to be included in a return required to be furnished under this section by the agent of a candidate or group of candidates endorsed by a registered political party, the return need not be furnished to the Electoral Commissioner as required by this section.

The Hon. M.C. PARNELL: Just to clarify, is the minister moving new clause 34? I did not think you were moving new clause 34.

The Hon. K.J. MAHER: We are moving new clause 34. That is the one that deals with the state campaign account and relates to the federal one?

The Hon. M.C. PARNELL: Yes; it is just that in the briefing I had with the minister's staff I have a big red line drawn through 34 and a note that it would not be moved.

The Hon. K.J. MAHER: For the sake of clarity, and this might help, we will be moving new clause 34. It has been revised, I am advised, from when the honourable member was briefed. So, what appears in 34 now has been updated and changed since that briefing—I presume to reflect things discussed in that briefing. What is being moved here is not the same 34 that the Hon. Mark Parnell would have been briefed on but has since been updated.

The Hon. R.I. LUCAS: Perhaps if I can assist to try to throw some light on it: that is indeed correct. Not that I was involved in the briefing, but there was certainly an earlier version of 130M, which was withdrawn as there were considerable problems in terms of opening up potential loopholes that the Attorney-General and advisers identified.

Essentially this is saying, as the minister outlined in his answer at the second reading, that political parties may well have state campaign accounts, federal campaign accounts and an administrative account to run their operation. As I said in my second reading speech, there may well be people who say, 'Look, I'm not prepared to put money into Jay Weatherill's campaign, but I am prepared to put money into Bill Shorten's campaign. I want my money to be supporting Bill Shorten', or vice versa in terms of the Liberal Party. There are different disclosure arrangements and different disclosure limits. We disclose everything above $5,000 under our new regime. Under the federal regime, the disclosures are a bit over $13,000 or whatever it is. That figure is indexed all the time.

You cannot transfer the money out of your federal campaign account into your state campaign account. If you did allow that, you would clearly have the capacity for people to make donations of $10,000 into the federal campaign account and then have the party organisations transfer those $10,000 donations to the state campaign account to be used on a state campaign and not be disclosable. The intention of the latest draft of section130M which we have before us, in our view, makes a lot of sense. It was there to try to prevent rorting of the system and getting around disclosure arrangements in that particular way.

The Hon. M.C. PARNELL: I thank the committee for its indulgence. I just want to make sure of my reading of this. Suppose a party does not keep separate federal election campaign accounts and state election campaign accounts. Someone donates to a party and says, 'I don't care how you spend it; just spend it wisely.' The donation has not gone into a specific account earmarked for either a state or a federal election. It says that the precondition is that a registered political party has to keep an account with an ADI—a bank—for federal electoral purposes.

A lot of our accounts are for all the purposes for which we conduct our business; you would have bank accounts that are combined, state and federal. I want to make sure that we are not going to be prevented from moving money around from one bank account to another because often we might not decide until late in the piece what proportion of our total resources to spend on a federal or state election campaign. I want to make sure that we are not going to get into trouble for moving money from a general bank account into a campaign-specific account.

The Hon. K.J. MAHER: I think I can provide some advice on this question. If I understand the question correctly, a small party is given a donation by a person who says, 'I like party X and I want party X to do well. Here's $30,000 for party X,' and the person giving the donation did not say, 'And I want it to be spent on the next state election,' or the next federal election or to help with the administration of that party. I am advised that it would be up to the party to decide how to use those funds.

If the party chose to put those funds towards their expenditure on a federal election, whether or not it is in a bank account called 'Federal campaign funds', they could not then transfer that money to a state election and have the benefit, as the Hon. Rob Lucas outlined before, of bringing money in through a more permissive federal donation regime and then applying it to a state one. My advice is that it would be up to the party that receives it to decide how they will treat it. If they are treating it as a donation to go towards a federal campaign, they cannot move that into a state one and get the benefit of the higher disclosure limits and other things under the federal regime.

The Hon. M.C. PARNELL: I certainly now fully understand the evil to be overcome, but it seems that the evil to be overcome is a lack of declaration of donations. The method that is used is preventing people moving money around internally between bank accounts. I can possibly see a problem there. To answer my own question, my guess would be that, if all the donations had been properly recorded at the highest standard of disclosure, which is the state level, I imagine it would be unlikely for someone to be prosecuted because they had simply moved it from one to the other. That would be my guess, but it does give me some nervousness.

I know the minister is not really in a position to solve it now, but I want to make sure that if we have a general party bank account and a donation goes into it and some time later we decide that we are going to use that money on a state campaign, we are not going to be prevented from transferring it across, provided it is fully disclosed.

The Hon. K.J. MAHER: I thank the honourable member for his question, though I am concerned about this war chest that the Greens have coming to them that they are so concerned about where money is going. The way it has been explained to me is that, if donations are received and you are not entirely certain at the time of receipt about exactly how you are going to apply those donations, whether for a state campaign, for the administration of your party or for a federal campaign, the prudent course of action would be to put it in your state account and have the highest level of scrutiny in relation to those donations. From there, that money could be used for your state campaign. It could also be used for the administration of your party and could then be used for federal campaigning as well, having effectively gone in under the highest scrutiny.

The Hon. D.G.E. HOOD: Can I just further pursue that point with the minister. This is an important issue, probably especially for the smaller parties. Perhaps I will paint a scenario and the minister may care to comment on that. I think the difficulty will come when donations are made throughout the electoral cycle; that is, not immediately before an election. Let us say that, 18 months before an election, someone donates $8,000. I am choosing this figure deliberately because it exceeds the level at which state disclosure must be made, being $5,000, yet it is under the federal disclosure limit of $13,200. It is in a grey area, in a sense, if it is donated to the federal account.

If somebody makes a donation from New South Wales, for example, through the Australian Conservatives' website, our default position is that it goes to the federal account. Of course, a lot of those donations happen over a period of time and build up to a not insignificant amount of money. A number of those donations have come in at the $8,000, $6,000 or $9,000 level. If the federal party, whether it be the Greens, the Australian Conservatives, the Dignity Party or whoever it may be, then decides to move a large amount of money—something in the order of $500,000 or $200,000—from

the federal account to the state account of that party for the specific purpose of funding the election campaign, what are the implications, as the minister understands it?

The Hon. K.J. MAHER: I thank the honourable member for his question. I think this answers it but, if not, an explanation may need to be teased out a bit further. If money was given to a state branch of a party—the state Australian Conservatives, state Liberal, Labor or the Greens—for the purposes of a federal campaign and it comes in through those higher threshold donations, then it cannot be transferred to the state account. However, that does not preclude the federal part of a party from providing funds to the state party for state campaigning.

So, the federal branch of the Liberal Party would still be at liberty to supply funds to the state branch of the Liberal Party should they be minded to, but in my experience of how parties work, that does not happen very often at all. If someone has donated to the federal party of the Australian Conservatives, the federal branch of the Australian Conservatives would still be at liberty to transfer money to the state branch of the Australian Conservatives for the purposes of the state campaign.

The Hon. R.I. Lucas: Or an interstate branch of the Australian Conservatives.

The Hon. K.J. MAHER: Or from an interstate branch of the Australian Conservatives. I do not know how the Australian Conservatives operate but I have never seen an interstate branch of the Labor Party provide large sums of funding for a different state's campaign.

The Hon. D.G.E. HOOD: I thank the minister for his answer, and that is the reason I am pursuing this because our party does operate differently. I do not know how the Greens or some of the other smaller parties operate, but in the case of our party there is one central place where donations are received from right around the country and it is then disbursed following that. Obviously, we are a brand-new party, so we are working through these issues, but that is certainly the intention. Can I absolutely clarify that, just to be clear. The minister is saying—correct me if I am wrong—that if a person in Western Australia or New South Wales decides to donate $8,000 to the Australian Conservatives website—

The Hon. K.J. Maher: Federally?

The Hon. D.G.E. HOOD: We only have one, so it is federally—it is a federal bank account. So, they donate to the Australian Conservatives' federal bank account, or the Greens, or whoever may be—and multiple donations happen all the time, literally every day there will be $500 donated here, $10,000 there and so on, and it adds up to a substantial amount of money—it is then at the federal party's discretion. There is nothing wrong with them then transferring, let us say, $400,000 to the South Australian branch of the party and putting it in their bank account so they can then fund the election?

The Hon. K.J. MAHER: I thank the honourable member for his question and for seeking clarity on this. My advice is that what you have described is exactly what could happen. If those donations came in through the federal branch of a party, it is up to that federal branch to decide how to spend those funds. That federal branch of the party would still be required to meet federal disclosure laws, but they would be at liberty to apply them as they saw fit, including to a South Australian campaign.

The Hon. M.C. PARNELL: This is clearly a matter of great concern so that is why we are tying it down to the nth degree. If a party decided to make their state campaign account their default account—in other words, everything went into it—then they could certainly spend any of it on the state election, but they could also, if they wanted to, later on, as I think you have already said, transfer it for general administrative purposes. So, there is no restriction on taking money out of it and doing whatever you want with it. The only restriction is on putting extra money into it. Have I got that right? If you had a default account and you called it the state campaign account and you also used it to fund your federal election, there is no prohibition on that; is that correct?

The Hon. K.J. MAHER: My advice is that is correct. If there was one single account and you called it the 'Greens General Account' or the 'SA Greens State Account'—

The Hon. M.C. Parnell: The 'Greens State Campaign Account'.

The Hon. K.J. MAHER: —State Campaign Account, donations would be able to go into that account and the state regime would apply to disclosure of that account. Money from that account could be expended on a state campaign, it could be expended on general administration purposes, or it could be transferred or expended on federal campaign purposes, but the other way is not true. If money was given to the SA Greens for a federal campaign, under federal disclosure laws that money could not be transferred and applied for state election campaign purposes.

The Hon. D.G.E. HOOD: This is the last question from me and it is partly related to the section, although it deals with another section as well. Extrapolating on from that, in the case where a political party was not seeking to qualify for special assistance funding (which I understand requires a separate bank account) then, according to my understanding, and this is where it relates to this section, that party really only requires one bank account.

The Hon. K.J. MAHER: Is that at a federal level?

The Hon. D.G.E. HOOD: At the state level. They would still qualify for public funding.

The Hon. K.J. MAHER: On votes received at the—

The Hon. D.G.E. HOOD: Correct, and they need to record the expenditure out of that account, but it only has to be that one account because the second account is only required where the party seeks special assistance funding.

The Hon. K.J. MAHER: My advice is, yes, that is correct.

New clauses inserted.

New schedule 1.

The Hon. K.J. MAHER: I move:

Amendment No 8 [Employment–1]—

Page 11, after line 36—Insert:

Schedule 1—Related amendment and transitional provision

Part 1—Amendment of Local Government Act 1999

1—Amendment of section 226—Moveable signs

Section 226(3)(c)—delete 'on the issue of' and substitute:

at 5pm on the day before the day of the issue of

Part 2—Transitional provision

2—Political expenditure on electoral matter

Section 130A(6a) of the *Electoral Act 1985* (as inserted by this Act) applies to political expenditure on electoral matter incurred on or after 1 May 2017 (but does not apply to political expenditure on electoral matter incurred before that date).

This relates to transitional provisions that allow political parties and others to start campaigning from 5pm on the day before the issue of the writs and inserts a transitional provision so that the changes to when political expenditure is incurred in the capital expenditure period only apply to political expenditure on elections incurred from 1 May 2017 and not all political expenditure since the 2014 state election.

The Hon. R.I. LUCAS: We support this. We are all aware of the circumstances that go on the day before the issuing of the writs in terms of people clambering up—

The Hon. K.J. Maher interjecting:

The Hon. R.I. LUCAS: I am not sure if that is the case—but people clambering up poles in the middle of the night or whatever it is, or even the day earlier. I suspect this will probably still be the case and if this is 5pm then people will be wanting to start before 5pm, I suspect. The only thing I will point out—and I have no problem with it; I am supporting the amendment and I have indicated that to the government—the actual provision in the Local Government Act does relate to the sign as

related to a state or commonwealth election and is displayed during the period commencing on the issue of the writ.

We have the wonderful joy of actually knowing when the writs are going to be issued and the day of the election because everything is fixed for a state election. In the federal election circumstance, of course, there is no fixed election date and, therefore, there is no fixed date for the issue of the writ. We are, in essence, saying here, I suppose, that the government of the day may well know when the writ is going to be issued and people might start clambering up the phone poles at 5pm the day before but I guess, given there is a Liberal government, if we see Christopher Pyne climbing up a pole at 5pm the day before we would probably know that the writs are going to be issued the next day—if he is aware of this particular provision once it goes through.

We support the amendment but I just thought I had better highlight the issue that there is a bit of a complicating factor for the feds in terms of theirs but it is what it is and we think the amendment makes sense and we are prepared to support it.

New schedule inserted.

Title.

The Hon. K.J. MAHER: I move:

Amendment No 9 [Employment–1]—

Page 1—After 'Electoral Act 1985' insert:

and to make a related amendment to the *Local Government Act 1999*

This amendment to amend the long title is to have regard to amendment 8 which introduces the change to the Local Government Act.

The Hon. R.I. LUCAS: With the indulgence of you, sir, and the committee I support this particular amendment, but in doing so I just wanted to make some retrospective comments in relation to the last amendment. The last amendment canvassed two separate issues, one of which I discussed, which was the issue about the 5pm. There was also an issue in relation to a cut-off date for political expenditure on electoral matters, which is that:

Section 130A(6a) of the *Electoral Act 1985* (as inserted by this Act) applies to political expenditure on electoral matter incurred on or after 1 May 2017 (but does not apply to political expenditure on electoral matter incurred before that date).

That has been passed by the committee. We were supporting that particular amendment. It was a subject of some discussion and debate with the government and with the Attorney-General. The intention was to try to clarify some difficult issues as to what was in and out of political expenditure, such as vexed issues about moneys that were spent two or three years ago or something, on corflutes and things like that that might still be re-used.

I raised some of these issues in terms of the second reading contribution. It is possibly an imperfect solution, but it is certainly one that we ended up supporting. I know it has passed the committee, but I just thought I had better place on the public record that while it has passed the committee, it does canvass some important issues, and we did support the amendment.

Amendment carried; title as amended passed.

Bill reported with amendment.

Third Reading

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (16:06): I move:

That this bill be now read a third time.

The Hon. D.G.E. HOOD (16:06): I rise to speak briefly to the third reading. I would like to thank the government advisers for preparing these very useful documents, which I presume were circulated to other crossbench members and probably even the opposition members. Members know

the ones I am referring to. They were extremely useful. I cannot speak for my crossbench colleagues, but I think they probably agree with me.

I would suggest to the government that that is a very good way. It saved me roughly a day's work going through the amendments, making notes, etc., of who is supporting what and who is not. If that was a model going forward, it would be very helpful, and the government would find that the crossbench would be most pleased with that, if I can leave it there.

The PRESIDENT: Are you suggesting that this should be used as a benchmark for future amendments?

The Hon. D.G.E. HOOD: Hear, hear!

Bill read a third time and passed.

ANANGU PITJANTJATJARA YANKUNYTJATJARA LAND RIGHTS (SUSPENSION OF EXECUTIVE BOARD) AMENDMENT BILL

Committee Stage

In committee.

Clause 1.

The Hon. K.J. MAHER: I thought I might use the opportunity at clause 1 to speak on an issue that was raised by the Hon. Tammy Franks in relation to training that had been provided for the APY Executive. I indicated, I think, off the top of my head, that I understood that training had occurred. I am happy to advise that governance training has been provided to the new executive. I think the new executive at the end of this week were having their second meeting. During the first meeting, the APY Executive received training from Crown Solicitor's Office representatives, who travelled up to Umuwa for the first meeting.

The Crown Solicitor's Office went through the APY act and went through the roles and responsibilities that members of the executive bore under the act. I am informed the training session went for several hours and the Crown Solicitor's Office representatives fielded many questions from the board. I am informed that the training provided was appreciated by those who were in attendance.

I think the South Australian State Aboriginal Heritage Committee had previously commented on just how valuable the training that particular officers from the Crown had provided them over the course of the last year had been in their better and more deeply appreciating the roles and responsibilities they have under their legislation. So, I am pleased that that occurred for the new APY Executive.

Also, the state and federal governments have been working closely together and will contribute funds for ongoing governance training for APY Executive Board members. The final design of this ongoing training has not yet been settled, but it is looking to involve ORIC (the Office of the Registrar of Indigenous Corporations), which has a very long history and capacity in the area of providing governance training for Indigenous organisations, to provide ongoing training for the APY Executive.

Clause passed.

Clause 2.

The Hon. T.A. FRANKS: I move:

Amendment No 1 [Franks–1]—

Page 2, lines 6 to 9—Delete clause 2

In doing so, I note that while this is a commencement clause, my other two amendments as filed are all on the same issue. The reason the commencement clause is the first one to come up is, of course, that should my following consequential amendments succeed, we would not need the commencement clause for this particular bill. So, what I will do is outline the arguments of all of my amendments in 1, and I will take this as an indicative position in terms of support or otherwise for my proposal, the guts of which, if you like, is amendment No. 2 [Franks-1].

This amendment seeks to reinstate the previous situation prior to the government coming into this place some three years ago and creating a provision where the minister may suspend the executive board of the APY for any reason that he or she thinks fit. There were already, and there are already, many ways that the minister can not only direct the APY and can not only direct the APY to sack a general manager; indeed, the minister could already, prior to that change to the act, take action to remove members of the board.

These provisions are at section 9D(4), 13A(3), 13G(4) or 13N, as outlined in my amendment No. 2. They also have knock-on effects, under those particular sections, to 12B, 12C, 12D and 12F. These cover things such as duty to exercise care or diligence, duty to act honestly, duty to respect conflict of interest and to comply with the code of conduct. They also cover such areas as attendance at meetings, reporting and budget requirements and quite a general 'minister may direct executive board' provision.

Prior to that debate three years ago, former minister Hunter already had at his disposal a range of tools with which to direct the executive board and to suspend members of the executive board, or to direct the executive board to sack a general manager. These provisions were codified and continue to be codified. Three years ago, the government came to us and asked for the ability to do it for any reason that the minister saw fit. The Greens oppose that approach. We do not think it is good enough to expect that the minister does not have to justify why they would suspend an entire executive board and so we seek to reinstate the supremacy of that codified range of reasons for a minister to act in that way. With that, I have already moved the amendment and I commend it to the council.

The Hon. K.J. MAHER: I thank the honourable member for her explanation about the suite of amendments that she is moving. Whilst I understand the intention behind her moving those amendments, and effectively returning the act to how it used to be, the government's position is that the provisions that came in three years ago have had a significant effect on helping with accountability and transparency in the administration of the act and with the board and we will be opposing those amendments.

The Hon. T.J. STEPHENS: I rise to indicate that the opposition will not be supporting the amendments. In fact, throughout this, we will be supporting the government. Whilst this provision was rushed in and we were very unhappy about the way it was rushed in at the time, I believe the minister when he says that the ability to act and act swiftly has been quite dramatic with regard to giving the minister the ability to ensure that the board gets on with the business that is really important to people on the ground, on the lands. In my time visiting the lands over the last dozen or so years, we have only wanted to see conditions improve and the lives of people improve.

The reality was that, under the old provisions, the minister's hands were virtually tied because he would have to put in a long-winded argument before he could act. We have seen a revolving door with regard to CEOs being bullied by certain members. If they did not provide preferential allocation of moneys or advances, then all of a sudden they were deemed to be unsuitable as CEOs and were virtually bullied out of the position, which was an untenable situation for people on the land. For those reasons, the opposition strongly supports the government's position and will continue to do so until the passage of the bill.

The Hon. K.L. VINCENT: For the record, the Dignity Party supports this amendment.

Clause passed.

Clause 3 passed.

Clause 4.

The ACTING CHAIR (Hon. T.T. Ngo): I believe the Hon. Tammy Franks has an amendment. Are you pursuing those amendments?

The Hon. T.A. FRANKS: I indicated in my moving of an amendment at clause 2 that I see these as consequential, and I see this as consequential. I will not be moving this amendment. I simply add, quite honestly, I think the difference in what we are seeing on APY at the moment is more to do with the lack of a revolving door for the minister for a change, rather than a revolving door of general managers and APY executives. I hope that continues. I think this minister is more engaged and more

active and more interested. If perhaps the minister had been in place some three years ago, we might not have needed to have made such a radical change to the act at that time.

The Hon. K.J. MAHER: I move:

Amendment No 1 [AborAffRec–1]—

Page 2, after line 19—Insert:

(2) Section 13O—after subsection (1) insert:

(1a) Without limiting subsection (1), the Minister should, unless the Minister considers it inappropriate to do so, advise Anangu Pitjantjatjara Yankunytjatjara and the Executive Board of the Minister's intention to suspend the Executive Board at least 7 days prior to the suspension taking effect.

This amendment suggests that the minister, if they are considering suspending the board, ought to give APY seven days' notice of their intention to do so. It does allow, though, if the minister considers it inappropriate not to do that, that there may be a day when time is of the absolute essence to act. I think we canvassed, when the act was changed a few years ago, that there may be a rare and exceptional circumstance that that is the case. This amendment has come about in part with consultation with the APY Executive. The government felt it was not unreasonable to give, in the ordinary course of events, seven days' notice of intention, if this part of the act is to be used.

The Hon. T.J. STEPHENS: On behalf of the opposition, I indicate that we will support the amendment.

The Hon. T.A. FRANKS: The Greens will support this amendment. A wise person once said it makes a bad act better.

Amendment carried.

The Hon. J.A. DARLEY: I move:

Amendment No 1 [Darley–1]—

Page 2, after line 19 [clause 4, after inserted subsection (1)]—Insert:

(2) Subsection (1) (as enacted by the *Anangu Pitjantjatjara Yankunytjatjara Land Rights (Suspension of Executive Board) Amendment Act 2017*) will expire 5 years after the day on which it comes into operation.

As indicated in my second reading speech, my amendment provides for a sunset clause for this provision to expire after five years. The minister indicated in his briefing with me that he considered this tool to be important, especially given the actions of the previous executive. A new executive board has now been voted in and we are yet to see how they will perform. We do not know if these powers will be needed with the new executive. I am willing to give the minister the benefit of the doubt and provide these powers to him for another five years before bringing the matter back to parliament to consider whether these powers are actually necessary.

As I previously indicated, it is not so much the power to suspend the executive board that I am uncomfortable with, but rather it is the fact that the minister is not held accountable for the decision. They do not have to conduct an investigation into the executive before the decision to suspend is made. They do not have to provide a reason for suspension. Neither the bill nor the act outlines any avenues of appeal on the minister's decision. These are extraordinarily broad powers, and I may be more comfortable with the amendment bill if it contained some checks and balances, but there are none.

The minister wants ultimate discretion over the matter. This is very different to provisions in the Local Government Act, where the minister can appoint an administrator after a lengthy review and investigative process. This bill does not have these provisions or anything that remotely resembles them. I asked during my second reading contribution whether the minister was aware of any other minister who has similar broad powers. Can the minister advise the committee about these?

The Hon. K.J. MAHER: I thank the honourable member for his contribution and for his amendment. The officers will look at whether there are analogous things in our legislation. I am happy

to come back and provide the honourable member with a response. The government opposes the honourable member's amendment. We have had a number of years of the act in operation as it currently stands. As I said in my second reading speech, and as I have said publicly inside and outside this chamber, I think the changes that have been made have had a significant effect on the operation of the elected executive and the administration of APY. For those reasons, the government is comfortable that it has operated effectively, so we will be opposing the five-year sunset clause that the honourable member seeks to introduce.

The Hon. T.J. STEPHENS: On behalf of the opposition, I indicate that we will be opposing the amendment. The reason we are back is because of the sunset clause that was initially put in. The minister has not officially had to use these powers, but they have been a valuable tool in his kitbag, and I think it is in no small part why we have seen quite a dramatic improvement in the cooperative way in which the APY Executive have worked with each other—we have had new elections—and we see this as an important tool going into the future. If in fact, at some stage, we can see that this is not working, I am sure that members in this place will be on the floor of the parliament with amendments in the future, but at this point we are very pleased to see the progress that is being made.

The Hon. T.A. FRANKS: The Greens will be strongly supporting this amendment, not that that increases our numbers or, indeed, will see it pass. It is disappointing, however, that a question that was raised at the second reading and again raised with regard to this clause and this amendment being moved by the Hon. John Darley has not been answered by the government. Does the government not have a single example of where such unfettered powers and such lack of a codified process exist for any other similar organisation?

The Hon. K.J. MAHER: I thank the member for her contribution and her support for her fellow minor party crossbencher in this matter. To trawl through all provisions in all acts that relate to a minister's power would be quite a large task, but we will continue looking. I am happy to bring that answer back to the honourable member at a later date.

The Hon. T.A. FRANKS: I am not asking the government to trawl: I am asking for one example—one single example.

Amendment negatived; clause as amended passed.

Title passed.

Bill reported with amendment.

Third Reading

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (16:30): I move:

That this bill be now read a third time.

Bill read a third time and passed.

RETURN TO WORK CORPORATION OF SOUTH AUSTRALIA (CROWN CLAIMS MANAGEMENT) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 31 May 2017.)

The Hon. J.A. DARLEY (16:31): This bill will transfer injury management to ReturnToWorkSA for government employees. The minister in his second reading indicated that the impetus for this was consistency. The minister advises that at the moment there are 12 separate operating units undertaking injury management functions for their agencies. They operate differently and the ability to determine the manner in which they manage injuries is limited, as outcomes are measured differently (if at all), statistics are kept differently and it is impossible to compare whether or not these units are operating effectively because the benchmarks are different.

Anecdotally, I understand that there are some schemes that are running very well, but on the other hand there are other schemes that are very bad. Ironically, we do not know what is considered good or bad because there are no benchmarks. I have no problem with moving schemes to ReturnToWorkSA that are not performing well. However, it would not be prudent to move a scheme to ReturnToWorkSA which is operating well where they could be in a system that is worse not only for the injured worker but also for the employer.

The government has not identified to the parliament which organisations are performing well and which are not. I have asked and been advised that they are unable to identify them due to the fact that there are either no or differing measurement benchmarks. The government has not been able to provide any information that this move is necessary or beneficial; instead, it is merely for consistency. In my view, there is no point in being consistent if it means that your standards fall from where they currently are.

No injury management or workers compensation scheme is perfect. However, there is no secret that ReturnToWorkSA's predecessor, WorkCover, was plagued with problems. It was one of the worst schemes in the country and at one stage it had a whopping $1 billion unfunded liability. The government has been lauding the success of ReturnToWorkSA since the changes were made a few years ago. However, I believe it is still too early to tell. The government put many of the current complaints down to people transitioning from the old scheme to the new scheme. However, I believe there are many cases where there are genuine grounds for complaint.

People who are injured but do not meet the 30 per cent whole person impairment threshold are cut off after two years. People who face a lifetime of medical expenses will have to cover these costs themselves after three years. I am not sure if it is coincidental, but there seem to be many people out there whose injury is only 28 per cent or 29 per cent WPI. This makes them ineligible to be a seriously injured worker and limits the compensation payable to them.

I am particularly concerned about transferring emergency services workers to a scheme that does not allow for psychiatric injuries to be included unless it is 'the significant contributing cause of the injury'. Emergency services workers are exposed to many horrific situations that play an enormous part on the psyche. A person who may have a physical injury that is 29 per cent WPI and a psychological injury that is 28 per cent WPI would not meet the 30 per cent threshold.

To be refused compensation because psychiatric injuries are not the contributing cause of the injury would be devastating and detrimental to psychological health. It has been put to me that this is merely a step in the government's move to sell ReturnToWorkSA to a private provider. In a letter to me dated 29 May, the minister stated:

> This is not an attempt to 'fatten' ReturnToWorkSA in preparation for privatisation. There are no such plans. There is no plan to fold private self-insured employers into the registered scheme under ReturnToWorkSA. It is not contemplated in this model that there will be cross-subsidisation across the public sector and private employers. The premium pools will be kept separate. There is no secret plan. It is what it is.

Whilst I am heartened to hear this and am thankful to the minister for providing this information to me in writing, I am still sceptical. This minister may not have plans to sell, but this transfer would make it an attractive golden goose for other ministers in the future.

If there are no plans to sell ReturnToWorkSA and the government is truly doing this just for consistency, unfortunately the information they have provided is still lacking and I am unable to support the bill. I oppose the second reading but acknowledge that, with the opposition's support, the bill is likely to reach the third reading after going through the committee. This matter has been brought on in a bit of a hurry.

I have requested information from the government and am still waiting on it. Ideally, this matter would not be progressing today; however, I do not want to hold up the parliament. Given this, I reserve my right to change my position on the bill following the debate in committee.

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (16:37): I would like to thank honourable members for their contributions. I would also like to emphasise that these reforms are

not about privatisation and not about savings. There is no conspiracy here. These reforms are simply about a better workers compensation scheme for South Australia, which will benefit everybody.

ReturnToWorkSA has made significant improvements in the outcomes for injured workers in this state. They provide high-quality claims management and return-to-work services to over 50,000 registered employers. It makes sense to have the insurer for the state manage the public sector work injury claims also. The ReturnToWorkSA service delivery model has many benefits for injured workers, including access to telephone claim reporting, mobile claims management services, and access to established and effective reskilling and retraining programs.

ReturnToWorkSA also has highly developed IT systems and data analytics, which would be of huge benefit to the Crown in identifying and managing risks. This level of data capability is currently unavailable within the Crown. The bill will also strengthen the support for workers who are unable to return to their pre-injury role in finding something suitable for them in another government agency. Currently, it can be challenging for agencies to have line of sight over other employment opportunities for workers across government. Government agencies will not be impacted financially.

There has been extensive work undertaken by ReturnToWorkSA and the Department of Treasury and Finance to ensure the reforms will be financially cost neutral. A key point is that the arrangements for government agencies will operate separately from the current registered scheme. There will be no effect on the premium for the current registered scheme for private employers as a result of the proposed reforms.

ReturnToWorkSA will recover the costs of the government's workers compensation claims and its own administration costs in managing those claims. It will generate no profit or loss, nor will it improve or deteriorate its net asset position as a result of these reforms. The intent is to transfer the management of the government's workers compensation claims to ReturnToWorkSA and to achieve a neutral financial outcome for both ReturnToWorkSA and government agencies in the first instance.

As is the case now, the factor that will dictate financial outcomes for the government is the incidence of workplace injury and the effectiveness of claims management and the achievement of return-to-work outcomes. The reforms will provide an opportunity to all Crown agencies to focus on risk management and prevention strategies, and make a real difference in the prevention of work injuries within their workplaces.

This should be the focus of all agencies. Work injury claims management is not core business for agencies and having ReturnToWorkSA as the specialist agency undertaking claims management makes sense. There has been extensive engagement and consultation with key parties regarding the implementation of the transition.

Public sector employees have been provided with a number of written communications from the Commissioner for Public Sector Employment as well as face-to-face information. There have also been eight workshops run by the Office for the Public Sector for public sector injury management staff. The Office for the Public Sector website provides information on the changes as well as the opportunity for public sector injury employees to ask any questions and raise issues.

Public sector injury management staff have also been assured that there will be no reduction in the injury management workforce over the next 12 months due to the transition. The Commissioner for Public Sector Employment issued a communication in May 2017 to all agency chief executives reinforcing this assurance. Public sector injury management staff will continue to be required to manage the current claims, as only claims with a date of injury on or after 1 July 2017 will be managed by ReturnToWorkSA.

Some of these claims may require management for up to three years, inclusive of medical entitlements. In addition, there will also be the requirement for agencies to have return-to-work coordinators in accordance with section 26 of the Return to Work Act 2014 to work with ReturnToWorkSA to support their injured employees in their recovery and return to work.

I hope members appreciate that the overwhelming motivation in this case is to deliver consistent return-to-work services to all state government employees. The state has an obligation

under the Return to Work Act to act in the best interests of all its employees. We have a particular government agency, ReturnToWorkSA, which is a high-performing agency.

ReturnToWorkSA is delivering good service to all registered employers in the state and it makes sense for the government to take advantage of the best of service available in South Australia and that happens to be our own supplier of the service. It is simply a better way for the state government to look after its injured employees and I genuinely believe that this will improve the delivery of service to employees and achieve better outcomes. To me, it all makes perfect sense and I ask members for their support and endorsement of the bill.

Bill read a second time.

STATUTES AMENDMENT (DRINK AND DRUG DRIVING) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 18 May 2017.)

The Hon. J.A. DARLEY (16:43): The bill concerns drug driving. It seeks to increase the penalties that apply to drug driving, introduces a new offence if the person is drink or drug driving whilst they have a child in the car, changes the roadside procedure for drug-driving analysis and makes consequential changes regarding authorised SAPOL officers.

It greatly alarms me that the incidence of drug driving is increasing and I commend the government for taking action on this. The effects of prescribed drugs on drivers are well known and, notwithstanding the danger a drug-affected driver poses to themselves, of greater concern is the danger they pose to other road users. People who take drugs and get behind the wheel are taking a stupid, reckless risk, which can lead to serious injury or even death.

The bill increases the penalties for drug drivers. Whilst monetary amounts and demerit point penalties will remain the same, first-time offenders will now face a three-month licence disqualification if they choose to expiate the penalty. Courts must impose a licence disqualification period of at least six months, as well as financial penalties and a loss of demerit points. Repeat drug offenders and those who refuse to undertake drug testing will also face increased disqualification periods.

A person who is found to be drink or drug driving with a child in the car will not face any increased penalties; however, they will be required to undergo a drug or alcohol dependency assessment before their disqualification period will end. Information on these offenders may also be provided to the Department for Child Protection if there are concerns about child safety.

Finally, the roadside drug testing process will change. Rather than having a second test conducted at the roadside, samples will be sent off for forensic testing if an initial roadside test returns indicating the presence of drugs. The penalties for drug driving will be increased, and in order for these drivers to have their licence returned to them, the current provisions are that they are required to undergo a drug dependency assessment, yet there is no support for those people who assist them to become drug free.

I am supportive of the government's measures, but believe that repeat drug-driving offenders should undertake an intervention and rehabilitation program to assist them to become drug free. I have filed amendments to this effect and will speak more to this during committee.

The Hon. K.L. VINCENT (16:45): There appears to be a bit of confusion. I simply have some questions about the bill that I am happy to raise at the committee stage, so I do not intend to give a second reading presentation as such at this point.

Debate adjourned on motion of Hon. J.S.L. Dawkins.

SENTENCING BILL

Second Reading

Adjourned debate on second reading.

(Continued from 18 May 2017.)

The Hon. D.G.E. HOOD (16:47): I rise to speak on the Sentencing Bill, a bill which repeals the Criminal Law (Sentencing) Act of 1998 and rewrites the criminal sentencing regime in South Australia—something that I believe is sorely needed.

Under the bill, the protection and safety of the community is identified as the primary purpose of sentencing and something that the Australian Conservatives will strongly support. I understand that this is a broad consideration which encompasses protecting the community from violence, as well as other types of harm, including the harm caused by illicit drugs and several other issues outlined in the bill. Other purposes for sentencing, such as deterrents, punishment and rehabilitation, although important, are secondary to the protection and safety of the community, and I reiterate that the Australian Conservatives support this strongly.

Importantly, the bill contains a number of changes to home detention, a feature of criminal sentencing that is subject to much public debate and, in recent times, substantial criticism. Home detention presents advantages and we do not oppose it on all grounds, but it also poses disadvantages. On one hand, home detention provides the courts with flexibility during sentencing and I can see that there are reasonable grounds for that on occasion. However, on the other hand, imposing home detention can potentially diminish public confidence in the sentences that are administered and, indeed, even by association, in the judiciary itself.

In simple terms, home detention under certain conditions can be perceived by the public as some sort of let-off, if you like, using the colloquial term, for serious offenders who should not be allowed to serve a term of imprisonment from home. Again, I stress, I am not saying that is true in all cases, but it certainly is in a number. It is a very difficult balancing act; however, the importance of public confidence in our courts should not be understated. Sentencing outcomes must align—I stress, must align—with community expectations. This must be a very high priority in determining an appropriate sentence for a particular offence.

I outlined one today in question time where a man was sitting at a bus stop minding his own business. He was simply sitting at the bus stop, doing nothing else and waiting for his bus. He was approached by a complete stranger who did not say a word and stabbed him. That individual received a 17-month non-parole period. The individual who was stabbed, I understand, will take in the order of four to five years to heal and probably will never recover psychologically.

Unfortunately, public confidence in our courts, as highlighted by the issue I have just outlined, with respect to sentencing and particularly in relation to home detention sentencing, is at an all-time low in our view. Michael O'Connell, the Commissioner for Victims' Rights, recently described home detention as falling short of community expectations. Australian Conservatives agree—again, not in all cases. I do not want to absolutely throw a blanket over all of that but I think in many cases they fall well short of community expectations.

Recently, in one of many cases involving home detention that attracted public condemnation, the District Court allowed an illicit drug trafficker to serve their term of imprisonment from home. However, following an appeal by the Director of Public Prosecutions to the Full Court of the Supreme Court, the decision was rightly overturned, in our view. Although in this particular case, an appropriate sentence was eventually imposed in a superior court, but this only came after widespread community condemnation and controversy. Sentencing must serve as a deterrent.

Appropriately, this bill seeks to tighten the provisions relating to home detention. This bill requires the court to take into account whether imposing a home detention order would affect public confidence in the administration of justice to which we say: hear, hear! It was an oversight to not have included this consideration in the first place, but nonetheless Australian Conservatives supports its inclusion.

In addition to the public confidence test, the availability of home detention is further restricted and made consistent with the restrictions placed on suspended sentences—again, a good move in our view. Certain offenders will not be eligible to receive home detention, including violent or sexual offenders, terrorists and major drug offenders. Australian Conservatives believes it is sensible that home detention is not available where suspending a sentence is also not an option. To us, this simply

makes sense. I note there are filed amendments which place further restrictions on home detention which we will consider in due course.

Overall, the Sentencing Bill broadens the options available to a court which includes the introduction of intensive correction orders and community-based orders. Australian Conservatives will closely monitor the application of these new orders once in place, in addition to monitoring the application of home detention in suspended sentences.

We expect the refined focus on community safety will result in more appropriate custodial sentences being given to violent and sexual offenders, as well as serious drug traffickers and manufacturers, and as I indicated, we will certainly continue to monitor this with some interest. Although not perfect, as evident by the number of filed amendments, we recognise this is a step in the right direction and we look forward to examining it further in committee. This is something long overdue and the community expects better in this regard. We are pleased to see this legislation before this chamber.

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (16:52): I thank the honourable member for his contribution and all honourable members who have made contributions on this matter. I am sure if there are questions to be teased out, they will be thoroughly examined during the committee stage. I look forward over the coming weeks to this progressing through its stages.

Bill read a second time.

LOCAL GOVERNMENT (MOBILE FOOD VENDORS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 1 March 2017.)

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (16:54): I believe there are no further second reading contributions. With that, I would like to thank honourable members who have contributed to the debate on this bill. There appears to be a need to reiterate the importance of this bill following its successful passage through the lower house. The purpose of this bill is to put in place a universal, consistent system for the permitting of mobile food vendors, otherwise more commonly known as food trucks, across this state to encourage these innovative, entrepreneurial businesses to succeed.

This is not an idea that came out of thin air. By examining the operation of the Adelaide City Council's currently oversubscribed permit system, other inconsistent council arrangements for food trucks, and by listening to the voices of the South Australian community via consultation, it became apparent that the current approach to regulating food trucks was and remains in need of reform. Mobile food vendors are currently subject to different regulatory schemes in each council area they seek to trade in, resulting in inconsistent and sometimes non-existent permit arrangements. This has led to these types of new businesses having their operations unnecessarily curtailed, as well as councils themselves having to come up with individual arrangements with no guidance.

This is not about blaming individual councils, but there is no doubt that the current wording of the Local Government Act has led to inconsistencies and a thwarting of the entrepreneurial spirit of mobile food truck vendors and their ability to trade around Adelaide to provide interesting food and beverage options for South Australians. This is a point that the member for Kaurna in another place has consistently made during debate on this matter.

The current system does not work, and this bill will address this by setting in place a consistent, universal system which supports councils to issue permits to these types of operations and provide them with an opportunity to trade. This is not a leg-up over fixed businesses. The government wants all South Australian businesses to succeed. This is simply about allowing food

trucks to operate as they are designed to do, as mobile businesses to meet local demand and support local activity.

For the benefit of members present I would like to outline some of the amendments that have been made to the draft regulations and an amendment the government has filed to the bill, taking into account the feedback provided by the Local Government Association and select councils in a recent round table facilitated by the member for Kaurna, as well as feedback from members of the crossbench. The Local Government Association and a group of six councils, gathered together by the Local Government Association, recently met to provide their feedback on the bill and regulations. Following this meeting the LGA provided a number of suggestions to amend the regulations, all of which we have accepted and incorporated into our draft regulations.

The government has put forward an amendment, adding a penalty provision to apply to any food truck that breaches the conditions of their permit, which will be moved during the committee stage. The government is committed to ensuring the smooth implementation of this new system in cooperation with the LGA and councils, and thanks the LGA and councils present at the consultation session for their helpful contributions to the draft regulations. I note that an amendment was made to the draft regulations early on, following discussions with the Hon. Kelly Vincent, to include express reference to mobile food vendors not interfering with disabled parking spaces, an important requirement for food truck venders to take note of.

The government has also been in discussion with the Hon. John Darley on a number of points within the draft regulations and bill, and we are hopeful that the Hon. Mr Darley will come to support the bill, given the substantial negotiations the government has undertaken to resolve concerns that have been raised.

With the purpose of the bill set out and changes to regulations addressed, I would like to respond to some of the specific concerns, in particular those raised by the Hon. David Ridgway. Firstly, the honourable member stated, 'The bill does nothing.' This is just not correct. As set out, alongside other measures the government has put in place for food trucks, this bill is about ensuring that mobile food vendors, which are innovative and exciting new South Australian businesses, get the opportunity to operate successfully. It puts in place a simple, consistent approach to support councils to issue permits to these food trucks to enable them to operate across Adelaide and the state without being caught up in 68 forms of local bureaucracy.

It was also contended that this bill imposes a blanket rule for every council, which we submit is not the case. The bill does introduce a statewide system and prevents councils from interfering with types of food sold and the hours that the food trucks might trade, but it is our belief that the market is best placed to determine these types of things, not individual councils. As has been reiterated, the regulations accompanying this bill allow councils to determine location rules, allowing them to customise a location according to where food trucks can best generate new economic activity within their council area.

Another suggestion is that a restriction on permits is required to protect pre-existing businesses. The government has been clear on multiple occasions that this bill is not about pitting mobile vendors against fixed premises or preferring one form of trade over another. We want all South Australian businesses to thrive, no matter what mode of trade they adopt. Both fixed premises and food trucks contribute to the economic prosperity and vibrancy of the state. This bill is, very simply, about ensuring that mobile food vendors have appropriate opportunities to trade and to move around the city, to provide economic activity and community benefit, particularly in those areas where there is a lack of commercial eateries.

This a point that came up repeatedly in consultation. People do not want to see mobile food vendors competing directly with their favourite local coffee shop or bakery. They want to see them near the sportsground on the weekend to provide an option where there is currently nothing available. The aim of this reform is to help both the new and existing businesses try a different model of trading that provides mobile food delivery food options across South Australia.

Burger Theory, Phat Buddha, Low and Slow, Sneaky Pickle and Abbots & Kinney have all transitioned from mobile-only businesses to having fixed premises. Others operate in both modes or operate both a food truck and a catering business. It should be noted that the current impact of food

trucks on fixed businesses is low. The Adelaide City Council's own economic analysis found that food trucks had an estimated impact of 0.15 per cent on the Adelaide council region.

The analysis, surveying 105 businesses, found that there was no noticeable connection between the decline in trading hours of fixed premises and their proximity to food trucks. It has also been stated that suddenly somebody can pull out in front of them and take their business away from them. This is not the case. As I have stated, councils will be able to prevent this via the use of location rules.

It has also been suggested that, rather than this, the government should be looking at ways of reducing the cost of doing business. I would suggest that we are committed to doing just that. We understand the pressure on small businesses and are committed to making South Australia the best place to do business by continually removing barriers to business growth, accelerating approval processes and making sure our regulations support opportunity rather than create burdens.

We are already in the process of creating the lowest taxing regime in Australia for businesses. We have reformed our workers compensation system and are pursuing further red tape reduction measures. It should be noted that food truck vendors also face fixed costs, including warehousing, maintenance of their vehicle, electricity and gas, cost of the preparation stages, wages, rates and waste removal. It is true these businesses do not have to cover the cost of certain elements, such as bathrooms, but they also do not benefit from having these facilities.

It has also been suggested that mobile food vendors are there to provide a service when you have a bigger community event or when fixed businesses are not able to cope with demand. We do not agree with this viewpoint. Increasingly around the world, mobile vendors are providing new options and making cities more engaging and interesting places.

Mobile vendors still have an important role to play during events, but they should have the opportunity to trade at all times of the year as other businesses do to provide greater economic activity and community benefit across the city and the state. Mobile food vending also represents the perfect opportunity for people to get a foot in the door in the hospitality industry and start a new business that might one day become a fixed business. It is not a question of either/or: both modes of trade can succeed at once, and there are myriad examples nationally and internationally to attest to this.

Again, I emphasise the importance of seeing this bill's passage through this place in order to help these small entrepreneurial businesses thrive and expand. I look forward to contributions in due course in the committee stage in dealing with this bill.

Bill read a second time.

STATUTES AMENDMENT (HEAVY VEHICLES REGISTRATION FEES) BILL

Second Reading

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (17:11): I move:

That this bill be now read a second time.

I seek leave to insert the second reading speech and explanation of clauses into *Hansard* without my reading it.

Leave granted.

This Bill amends the Highways Act 1926 and the Motor Vehicles Act 1959. The amendments are intended to help meet South Australia's obligations as a participating jurisdiction in the national legislative regime for heavy vehicles, which are vehicles over 4.5 tonnes in gross vehicle mass.

On 10 February 2014 the Heavy Vehicle National Law (South Australia) Act 2013, which contains the national law as a schedule, came into operation. It provided for the creation of a national heavy vehicle regulator (the Regulator). In addition to South Australia, all Australian States and Territories, apart from Western Australia and the Northern Territory, are participants in this national heavy vehicle regulation regime.

As the registration chapter of the national law has not yet commenced, heavy vehicle registration still falls to state legislation. The registration fees are governed by model law that is adopted by participating jurisdictions. On 6 November 2015, amendments to the Heavy Vehicle Charges Model Law were approved by the national Transport and Infrastructure Council (the Council), comprised of each State and Territory government's Transport and Infrastructure portfolio Ministers. For the first time, since 1 July 2016, heavy vehicle registration charges, as reflected in the Motor Vehicles (National Heavy Vehicles Registration Fees) Variation Regulations 2016 (the Regulations) made under the Motor Vehicles Act, have been calculated on the basis of components comprising a road user charge and a regulatory charge.

In addition, South Australia and other participating heavy vehicle national law jurisdictions have agreed that the regulatory revenue collected as part of their registration fees is to be transferred to the Regulator fund to meet each jurisdiction's share of the Council approved operating budget of the Regulator. This will provide the Regulator with an industry-sourced funding model to resource its important duties, which is now being collected by the Registrar of Motor Vehicles (Registrar) in this state.

The Bill amends section 31 of the Highways Act to ensure that the regulatory component of heavy vehicle registration fees collected or received by the Registrar is deducted from the registration fee monies due to be paid into the Highways fund. This revenue will instead be paid into the Regulator's Fund.

The amendments to the Motor Vehicles Act will require the transfer of this regulatory revenue collected by the Registrar from heavy vehicle registration fees to the Regulator's fund. The Bill also clarifies that any deduction resulting from concessional registration charges payable pursuant to sections 34 and 37 of the Act, for people living in remote areas and primary producers, is to be taken from the roads component, and not from the regulatory component of the fees. This ensures that the full amount of the regulatory component will be provided to the Regulator's Fund.

I commend the Bill to the House in order that South Australia can meet its national commitments to the Council and to the Regulator, to deliver agreed support for the national heavy vehicle regulation regime.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Highways Act 1926*

3—Amendment of section 31—Highways Fund

This clause amends section 31 so that the Treasurer is not required to pay the regulatory component of registration fees collected or received in respect of heavy vehicles into the Highways Fund.

Part 3—Amendment of *Motor Vehicles Act 1959*

4—Insertion of section 28

This clause inserts new section 28.

28—Payments into National Heavy Vehicle Regulator Fund

Proposed section 28 requires the Registrar of Motor Vehicles to pay the regulatory component of registration fees collected or received in respect of heavy vehicles into the National Heavy Vehicle Regulator Fund in accordance with a scheme agreed with the National Heavy Vehicle Regulator.

Debate adjourned on motion of Hon. J.S.L. Dawkins.

STATUTES AMENDMENT (ELECTRICITY AND GAS) BILL

Final Stages

The House of Assembly agreed to amendments Nos 2 to 15 made by the Legislative Council without any amendment; disagreed to amendment No. 1; and made an alternative amendment as indicated in the following schedule in lieu thereof:

No. 1.Clause 11, page 7, lines 10 to 32—Delete the clause and substitute:

11—Amendment of section 48—Entry for purposes related to infrastructure

(1) Section 48—after subsection (2) insert:

(2a) Despite subsection (2), an electricity officer may exercise a power of entry referred to in that subsection without giving notice in accordance with subsection

(2) in relation to electricity infrastructure situated on land that is in the area of a council and in the bushfire risk area if—

(a) the purpose of the entry is to conduct an inspection of the infrastructure; and

(b) —

(i) the electricity entity gives reasonable written notice of the date and time of the proposed entry to the occupier of the land; or

(ii) if it is not reasonably practicable for the electricity entity to give notice in accordance with subparagraph (i), the electricity entity—

(A) publishes, at least 1 month before the proposed inspection of infrastructure in the area of the council, a prescribed notice in a newspaper circulating within that area; and

(B) conducts the inspection during the period specified in the prescribed notice.

(2) Section 48—after subsection (7) insert:

(8) In this section—

prescribed notice, in relation to an inspection of electricity infrastructure by an electricity entity in the area of a council, means a notice that specifies the period (of up to 1 month) during which the entity proposes to inspect its infrastructure in the area.

Consideration in committee of the House of Assembly's message.

The Hon. K.J. MAHER: I move:

That the disagreement to amendment No. 1 not be insisted on and that the alternative amendment be agreed to.

The Hon. R.I. LUCAS: I rise to speak to this particular motion, because the amendment I moved on behalf of the Liberal Party was the subject of the disputation between the houses. This essentially related to the issue of advising landowners of notice of when SA Power Networks officers or electricity officers were seeking entry to land.

I have been advised by the member for Stuart, who has carriage of this particular issue, that since the passage of the amendment in our house, he and others have been involved in discussions with SA Power Networks and the state government representatives in relation to seeking a suitable alternative compromise that everyone could accept as being more practical and workable. The member for Stuart has advised me that this afternoon he, speaking on behalf of the Liberal Party, agreed with the government representatives in another place on this alternative amendment that is now before us.

As described to me, because I am not the expert in this area, we in this chamber had some quite onerous requirements in terms of notice, which included two newspapers, two months' notice, but also public radio broadcast services broadcasting in the area. I have been advised subsequently by the member for Stuart that evidently the most significant public broadcaster—i.e. the ABC—was, and I do not want to overstate this, perhaps unwilling, I think was the word that was used to me, to be involved in this particular amendment. Perhaps that is the best way I can put it.

I am not sure if that is exactly accurate, but in essence, as a result of discussions with them, they are no longer part of this particular alternative amendment. The amendment now is essentially for one newspaper—a prescribed notice in the newspaper circulating within that area—rather than two newspapers. It is one month's notice rather than two months'.

I am also advised that, cleverly incorporated into this amendment that has now been agreed, there is a provision for the future, where SA Power Networks is hoping to have a series of email addresses and text capacity available to provide advice to landowners via text or email. They are not currently able to do that with all landowners, but they are evidently preparing themselves for future

circumstances in which they are going to be able to advise people by text and by email, as opposed to newspaper advertisements and the like. They are not currently in that position, but I am told this amendment does provide the capacity, when they have that capacity, to be able to use that as the mechanism for advising landowners of electricity officers wanting to enter.

With that brief description, as has been outlined to me from the Liberal Party's viewpoint, we have supported it in the other house—so the member for Stuart has indicated—and the government has supported it. I say to the crossbenchers who are here that there is agreement between the government and the opposition. It was our amendment originally, but we nevertheless await the views of the Independents and minor parties as well, although, in the end, if the government and the opposition are supporting it, so be it.

The Hon. M.C. PARNELL: Whilst we are normally loath to deal with complex matters on the run with no notice, during the period that the Hon. Rob Lucas has been talking I have managed to read the original amendment and the House of Assembly's alternative amendment. Whilst I accept that the numbers are now secured, if the government and opposition have both negotiated them, I want to put a couple of things on the record.

I think the original Liberal amendment that we sent down to the other place was onerous. I remember having concerns at the time about the radio broadcasts. For example, one of my favourite radio stations, which, on an old-fashioned transistor, is not heard much outside Goolwa or Victor Harbor—I am talking, of course, about Happy FM, a station that I have been known to appear on from time to time. It is streamed on the internet, as are many stations. There are definitional issues about whether Happy FM, based in Goolwa, is available right through the state of South Australia, but in fact it is available across the world. So, I think it does make sense to have removed the radio provision.

I note also that the period of notice that needs to be given has been reduced. I think it was two months originally and I think it is down to one month now. I also, whilst it is not part of this amendment, accept what the Hon. Robert Lucas says, that if they are now looking at more direct forms of notification, such as text messaging services, that is a good thing. If the object of this exercise was to make sure that inconvenience was reduced by not having people enter property at inconvenient times or when sheep are lambing or whatever is going on, it does make sense that people should be able to be notified, and if there are new ways of notifying people, that makes sense as well.

Despite the fact that the numbers are assured, I just want to say that, on a quick reading of it, it looks as if the replacement amendments cause less inconvenience than the government's original amendments. If the government is prepared to live with this model and if SA Power Networks has been consulted and they are happy to live with it, then the Greens are happy to live with it as well.

The Hon. J.S.L. DAWKINS: The specifics of this matter have been very well covered, particularly by the Hon. Robert Lucas. I just want to put on the record my concern, as the Hon. Mr Parnell put in his comments, that this has occurred without any notice. It was not brought up to the Whips at any stage today for us to consider. I have great concern that we are being told that this has all happened in the processes of the place below us and we need to suddenly get everyone down here and we have to do it.

I will take the advice of my colleague the Hon. Mr Lucas, who assures me that it is fine. This sort of stuff that we do on the run after the other place has gone home on Thursday afternoon—I am not sure why this could not have waited until Tuesday 20 June.

Motion carried.

STATUTES AMENDMENT (ELECTRICITY AND GAS) BILL

Standing Orders Suspension

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (17:27): I move:

That standing orders be so far suspended as to enable the Clerk to deliver the message on the Statutes Amendment (Electricity and Gas) Bill to the Speaker of the House of Assembly whilst the council is not sitting and notwithstanding the fact that the House of Assembly is not sitting.

Motion carried.

ELECTORAL (MISCELLANEOUS) AMENDMENT BILL

Final Stages

The House of Assembly agreed to the amendments made by the Legislative Council without any amendment.

At 17:28 the council adjourned until Tuesday 20 June at 14:15.

Answers to Questions

UNEMPLOYMENT FIGURES

In reply to **the Hon. J.S. LEE** (20 October 2016).

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy): I am advised:

Over the past five years (comparing industry data from February 2017 with February 2012), the largest employment increases in South Australia over the past five years were recorded in: Health Care & Social Assistance (up 18,700); Public Administration & Safety (up 6,500); Administrative & Support Services (up 5,200); Other Services (up 3,500); and Professional, Scientific & Technical Services (up 3,100).

TREATY NEGOTIATIONS

In reply to **the Hon. R.I. LUCAS** (28 March 2017).

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy): I have been advised:

The government has no fixed ideas about what a treaty with Aboriginal people of South Australia might include or exclude.

The Treaty Commissioner is currently undertaking broad consultation with Aboriginal people of South Australia on a suitable framework for treaty between the South Australian government and Aboriginal South Australians.

Feedback received by the Treaty Commissioner will inform his advice to the Minister for Aboriginal Affairs and Reconciliation on a treaty framework.

BOEING

In reply to **the Hon. D.W. RIDGWAY (Leader of the Opposition)** (11 April 2017).

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy): The Minister for Investment and Trade has advised:

The 250 new jobs will be created over five years. Clawback provisions apply for failure to meet key performance milestones.