



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

14 August 1990

Tuesday, 14 August 1990

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MR ACTING SPEAKER (Mr Stefaniak) took the chair at 2.30 pm and read the prayer.

PETITION

The Clerk: The following petition has been lodged for presentation, and a copy will be referred to the appropriate Minister.

Therapy Centre

To the Speaker and members of the Legislative Assembly of the A.C.T. - in government assembled.

The petition of the undersigned respectfully request that you take urgent action to address the issue of the ongoing accommodation for Therapy Centre, Early Intervention Service which is currently located in the old South Curtin Primary School Building which provides an appropriate community setting for this essential service. We are very concerned that any disruption to the service will disadvantage the children.

Your petitioners humbly pray that your honourable assembly ensure urgent action is carried out to ensure the continuity of this service in an appropriate setting.

By **Mr Humphries** (from 445 citizens).

Petition received.

QUESTIONS WITHOUT NOTICE

School Closures - Savings

MS FOLLETT: My question is to Mr Humphries, the Minister for Education. Mr Humphries, Dr Frances Perkins has provided a detailed estimate of savings on the closure of seven schools which are actually based on the Treasury assumptions. She estimates that the closure of seven schools would cost approximately quarter of a million dollars and that is, as I say, based on Treasury's own figures. My question is: on the basis of which particular figures in her brochure do you assert that Dr Perkins' figures are wrong?

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MR HUMPHRIES: Mr Acting Speaker, I thank Ms Follett for her question. I should refute a couple of assumptions or assertions made in her question. One is that the figures are based wholly on budget assumptions. My understanding is - and I say this without having seen a copy of the costings - - -

Mr Wood: You have had one. Why do you not have a look at it?

MR HUMPHRIES: I have not had one, as a matter of fact.

Mr Wood: You have, as a matter of fact.

MR HUMPHRIES: I am glad Mr Wood is more aware of what comes to my knowledge than I am, but I have certainly not seen a set of Dr Perkins' costings other than a pamphlet which appeared yesterday. Is that what Ms Follett is relying on?

Ms Follett: You have seen the pamphlet?

MR HUMPHRIES: If that is what Ms Follett is referring to then that is what I have seen, although it was not given to me as far as I know. I simply got it through it being handed down from somebody else.

The figures are not based wholly on the Treasury estimates. In a number of respects I understand that there are variations between the Treasury estimates or Treasury assumptions and the assumptions that Dr Perkins has made. I understand that particularly in the area of bussing there are significant differences in the assumptions made by the respective camps. I also understand that there are differences between what Ms Follett says are the savings estimated and what the information says the savings would be. I understand that there is one figure in there - \$219,000 - which is a saving to be made by the closure of schools using one set of estimates or assumptions or whatever they may be. I think it is wrong to say that the document assumes necessarily that there will be a loss.

I should remind members that Dr Perkins' original estimates of costs and savings in respect of this exercise indicated that in her view there would be a significant loss of several million dollars over a 20-year period. I am pleased to note Dr Perkins has now accepted that there is the potential for at least a small saving in respect of the government schools reshaping program.

I am not in a position, not having seen that document for more than a few hours - if indeed that is the whole information that Dr Perkins relies on - to indicate what my response to it is. However, Ms Follett would undoubtedly like to know what response there is to that document. I would be very pleased to supply her with the information on that as soon as it becomes available.

MS FOLLETT: I have a supplementary question. Mr Humphries, in view of your failure to provide figures on school closures - and it has been a consistent and repeated failure - and your failure today to address the detail that has been provided, I would ask: will you undertake an urgent and independent inquiry into the costs and savings arising from school closures?

MR HUMPHRIES: Mr Acting Speaker, the answer is no, I will not. I am not satisfied that anything would be gained by further inquiry into this matter. The answer to that question is based very clearly on the work that the Government has already done in this respect. If we had not so carefully and extensively - - -

Mr Wood: What work?

MR HUMPHRIES: If Mr Wood would be patient I will explain to him what work I am referring to. The Government has already done extensive work in this area. A month or so ago it published - and I am sure Mr Wood has a copy of this document, just as he is sure I have a copy of Dr Perkins' document - a copy of the document which was obtained at the expense of some \$12,000 in consultants' fees. It was carefully and thoroughly produced and it systematically refutes the costings and savings estimates made by Dr Perkins.

Mr Wood: It does not, actually.

MR HUMPHRIES: It systematically does so. I believe it does.

Mr Wood: It is not always in agreement, but there are points of agreement.

MR ACTING SPEAKER: Order, Mr Wood! Let him finish. He is answering the question, not you.

MR HUMPHRIES: I believe it systematically refutes the assertions made by Dr Perkins. That is a clear indication of a response to Dr Perkins' earlier work. Now, if Dr Perkins wishes to produce more work I would be very happy to consider that, but I am not prepared to commit more public money to refuting claims which I believe have already clearly been discredited.

School Closures in Australia

MRS NOLAN: My question is also to Mr Humphries in his capacity as Minister for Education. Can the Minister inform the Assembly whether the approach taken in the ACT is in accord with the approach taken in other States in relation to the consolidation of schools?

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MR HUMPHRIES: Mr Acting Speaker, I think it is appropriate to make reference to some reports which have recently appeared elsewhere in Australia. They relate to the sorts of issues which are affecting the ACT, particularly a report in last Saturday's Age which was headed "Shake-up may amalgamate 600 schools". For the benefit of members opposite, the Age is a newspaper published in Melbourne and it discusses in part the events of Victorian politics, in this case the politics of the Victorian socialist left Government - Mother Russia, perhaps.

Of course, there are a number of places where issues such as those raised by this ACT Government have been raised. Last year, for example, New South Wales closed 13 schools, with another 15 schools nominated for closure this year. Since 1986, South Australia has closed around 20 schools and in the last five years Queensland has closed 60 schools. I think it is worth referring particularly to Victoria. The new Premier, Mrs Kirner, was formerly the Minister for Education. It has been reported, as the members have seen, that the Victorian Government expects to save money, especially in urban areas with declining school populations. Further, the program that the Victorian Government has embarked on is expected to improve the quality of education, so it says, by ensuring the provision of comprehensive curriculums in schools. Now - - -

Mr Berry: On a point of order, Mr Acting Speaker; this issue of ministerial statements in question time arises again. We are now a minute and a half into - - -

Members interjected.

MR ACTING SPEAKER: Order, members! I want to hear his point of order! Go on, Mr Berry, what is your point of order?

Mr Berry: Brevity is important in response to these questions. We are a minute and a half into a long ministerial statement in relation to this matter. I would ask you to call on the member to be brief in his response.

MR HUMPHRIES: It is lengthened by your interjection. I am two-thirds of the way through my answer, Mr Acting Speaker, and I will bring the remaining third to a quick conclusion. It is obvious from that clipping - - -

Mr Berry: I know it is embarrassing at question time, particularly for - - -

MR HUMPHRIES: It is certainly embarrassing to those opposite to discover that colleagues elsewhere in this country, of their own political persuasion, accept that savings need to be made by the consolidation of schools.

Mr Berry: On a point of order, Mr Acting Speaker; I think he should stick to answering the question; he is straying a little bit off the path.

MR ACTING SPEAKER: Perhaps if we could stop a few interjections members could answer questions. I think you were concluding, Mr Humphries.

MR HUMPHRIES: I was in the last third of my answer, Mr Acting Speaker. The Government of Victoria is consolidating 600 schools which, incidentally, is a considerably larger proportion of government schooling in Victoria than the ACT Government is affecting in its decision to consolidate schools. I think it is also worth referring in part to the efforts in Tasmania where a proposal to close 27 schools was announced last year by Mr Peter Patmore, the Minister in that State. This was frustrated by the Tasmanian Opposition and other parties, and now that system is looking to sack several hundred teachers from the system as a way of saving money. It seems that the stalinists opposite are the only people in this country who do not accept that money needs to be saved in education systems generally.

School Closures - Weetangera

MRS GRASSBY: I would also like to ask a question of the Minister for Education: given Dr Kinloch's public statements that he was not in possession of all the facts about the Weetangera school closure, what actions have you taken to provide the full information to your Executive Deputy?

MR HUMPHRIES: Mr Acting Speaker, I sincerely doubt whether the details of communication between myself and members of the Government are really a matter for questions in question time. I do not ask you what fights you have engaged in with your colleagues. Even when you were in government I did not ask you what interfactional rivalries had developed between you and your colleagues. I can assure you that my relationship with Dr Kinloch is considerably warmer than yours would be with Ms Follett and Mr Berry at the present time. I can assure you that Dr Kinloch has - - -

Mrs Grassby: My relationships with them are very warm; they do not keep me in the mushroom club, I can tell you that.

MR HUMPHRIES: That would be a terrible fate for you, Mrs Grassby, I would not dream of wishing that upon anybody. Mr Acting Speaker, the communication between members of the Government is very good. Any information that Dr Kinloch may have felt that he did not have, I believe he has now. I do not believe there is any ground for wishing for any improvement in these arrangements because they are, in fact, very good.

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MRS GRASSBY: I have a supplementary question. Now that Dr Kinloch has it, will you provide this information to the rest of the community?

MR HUMPHRIES: Mr Acting Speaker, the information is largely on the public record. It details school capacities and the location of particular special education units at the Weetangera school, issues of that kind. None of these things are secret, so I very much doubt that Mrs Grassby would be much edified by my producing any information which is already publicly available.

Office of Public Sector Management

MR STEVENSON: My question is to the Chief Minister, Trevor Kaine: at a time when spending cuts are most important, how can one branch called corporate development be retitled Office of Public Sector Management and receive sympathetic approval to expand by four senior executive service positions costing about half a million dollars?

MR KAINE: I am very happy to answer this question, Mr Acting Speaker. The Office of Public Sector Management is a new organisation created to assist the Government in implementing the very great infrastructural change that has to be undertaken over the next five years of this Government and, in fact, it involves no new positions at all.

I have undertaken, and I am abiding by my undertaking, that structural changes of the ACT Administration will result in less jobs, not more. These positions are simply a transfer to positions that already exist in other places in the administration.

Therapy Centre

MR CONNOLLY: Mr Acting Speaker, my question is directed to the Minister for Education. Is it the case, Minister, that parents of the South Curtin Therapy Centre have been advised that the centre will be moved in about 10 weeks' time? Where will the centre be relocated? Has its relocation been costed and what is that cost? What steps will you take to ensure that there is as little disruption as possible to the children of that centre while the centre is being moved?

MR HUMPHRIES: Mr Acting Speaker, I thank Mr Connolly for his question. It is a genuine attempt to obtain information, unlike many of the other questions I face from those opposite. In terms of the future of the Therapy Centre at the old South Curtin School, I can say I have also heard rumours that the place will be moving in 10 weeks' time. I find it extremely unlikely that that would be the case. It is - - -

Mr Berry: Yes or no. Is it, or is not it? Do not be dodgy. You are a dodgy person. You choose your words very carefully. Just be straight.

MR ACTING SPEAKER: Order, Mr Berry! Let him answer Mr Connolly's question.

MR HUMPHRIES: Those opposite, Mr Acting Speaker, seek information straightaway because they want the Government to make peremptory decisions that affect the lives of people without proper consultation. That is what they want. I refuse to be put in that position. I intend to make sure that before I make an announcement about a decision I have canvassed carefully the options before me and the Government and have ensured that the people affected by the decision have, to the best of my ability, been consulted about it.

I propose to talk very carefully to the people at that centre, to the people who run the centre and to the people who use it, before I make a decision about the location of that school. I find it highly unlikely that the school will be required to move in 10 weeks' time. I can, however, assure Mr Connolly and those opposite that the school will be moved in such a fashion as to preserve all the benefits and all the quality that is inherent within the Therapy Centre. I am quite confident that these benefits will not be lost.

Mr Berry: How much will it cost?

MR HUMPHRIES: If Mr Berry would be silent, he might allow me to get to that part of the question. I have already indicated very carefully and very clearly that I will not be entering into the process of debating the costs of the Government's decision. There will be an announcement made in the budget context. Mr Berry and those opposite cannot be surprised to hear that answer. However, I can indicate, as I have said before, that the cost of re-establishing a school in the South Curtin building could be as high as half a million dollars.

Tuggeranong Schoolhouse

MR JENSEN: Mr Acting Speaker, my question is directed to the Minister for Urban Services in his capacity as Minister responsible for heritage matters at the moment.

Members interjected.

MR ACTING SPEAKER: Order, members! Let Mr Jensen ask his question.

MR JENSEN: I refer, Mr DUBY, to the issues related to the long-term lease and conservation of the Tuggeranong

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Schoolhouse. Could the Minister inform the Assembly what the Government is intending to do about the long-term lease of the Tuggeranong Schoolhouse, particularly in relation to its long-term conservation?

MR DUBY: It certainly is a very attractive building and it is a building that I know that they are all very concerned about. There is no doubt that the Tuggeranong Schoolhouse is a valuable part of the ACT's heritage and it is also in need of conservation.

The Government has come to the conclusion that it intends to lease the property as the result of a call for expressions of interest in the lease. The successful lessee will be required to undertake the conservation of the schoolhouse buildings. I can assure members that the property will only be leased for a use which will be consistent with its heritage value and be suitable for a residential location. Needless to say, the residents of the Tuggeranong area will be consulted about the proposed lease arrangements.

Health Centres

MR BERRY: My question is directed to Mr Humphries in pursuit of more information.

Dr Kinloch: A genuine inquiry.

MR BERRY: This is a genuine inquiry, I can assure you.

Mr Kaine: Keep digging, Mr Berry. You might get an answer if you keep digging.

MR BERRY: I have got a couple of interesting ones. Will you give a guarantee or a promise that you will not close or sell off either the Kippax Health Centre or the Weston Creek Health Centre?

MR HUMPHRIES: I am not in a position to give any guarantees about anything at this stage, Mr Acting Speaker. If I am asked to make decisions on the floor of this chamber by myself, I think we will all be in a very sad state of affairs. I will make decisions in collaboration with my colleagues, in consultation with the rest of the Government, and then I will give appropriate responses in the Assembly.

Woden Valley Hospital - Cafeteria Service

MS MAHER: My question is directed to the Minister for Education and Health. Taking into consideration all the discussion that went on earlier this year, can the Minister assure the Assembly that with the recent reorganisation of

the cafeteria services at building 3, Woden Valley Hospital, rehabilitation patients are receiving an appropriate level of service?

MR HUMPHRIES: Mr Acting Speaker, members will recall the controversy about the future of the building 3 cafeteria earlier this year. On 1 July this year, the rehabilitation and aged care service commenced the development of an innovative, clinically based cafeteria program for patients. The therapeutic program involved staff providing a full meal and snack service to rehabilitation clients and patients.

A further development in mid-July has resulted in the relocation of the main public cafeteria to the rehabilitation building. The hospital's redevelopment program requires the first floor location of the existing public and staff cafeterias to be vacated to allow for construction work for clinical services. In the coming months it is expected that a portable facility will be located adjacent to the rehabilitation cafeteria to allow for the transfer of the staff cafeteria from the main building.

In the longer term, following completion of the development program, it is anticipated that the rehabilitation and aged care service cafeteria therapeutic program will be more fully developed. Meanwhile, the program is gradually being implemented alongside services to the general public. I can assure members that the savings the Government planned to make when it announced the reorganisation of the rehabilitation cafe earlier this year will still be achieved.

School Closures - Costings

MR WOOD: Mr Speaker, I direct a question to the Minister for Education. It relates to his persistent refusal to do any homework on the subject of costings of school closures. I refer him to the costings put out recently by Dr Perkins, and I ask why it is that he did not read the costings that were provided to his office, I understand a little time ago. Why did he not read the information that he had been provided with, especially in view of the fact that he had earlier expressed interest in it?

MR HUMPHRIES: I am afraid I am unable to discern the nature of Mr Wood's question. He talks about information provided to me by my office. I do not know which information he is referring to.

Mr Wood: Frances Perkins.

MR HUMPHRIES: As I said, the information that came from Frances Perkins in the form of that pamphlet came to me second-hand, not through my office. I saw it incidentally

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in the course of a meeting yesterday. I have had a look at that document. The information in it is being assessed by myself and the department, and to suggest that I am not going to consider that issue is just irrelevant.

MR WOOD: I have a supplementary question, Mr Acting Speaker. I have noted a media statement today by the Council of P and C Associations. It asserts that that information was in the hands of the Treasury a week ago today and in the Minister's office on Monday. Will the Minister review the arrangements within his office to ensure that he gets the data that is given to him. I will ask that again. Will the Minister review the arrangements in his office to ensure that the data that is given to him actually gets to him? It was there.

MR HUMPHRIES: Mr Acting Speaker, first of all, even if it is not obvious to Mr Wood at this stage, we are at the present time involved in a political game with some people in the Territory concerning school closures. They are certainly playing what I would consider to be games. The sorts of things we saw last week with respect to late night phone calls, abusive letters, and other things like that I do not think can be considered part of any constructive democratic debates. I would label them games.

Mr Wood: These costings are serious; will you concede that? This is a serious effort.

MR HUMPHRIES: Mr Acting Speaker, Mr Wood's assertion that they are serious I will take on face value. Not having yet seen them in any detail, I cannot comment in detail. I will consider that document and make an appropriate response. I believe Ms Follett has already asked me for such a response and I will produce such a response - but not on the run.

Health Centre - Dickson

MS FOLLETT: My question is again to Mr Humphries as Minister for Health and Education. It is a genuine attempt to get some information, and it is in response to representations on the subject that I have received, and I imagine all members have received. Mr Humphries, will you give a guarantee that you will not close or sell off the Dickson Health Centre and the Dickson Day Care Centre?

MR HUMPHRIES: I think I have already answered this question, Mr Acting Speaker. If Ms Follett were to ask me - - -

Mr Kaine: Are you going to sell off the Legislative Assembly. Will you guarantee not to do that?

MR HUMPHRIES: Mr Kaine reads my mind. I was about to say that if Ms Follett were to ask me if I could guarantee that

the Government would not sell off the Legislative Assembly, I would have to say that I could give you that guarantee.

Ms Follett: "Close or sell off", I said.

MR HUMPHRIES: I cannot give you either guarantee, Ms Follett. No matter how you express it, I cannot give you any guarantees. It is not my business as a single member of a 10-member government to rise in this place and give guarantees about things which have not yet been discussed by the Government. I propose to give answers to questions when the decisions have been made, and not before.

National Women's Health Program

MRS NOLAN: Again my question is to Mr Humphries, this time in his capacity as Minister for Health. What progress has the Government made in relation to the implementation of the national women's health program?

MR HUMPHRIES: Mr Acting Speaker, in May this year I signed an agreement with the Commonwealth Minister for Community Services and Health for joint funding for the first year of ACT participation in the national women's health program. ACT participation will see the establishment of a community based - - -

Mr Berry: On a point of order, Mr Acting Speaker; I again raise this issue of ministerial statements being made in question time. It is a misuse of question time. The Minister, of course, is reading from a very lengthy document.

MR HUMPHRIES: It is four or five paragraphs - hardly lengthy.

MR ACTING SPEAKER: Mr Berry, I rule against you on that. It is not a very lengthy document and considering both governments we have had here over the last 15 months I do not regard it as a ministerial statement.

MR HUMPHRIES: May I remind the Assembly that Mr Berry made a statement in answer to a question in question time on the national women's health program on one occasion. It makes very little difference - - -

MR ACTING SPEAKER: Order, members! Just continue, Mr Humphries, thank you.

MR HUMPHRIES: Mr Acting Speaker, as I said, in May this year I signed an agreement with the Commonwealth Minister for Community Services and Health for joint funding for the first year of the ACT's participation in the national women's health program. ACT participation will see the establishment of a community based, independently managed women's health centre organisation.

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This centre was recommended as a priority need by a community workshop held in February this year which was widely representative of women's interests in the ACT. The centre will be jointly funded over four years under the program, and its establishment will be a two-stage process. In the first two years it will be primarily a women's health information exchange and it will provide a meeting place for women's health groups.

Ms Follett: Are you sure this is not a statement - absolutely sure?

MR HUMPHRIES: I can see the members opposite are not interested in the efforts towards women's health in this Territory. However, members elsewhere in the chamber may be.

Mr Collaery: They do not like any good news. They only want bad news.

MR HUMPHRIES: Indeed, Mr Deputy Chief Minister, they do not like good news.

Members interjected.

MR ACTING SPEAKER: Order, members, otherwise we will spend five minutes just going to-and-fro on what should be a fairly short answer.

MR HUMPHRIES: It is not intended that the centre will duplicate or replace any existing women's health services in the ACT. In the third and fourth years, under the direction of an independent management committee, the centre will also provide specially targeted primary health care services for women. Commonwealth funding is also available for a consumer education and information strategy under the program. The ACT will focus on a major theme in each of the four years while maintaining the flexibility to respond to immediate needs. This year's funding has been devoted to the theme of menopause and related health issues for women.

School Closures - Walking Distances

MRS GRASSBY: I would like to ask a question of Mr Humphries. We might get an answer to this one. As a result of the closures of schools, what is now the greatest distance that children will have to travel to attend their new school? How long does it take for a six-year-old to walk two to three kilometres?

Mr Doby: Ask Mr Connolly.

MR HUMPHRIES: Mr Acting Speaker, I think Mrs Grassby should ask Mr Connolly since he asked the same question last week.

Mr Wood: No, it was not.

MR HUMPHRIES: Yes, it was. It is on the record. He asked the question.

X-rated Videos

MR STEVENSON: My question is to Mr Duby. It has now been a month since the applications were received from those companies making money from misery by selling pornographic videos. The figures that were received with the applications will be known to the department and to Mr Duby. Would Mr Duby be prepared to reveal to this Assembly and the people of Canberra how much money they can expect to receive from those figures that have been received?

MR DUBY: This, I guess, is a follow-up to the question that was asked on 8 August this year in relation to a suggested shortfall in the amount of revenue to be received.

Mr Stevenson: It is totally different. I would like to know how much money.

MR DUBY: How much money has actually been received this financial year?

Mr Stevenson: No, how much will be received from the figures indicated.

MR DUBY: What Mr Stevenson is asking, of course, is for me to have my hands on absolute figures which I just do not have here at the moment.

Mr Stevenson: Give or take a few thousand dollars, even tens. I will allow a couple of hundred thousand difference.

MR ACTING SPEAKER: That is generous of you, Mr Stevenson. Order!

MR DUBY: I shall undertake - - -

Mr Stevenson: Give it within a million dollars - four million or one million?

MR DUBY: What Mr Stevenson is asking for is for us to extrapolate the returns that have been received so far this financial year into a full financial year's figures.

Mr Stevenson: Exactly.

MR DUBY: Of course, Mr Acting Speaker, you will know that such a situation is not possible because, for various reasons, the Commissioner for Revenue has many powers of

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discretion within the Act that raises this money, the Business Franchise "X" Videos Act. He may determine a number of factors, and throughout the course of the year the commissioner may well determine various factors relating to the collection of the tax which will affect the final year's outcome.

However, given Mr Stevenson's almost myopic preoccupation with X-rated videos, I can give an undertaking to provide him with the amount of revenue that has been collected so far this financial year, but I must point out that the quite legitimate businesses that run X-rated businesses here in the ACT have taken the quite legitimate and legal steps that are available to any other businesses to minimise their payments of fees and taxes to the Government. They knew in advance that the Bill was coming into place on 1 July this year, so in many cases they bought large amounts of stock prior to 30 June. Of course, seeing that the tax is based on a wholesale basis, those particular purchases do not fall within the ambit of the Act and as such are not liable for franchise duties.

So, the figures that I will provide will not be indicative of the amount that should be raised from the business franchise tax in a full financial year of a normal financial year, and I would like to point that out. But I shall make those figures available to Mr Stevenson.

Education

MR BERRY: I would like to refer the Minister for Education to the Bulletin, dated 5 June 1990, and a statement made by the ACT's then Chief Education Officer, Mr Eric Willmot, where he said:

The ACT is a lighthouse. We can take risks. If we make an error here, it's easy to back off it.

Will the Minister back off it when it has been identified that he has made a mistake?

MR HUMPHRIES: Mr Berry well knows that hypothetical questions are outlawed by standing orders. Since I do not plan to make mistakes, I do not think I need to answer the question. However, should the rare occurrence take place where I do make a mistake, I would be very happy to admit that I had made a mistake and to back off it. I am not convinced that any mistake has yet been made in respect of this debate.

Mr Berry: I have a supplementary question. Does the Minister agree with his education officer, Mr Willmot, that:

The ACT is a lighthouse. We can take risks. If we make an error here, it's easy to back off it.

MR HUMPHRIES: I think, Mr Acting Speaker, that - - -

Mr Berry: Do you agree, or do you not?

MR HUMPHRIES: If Mr Berry will have a little bit of patience, I am sure he will be able to hear the answer. Before I answer Mr Berry's supplementary question, I might indicate that present in the chamber are students from the Metropolitan Business College and from Lyneham High School. I welcome them to this place, particularly when we are debating important issues touching on education.

To answer Mr Berry's question, I certainly agree with Dr Willmot when he says that the ACT is a lighthouse or a beacon for the rest of Australia. I think our education system is a very good one, and it will get better and better if the costs of maintaining the system are streamlined and our emphasis and our resources are placed where they are most appropriately going to produce a high quality of education. I certainly do not think that Dr Willmot was saying that we can afford to be reckless. That is not what he was - - -

Mr Berry: It is in writing.

MR HUMPHRIES: He was not implying, Mr Acting Speaker, that the ACT should be reckless; he was simply saying that the ACT is a small place with a compact system and it has, in the past, been viewed as something of a social laboratory. That is certainly not the view of this Government. This Government wants to provide stability and certainty, and in particular, a sound funding base for students in the ACT.

MR KAINE: Mr Acting Speaker, I request that any further questions be placed on the notice paper.

PAPER

MR COLLAERY (Attorney-General): Mr Acting Speaker, I table for the information of members the following paper:

Co-operative Societies Act - Registrar of Co-operative Societies - Report for 1988-89.

CRIMES (AMENDMENT) ORDINANCE (NO. 2) 1990 Ministerial Statement and Paper

MR COLLAERY (Attorney-General), by leave: Mr Acting Speaker, I table the following paper:

Crimes (Amendment) Ordinance (No. 2) 1990.

Mr Berry: What is that for? What was that?

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MR COLLAERY: This piece of legislation - - -

MR ACTING SPEAKER: Listen, Mr Berry, pay attention.

MR COLLAERY: If you were not so far up your ladder, you would be able to hear. It takes him five minutes to get to his feet, he is that tall.

Members interjected.

MR COLLAERY: This is about torture; it is an appropriate subject, I think.

Mr Berry: Is this a ministerial statement?

MR COLLAERY: Through you, Mr Acting Speaker; may I continue?

MR ACTING SPEAKER: Mr Collaery does have the floor, Mr Berry.

Mr Berry: On a point of order, Mr Acting Speaker; is this a ministerial statement?

MR ACTING SPEAKER: It is the presentation of a paper, Crimes (Amendment) Ordinance (No. 2). He was also granted leave to make a short statement. Continue, Deputy Chief Minister.

Members interjected.

MR ACTING SPEAKER: Order, members! Let Mr Collaery make his statement. We have given him leave, now listen to him.

MR COLLAERY: This piece of legislation contains some important changes to the criminal law of the ACT. Responsibility for the Crimes Act 1900 (New South Wales) in its application in the ACT - that is the principal criminal legislation of the ACT - passed from the Commonwealth to the ACT Government on 1 July 1990. Just prior to this handover, on 15 June 1990, the Commonwealth made this ordinance I am tabling to amend the provisions in the Crimes Act 1900 which relate to offences against a person, that is offences other than sexual offences. These reforms were made in consultation with myself and the ACT Criminal Law Consultative Committee.

Of particular interest is the new offence of torture, contained in section 235. This provision implements in the ACT the convention against torture and other cruel, inhuman, or degrading treatment or punishment. The section follows the wording of the convention and applies to acts of torture inflicted by a public official, or a person acting at the instigation of a public official. The offence carries a maximum penalty of 10 years imprisonment.

Members of the Assembly, I wish to place on record our approval of these reforms. I notice they received very careful consideration by the Criminal Law Consultative Committee and the criminal law of the Territory has been greatly strengthened as a result. I am also pleased to note the inclusion of the express protection against torture. Australia has a high reputation in this area, but nevertheless I believe it is appropriate for the law to outlaw all forms of behaviour that contradict our basic human rights. The existence of such laws will help to ensure that our reputation continues to be deserved.

UNITED NATIONS CONVENTION ON RIGHTS OF THE CHILD
Ministerial Statement and Papers

MR COLLAERY (Attorney-General): I seek leave to make a ministerial statement on the United Nations convention on the rights of the child and the first and second optional protocols to the international covenant on civil and political rights.

Mr Berry: We were aware of that, yes.

MR ACTING SPEAKER: Leave is granted, Mr Collaery.

MR COLLAERY: I am indebted to Vladimir. Thank you, Mr Speaker.

Mr Berry: On a point of order, Mr Acting Speaker; I think the Chair has ruled on the names of - - -

MR ACTING SPEAKER: It has on previous occasions. Could we withdraw that? I do not think we have anyone called Mr Vladimir and I do not think it is anyone's Christian name either.

MR COLLAERY: I recall now that one should use surnames. Mr Acting Speaker, this statement outlines the contents of the United Nations convention on the rights of the child and the first and second optional protocols to the international covenant on civil and political rights. I would also like to advise the Assembly of the approach the Alliance Government will take in future in relation to international incidents. The optional protocols to the international covenant on civil and political rights have not been debated by the Assembly. I will briefly outline their contents.

The first optional protocol provides an international forum for persons who believe their civil or political rights have been violated. This forum will be available to persons who have exhausted all avenues of the field in their own countries but still believe they have been denied justice. I think we all agree Australia itself has a sound record on the protection of its citizens' civil and political rights. However, residents of other nations are

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not so fortunate. The protocol gives them the opportunity to obtain redress.

The second optional protocol gives signatory countries the opportunity to express their support for the abolition of capital punishment. Members are no doubt aware the death penalty is no longer carried out in this country. Again, this is not the case in all places. This protocol gives Australia the chance to state its condemnation of capital punishment. The Chief Minister has written to the Prime Minister advising him of the Alliance Government's support for the two optional protocols.

Members will also recall that the United Nations convention on the rights of the child was debated in this chamber last November. It attracted considerable contention. Australia has been closely involved in the drafting of the convention over the last decade. The convention sets out what the international community has agreed are the fundamental rights of children, namely: the rights to parental care; special protection and assistance from the state where they have been deprived of a family environment; protection from neglect, exploitation and abuse; certain minimum standards of protection in relation to judicial or penal proceedings, including the right where appropriate to alternatives to institutional care; protection from torture, capital punishment and deprivation of liberty; and, rehabilitative care where they have been victims of neglect, exploitation and abuse. I am certain we all agree that these are worthy objectives. However, doubts were raised, mainly by Mr Stevenson, about whether the intended objectives of the convention are achieved. Mr Stevenson saw the convention as a threat to parental control over children.

Before I re-examine the problems raised by Mr Stevenson, let me say that the Chief Minister's letter to the Prime Minister indicated the Alliance Government's support for the convention on the rights of the child, subject to two qualifications. The first qualification relates to article 37 concerning the punishment and imprisonment of children. Apart from the Quamby Youth Centre there is no other place in the ACT for the detention in custody of children convicted of an offence. The ACT relies on the New South Wales juvenile justice system for young offenders who are sentenced for long terms of committal. But, of course, we have no control over its day-to-day administration. While there are currently no ACT juvenile offenders in the New South Wales system, we are not in a position to guarantee compliance with the terms of article 37 when it comes to those ACT children who have been transferred to New South Wales.

The other qualification concerns education; specifically, that the type of education a child receives is a matter for a parent to decide. This is not expressly stated in the convention and we have drawn it to the attention of the Prime Minister.

I now turn to the matters raised by Mr Stevenson last November. Mr Stevenson suggested that article 2, which protects children from discrimination or punishment on the grounds of their parents' or family members' opinions, beliefs or activities, would allow a child to refuse to go to church with his or her parents, or to refuse medical treatment. In his hurry to find fault - - -

Mr Stevenson: Why would you suggest that, Mr Collaery?

MR COLLAERY: I will give you your answer now, Mr Stevenson. In his hurry to find fault, Mr Stevenson overlooked the convention's preambular paragraphs 5 and 6. These recognise that the family is the natural environment for the growth and well-being of a child, and that the family as a unit should be protected. Article 5 confirms the overriding role of parents in the development of their children. The convention recognises the importance of the role parents play in all aspects of the growth of their children.

Articles 12 and 13 also attracted Mr Stevenson's attention. Article 12 recognises the right of a child to freedom of expression of views, with due weight on the child's age and maturity. Mr Stevenson thought it "extreme". However, it is the alternative that is extreme. By this I mean having words such as "children should be seen but not heard" enshrined in international law. This would effectively deny children the right to have their views taken into account when their interests would be affected; for example, on their parents' dissolution of marriage.

Article 13, which recognises a child's right to seek information and ideas of all kinds, was criticised by Mr Stevenson as allowing a child to view pornography if he or she chose. Paragraph 2 of article 13 rebuts this, and Mr Stevenson would do well to read it. This paragraph allows states to prescribe laws necessary for the protection of public morals. Laws restricting display and sale of pornography to children would still apply, consistent with the convention. Article 34 is also relevant. States are specifically directed to protect children from all forms of sexual exploitation and abuse, including preventing their exploitation in pornographic performances and materials. In addition, by becoming a signatory to the international covenant on civil and political rights, Australia has recognised rights similar to those in article 13 of the convention on the rights of the child for all human beings, including children.

I now move to article 14. This article is about freedom of conscience and Mr Stevenson raised concerns about its effect on parents' ability to have a say in their children's religious upbringing. Again Mr Stevenson has been reading only part of the text. Paragraph 2 of article 14 says that states shall respect the rights and duties of parents to provide directions to their children in their children's exercise of conscience.

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Mr Stevenson alleged paragraph 3 of article 14 made it possible for an extremist federal government to control religion, pretending that it was legislating for public order. The paragraph states that freedom to manifest one's religion or beliefs may be subject to limitations. These limits may be set by law for the protection of public safety, order, health, morals or the fundamental rights and freedoms of others. In reply, I simply draw Mr Stevenson's attention to the constitution of the Commonwealth of Australia, particularly section 116 which states:

The Commonwealth shall not make any law for establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion ...

Article 15 concerns the rights of the child to freedom of association. Here Mr Stevenson's objection was that, if adopted, it would allow children to associate freely with prostitutes, deviates and perverts. Mr Stevenson again has failed to notice paragraph 2 of the article in question. A child's freedom of association is limited by laws, particularly those relating to national security, public safety, protection of public health and morals and rights of others. Furthermore, the rights granted by article 15 are subject to the guidance and protection of the parent guaranteed under article 5.

I think I have now covered all the areas in the draft convention considered by Mr Stevenson to be objectionable. Before I discuss more general matters, I will touch on article 6 which may be of general interest to members. This article deals with a child's inherent right to life. I have been advised by the Commonwealth Attorney-General's Department that because a child is defined as a human being below 18 years, and the term "human being" is not defined, the convention does not explicitly favour the pro-life, nor the abortion lobby. Each country must determine the meaning of article 6 according to its own laws. In the ACT the law relating to abortion is the same as it is in New South Wales, except that the Termination of Pregnancy Act 1978 makes it an offence for a medical practitioner to terminate a pregnancy, other than in a hospital conducted by the capital territory health commission. The termination of a pregnancy is not an offence where it is performed by a medical practitioner who has an honest belief, on reasonable grounds, that the operation is essential to preserve a woman's life or her physical or mental health, and the operation is not out of proportion to the danger to be averted.

Finally, I would like to say a few words about procedures for future ACT responses to the Commonwealth on matters of international concern. It is the Commonwealth Government's exclusive constitutional power to enter into international agreements. However, the federal nature of Australia means that the Commonwealth prefers not to ratify international

agreements without the concurrence of the States and Territories. The Alliance Government has decided to follow the procedure adopted by all States and the Northern Territory. The decision whether or not to support an international agreement will be made at Cabinet level, after full consultation with relevant agencies and advisory bodies. The Minister concerned will then make a statement to the Assembly with full public and parliamentary debate to follow if members so desire.

This procedure will mean that the ACT is in a position to provide quicker responses to the Commonwealth on important matters of international concern. For the information of Assembly members, I now table copies of the convention on the rights of the child and the optional protocols to the international covenant on civil and political rights, together with some additional background material. I table the following papers:

United Nations Convention on the Rights of the Child and the Optional Protocols to the International Covenant on Civil and Political Rights -

Questions and Answers, prepared by the Commonwealth Attorney-General's Department.

Responses to concerns, prepared by the Commonwealth Attorney-General's Department.

A treaty for children: papers prepared by the Human Rights and Equal Opportunity Commission entitled -

Informing people about the new convention.

Setting standards.

Ten years in the making.

Important to Australian children ... and families.

Important to children of the world.

Questions and answers.

Convention on the Rights of the Child, dated December 1988.

First Optional Protocol.

Second Optional Protocol.

I move:

That the Assembly takes note of the papers.

Debate (on motion by **Mr Stevenson**) adjourned.

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PUBLIC WORKS CONTRACTING
Discussion of Matter of Public Importance

MR ACTING SPEAKER: I have received a letter from Mr Connolly proposing that a matter of public importance be submitted to the Assembly for discussion, namely:

The failure of the Government to properly manage public works contracting in the ACT.

MR CONNOLLY (3.21): Mr Acting Speaker, the matters to be raised in this matter of public importance this afternoon are of fundamental importance. They are of such importance that the Opposition has, this afternoon, decided to give them precedence over our overriding concerns on the fate of the education system in this Territory. The charge, as laid out in the matter of public importance, is the incompetence and mismanagement of public works contracting in this Territory. We say that the consequence of that incompetence and mismanagement is that up to \$7m is owed subcontractors on public works contracts flowing from the R and G Shelley group collapse. We say that the cost of this incompetence and mismanagement will be disaster for many small subcontractors in the ACT and their families, and a body blow for the ACT building industry.

Mr Acting Speaker, the particulars of this matter are, in our argument, that the ACT Government, knowing of the financial position of the R and G Shelley group, continued to award contracts to that group and acted in such a manner as to encourage some contractors to continue to deal with Shelleys. We allege that the ACT Government, in its public statements and its conduct, in effect encouraged subcontractors to believe that the Shelley group was sound. We will say and we will prove that the ACT Government said that it would audit and investigate the conduct of Shelleys and it failed to do so.

Mr Acting Speaker, the R and G Shelley group was placed into provisional liquidation on 25 July 1990. At the time, Shelleys owed approximately \$10m; \$7m of that to unsecured subcontractors and trade creditors. From public statements its wind-up value, however, is expected to be only in the order of \$3.4m. By the time the secured creditors, the Commissioner of Taxation and certain employee guarantees are paid, that means, in fact, that the \$7m of debts owing to unsecured subcontractors will be met with a very paltry sum. The subcontractors will be looking at a 10 cents in the dollar return. At the time of the collapse Shelleys had some 23 contracts from the ACT Government valued at about \$12m, with the cost of uncompleted work in the order of \$4.3m.

Mr Acting Speaker, the tragedy of this matter is that the major losers will be the subcontractors who may receive, as I have said before, as little as 10 cents in the dollar for work already done. We hear a lot in public debate in Australia about the irresponsibility of unions. In

particular, unions in the building industry are seen as an easy can to kick when a conservative government is in trouble. We have seen that rhetoric in New South Wales with the royal commission into the building unions, and we have seen the conservative Government, in this Territory, trying to climb on that band wagon and have a go at the building industry unions. In this matter, it is the building industry unions and the Australian Federation of Construction Contractors who are standing firmly together to argue that the Government has some responsibility for this collapse and a responsibility to assist the subcontractors.

It is very easy to mouth the rhetoric of being a government concerned with private enterprise. It is very easy to mouth the rhetoric that it is only the Liberals and Conservatives that understand small business and that the Labor Party in some way has no feeling for small business - that it in some way is a tool of the union movement. These are allegations we often hear. But, when push comes to shove, when small business is in trouble, when a building group collapses and leaves contractors with unpaid moneys, where is the rhetoric of the conservative governments and their assistance for small business? Small business in Canberra is bleeding over this matter. Contractors face the certain collapse of their businesses and all this Government will do is wash its hands of the affair. In one particularly unfortunate case that we are aware of, not only is the subcontractor himself facing bankruptcy but his mother, whose house is mortgaged to support her son's business, faces losing that house.

Mr Acting Speaker, these are the circumstances where government rhetoric about support for the business community will really be tested and I sincerely hope that it will not be tested and found wanting. It will give this Opposition and the trade union movement no pleasure to make political points out of this exercise. People are hurting over this matter and it is up to the Government to come to the party.

Mr Acting Speaker, I referred earlier to the fact that unions and industry are quite united on this issue, despite the nonsense of union bashing allegations that we hear in the calls for a royal commission into the building industry unions. If a royal commission is called for, it is not needed to look into the building industry unions; it is needed to look into contract management and the way small people can lose all through incompetent government decisions.

On 4 August the Canberra Times reported, under the by-line of Mr Uhlmann, that the ACT Government may have to pick up some of the \$7m debt left by the collapse of Shelleys because unions and contractors are refusing to continue work on the sites abandoned by Shelleys following their collapse. Any Canberra commuter who travels on Limestone Avenue is well aware of this. Unfortunately, despite the

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united claims by industry and unions, the Government seems keen to wash its hands of the affair. Let me read into the record of this place the comments of the director of the Australian Federation of Construction Contractors, Mr King. He is not a person who is usually noted for his support for building industry unions, nor indeed are building industry unions normally noted for their support for the Australian Federation of Construction Contractors, but on this issue, Mr Acting Speaker, they stand united. Mr King said:

There appears to have been a breathtaking recklessness in the way some of the contracts were awarded by the ACT Government in view of the fact these contracts were awarded when there were rumours about Shelley's.

That is the statement, not of some union partisan, nor of a partisan of the political interests on this side of the house, but of the representative of the construction contractors in Canberra. There is "breathtaking recklessness" in the way contract management has been handled in this Territory.

What was the response from the Government to those statements? Again I quote from the Canberra Times on 4 August:

The spokesman for the Minister for Finance and Urban Services, Craig DUBY, said the Government would not accept financial responsibility for the collapse of the company and denied that the Government had been negligent in its handling of public works contracts. He said if the Government paid some of the company's debt it would set a "dangerous precedent".

"Set a dangerous precedent", Mr Acting Speaker. We hear the echoes of Sir Humphrey Appleby in that sort of approach; "The Government cannot move in, that would set a dangerous precedent". Mr DUBY's argument, essentially, is that the Government is not responsible because of a business collapse and the Government is not responsible for all business that goes bad. Now, as far as the statement which has been repeated by me goes, we would have to agree with that. We do not say that the Government is always responsible whenever any business collapses in Canberra, or that any government anywhere else in Australia should always be responsible when a business collapses. But this is not so when the Government was negligent in its handling of public works contracts so as to induce the small contractors. We are not talking about the big contractors here, we are talking about small business people - people who have not got the resources to investigate matters in full themselves but who rely on government statements to enter into contracts in good faith.

We say, Mr Acting Speaker, that if the Government can be shown to have acted in such a way as to encourage the

subcontractors to believe that Shelleys were safe to deal with, then in those circumstances the Government was negligent and in those circumstances the Government should step in and help the small business person. I mention in passing the events of recent months in Victoria. No negligence was alleged on behalf of the Victorian Government in the Farrow collapse, nonetheless the Government was prepared to help the small investors in that unfortunate collapse.

Precedents do have to be set some time, Mr DUBY. The Government does have to step in to help the individual. In this case we are alleging that the Government knew what was happening and acted in such a way as to encourage the contractors to continue to deal with Shelleys. That, of course, was denied in the report of the Canberra Times on 4 August which said:

Asked if the Government had known about Shelley's financial woes, the spokesman said that he was not aware that the company had been in trouble.

Mr Acting Speaker, we believe that we can show that that statement was false. We believe that we can document that the Government did know of the position of the R and G Shelley group and acted in such a way as to encourage subcontractors to believe that their interests were being looked after by this Government; acted in such a way as to encourage subcontractors to believe that it continued to be safe to deal with the Shelley group. Subcontractors have now found to their horror that these statements were not accurate.

In the Canberra Chronicle of 31 July the Government's statement of 4 August that it was unaware that the company had been in any trouble is clearly refuted. I will quote from that article on page 3 of the Canberra Chronicle, 31 July. Again, we always have an unnamed Government spokesperson. It stated:

A Government spokesman said Shelley's financial strife had come as a complete surprise, although he had been aware Shelley's had had some cash flow problems at the beginning of the year.

Mr Acting Speaker, that is a statement that the Government had been aware of the cash flow problems of Shelleys earlier this year. It is our understanding that on 20 March 1990 ACT Public Works wrote to the R and G Shelley group making it clear that the Government was aware of the extent of Shelleys cash flow difficulties, and was aware that these cash flow difficulties were, at that time, affecting payments to subcontractors. This letter imposed certain conditions on Shelleys with respect to project managements, and in particular, it required monthly audits of their accounts. I will read into the record the conditions that were imposed upon R and G Shelley on 20 March 1990.

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Mr Jensen: Are you going to table it?

MR CONNOLLY: I am quite happy to do so, Mr Jensen. The letter stated:

You make payment to all contractors covered by the statement within 7 days of receipt of monies due from ACT Public Works.

ACT Public Works will audit your accounts each month in the last week of the month to check that all payments due to contractors have been made within 30 days of presentation of their accounts.

Mr Acting Speaker, our understanding is that those audits were not carried out. I would be pleased to hear to the contrary if that is, in fact, true. That letter - and I am quite happy to table a copy of it - was, I understand, widely known in the business community in the building sector. It was - - -

MR ACTING SPEAKER: Do you seek leave to table that, Mr Connolly?

MR CONNOLLY: I seek leave to table the following paper:

Public Works - Copy of letter from Project Engineer, Department of Urban Services to R and G Shelley Group, dated 20 March 1990 relating to progress payments to contractors.

Leave granted.

MR CONNOLLY: I understand that it was widely known in the in the business community that that statement had been made. It was widely known that ACT Public Works had undertaken to audit accounts to ensure that subcontractors were being paid. This was at a time when the Government was aware of the cash flow problems - a situation leading the contractors to believe that they were secure.

Later, on 3 April 1990, Ms Follett asked Mr Duby whether the financial viabilities of contractors were investigated thoroughly prior to the awarding of contracts for ACT Public Works. The answer - and I am quoting from Hansard, 1 May 1990 at page 1481 - was that:

The size of a project will govern the extent of financial assessment. All successful tenderers over \$200,000 are investigated. Lesser tenderers receive only cursory investigation unless:

a. doubt exists as to the tenderers financial capacity ...

Mr Acting Speaker, I would suggest that that is a clear statement that in the case of contracts over \$200,000 the

financial viability of the contract is to be assessed by the Government and that, in any case, the financial viability will be assessed if doubt exists as to the tenderer's financial capacity.

Mr Acting Speaker, I submit that, given the statement of 20 March when it was clear that the R and G Shelley group were having troubles in their cash flow, and were having trouble in making their regular payments to subcontractors, it was reasonable for subcontractors in this town to take it that the assurance from the Government was not only that they would look at and investigate the viability of contractors for over \$200,000, but also that the Shelley group was such a group that doubt existed as to the tenderer's financial capacity. The continuing awarding of tenders to the Shelley group, following these statements, would indicate that the Government had investigated the financial soundness of the head contractor of the Shelley group. To their detriment they have found out that that was not the case. I challenge the Government to indicate what steps it actually took in relation to the Shelley group to fulfil the promise made to Ms Follett in the answer to this question, that is, that tenderers of over \$200,000 are always investigated and that investigations also occur when doubt exists.

Since 20 March when that original statement was made, at least 10 contracts of a value of over \$2m have been awarded to Shelleys; half of them for more than \$200,000. Of even greater concern is that on 18 July 1990, precisely one week prior to the collapse of the Shelley group, the ACT Government Gazette No. 28 announced the awarding of six contracts to a value of some \$1.65m to the Shelley group. This was one week prior to the collapse, Mr Acting Speaker. Following the statements that contractors are investigated if the contract is for over \$200,000 or if there is a doubt, we have \$1.65m in contracts being awarded.

Mr Acting Speaker, I believe that it is clearly demonstrated that the Government knew of the situation of Shelleys. (Extension of time granted)

I believe that the documents and the answers to questions on notice about the position of the Shelley group demonstrate that the Government was aware earlier this year that there were cash flow difficulties which meant that subcontractors were not being paid. It imposed particular conditions in relation to one contract which involved the auditing of Shelley's books - a circumstance that was widely known throughout the industry. It told this house that successful government tenderers are investigated subject to a financial limit on the tender - which was, in fact, exceeded in over half of those contracts awarded on 18 July - or in any case where there is doubt over the viability of the tenderer. I would submit that, given the prior history of the Shelley group, it must have been taken by the contractors that this was a circumstance where the contract would be investigated.

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Mr Acting Speaker, for all of these reasons we allege that the Government led the contractors of this Territory to believe that all was well with the Shelley group when the Government, in fact, was aware that all was not well. The Government's actions resulted in contractors in good faith entering into agreements with the Shelley group, agreements which the Shelley group are now unable to honour, leaving small contractors - and we are talking here about individuals running companies or small family companies - leaving the little person carrying the can, leaving the little subbie, the independent subcontractor, or the building worker with a substantial loss.

The immediate need is for the Government to take some steps to pay these people, otherwise confidence in the building industry in this town will be gone. If there is a further need, when the Government has done the honourable thing on that, it is to look closely and deeply into the system of awarding contracts in this town.

MR DUBY (Minister for Finance and Urban Services) (3.38): As Mr Connolly said at the start of this debate, it is worthwhile noting that the Opposition have given up their attempts to embarrass the Government or somehow attack the Government on education issues for the simple reason that they have realised that their claims have been just that, all claims and no substance.

I think it is quite interesting that they have got off the education band wagon, especially when I read the wording of this matter of public importance lodged by Mr Connolly. I shall read it:

The failure of the Government to properly manage public works contracting in the ACT.

I notice from my ever ready copy of Fowler's Modern English Usage that the English-speaking world may be divided into five categories: those who neither know nor care what a split infinitive is, those who do not know but care very much, those who know and condemn, those who know and approve, and those who know and distinguish.

Mr Connolly: I am sure the contractors facing bankruptcy would like to know about split infinitives.

MR DUBY: I can see that from Mr Connolly's interjection he falls into category one. He belongs to the vast majority of people who neither know nor care and "are a happy folk, to be envied by most of the minority cases".

Mr Wood: That is a minute and a half. Are you going to get on to the subject?

MR DUBY: I do not think I shall need the full time to be able to demolish the arguments put up by Mr Connolly today. If ever there was a wet set of arguments mounted, it was

those. To try to suggest that the Government has managed the public works contracting in the ACT improperly is something which I think needs to be clarified and clarified now. I am pleased that the matter has been raised because it provides me with a useful opportunity to set the matter straight concerning the ACT works contracting system, something which I think Mr Connolly demonstrated in his extended tirade that he clearly does not understand.

Unlike the previous Government, this Government has announced a government purchasing policy which extends to contracts. It requires that in purchasing goods and services we achieve the best value for money and do not necessarily accept the lowest tender. Of course, that brings a smile to Mr Connolly's face, but that is the truth.

This policy also aims to ensure fairness and equality of opportunity to businesses supplying services to the Government. Tenders are called for all works worth over \$50,000. The Government's contracting procedures and contract forms are similar to those that have been used by public works authorities around Australia for many years. These conditions were developed by the national public works conference in close consultation with industry, and have proved to be a sound basis for public works contracts, not, as Mr Connolly was trying to imply, a series of shambles. The system is very well organised. While public works organisations throughout Australia and industry generally have been concerned about the level of contractual dispute in the industry, there has been general acceptance of the general conditions of contract which form the basis of the legal contract in their present form. In particular, there has been no criticism of those conditions which specifically relate to the failure of companies.

Mr Acting Speaker, the Government has a specialist group in my public works department dedicated to arranging contracts to ensure that they are put in place fairly and that they are properly checked. It also provides for maximum flexibility in handling the boom-bust patterns of the construction industry which, of course, are well known, and which unfortunately are going to be with us for ever and a day. It is the very nature of the industry that in good times there are many people operating. When times get tough, unfortunately people drop out of the industry and some fingers get burnt. That is the nature of the industry.

That specialist group also ensures control of quality and value for money for the taxpayer, and the cost-effectiveness of every dollar spent on construction in the ACT. It protects and fosters new contractors and ensures contracts are given to contractors capable of handling them. It maximises responsiveness to government decisions, to implement quickly and efficiently new initiatives. It offers a service to government agencies and thus ensures competent advice at the early conceptual stages of a

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project. It employs local consultants and contractors and plays a vital role in the ACT construction industry and the local economy as a whole. I think the economy here in the ACT would definitely be on a recipe for disaster if we did not have the construction industry here to contribute to the economy and provide the jobs and services that are required. The group also provides an in-house source of advice to the Government, and to some degree to local community groups considering a construction project.

If Mr Connolly would like me to arrange a briefing so that he can learn to understand how the contract system is organised here in the ACT and how the public works contracting is managed, most efficiently and most properly, I would be only too pleased to arrange a briefing to illuminate the matters for him.

The matter that Mr Connolly most referred to, of course, is that concerning a construction firm by the name of R and G Shelley Pty Limited. I think it behoves me to give some details of what Shelleys are, and what they have been involved with, and exactly what has been the problem in relation to that firm. It should also be pointed out that R and G Shelley Pty Limited are only one of a number of companies in financial difficulties throughout Australia because of their involvement in development projects. The question might well be asked: why are those companies in difficulty? We all know why. It is because of the reckless financial policies being adopted by the Federal Government, the mini recession that is being formed and the high interest rates that are being slugged upon small businesses and large businesses here in Australia. Of course, they are being slugged not only on businesses, but on households as well. The concept is that unless people are bleeding the economy is not doing well. We do not support that at all.

Nevertheless, in relation to Shelleys, R and G Shelley Pty Limited was incorporated in the ACT in 1981. The company founders were two folk by the name of Robert and Graham Shelley, both of whom were and are very experienced in many facets of the local construction industry. The company had a turnover from construction activities in 1981-82 of a mere \$300,000. In 1988-89 that turnover from construction activities had increased to \$24m.

At the time of their provisional liquidation there were 46 government contracts current. I think it is worth pointing out that the majority of those contracts that were current were entered into prior to this Alliance Government being in place. Many of them had been let by the previous Government. Those entered into by this Government only had a value of around \$3m. So, to point the finger at this Government and say that it is our contracting management that is at fault is clearly ludicrous. It is a large problem and we should adopt a bipartisan approach and see if we can somehow get the best of a bad job.

In relation to Shelleys, the current contracts which could be considered critical are the Monaro Highway, the Theodore Primary School and the Tuggeranong transport and works depot. All of these were in existence at the time of the formation of this Government. They had all been managed by the previous Minister, Mrs Grassby. All efforts are being made by Public Works to resolve these and the other contracts on which Shelleys have defaulted, to enable the work to be completed as soon as possible and to ensure subcontractors suffer as little as possible.

One fact that is clear is that the ACT Government cannot be responsible for Shelley's debts to their subcontractors and suppliers, and to suggest that we are in some way responsible is clearly ludicrous. All contracts with the ACT Government had security deposits provided by Shelley's bank as unconditional guarantees. These guarantees have now been called in and they will be used by the Government to offset the extra cost of finishing those projects which remain to be finished.

Mr Acting Speaker, I think it would be fair to say that the ACT Government, the works department part of the Government, were aware of rumours about Shelleys and their financial viability. I think it should be pointed out that usually in the construction industry there are rumours floating around about all sorts of firms, particularly here in the ACT. It seems to be a place of rumours. I should note, though, that the firm was legally entitled to tender; it provided reasonable tender prices and it certainly did not win all the tenders that it went for. Many is the time other firms underquoted it and they were awarded tenders in preference to Shelley. Shelleys had a proven record of performance and it had provided substantial performance guarantees from one of the major banks. Frankly, Mr Acting Speaker, I believe it would have been quite irresponsible and indefensible for the ACT Government or the ACT administration to have excluded Shelleys from consideration, in the circumstances. If anything, that would have only hastened the demise of the firm and perhaps have left a number of people in an even worse position than they are now.

Mr Connolly presented the letter he tabled as if it was evidence in a treason case. The letter to the Shelley group stated that contractors should submit accounts for all work completed during the month, before payment is then handed on to it to be handed on to the subcontractors. He produced this letter as if it was a special requirement that was somehow put to Shelleys and Shelleys alone.

There are two types of work that are conducted within the public works area, Mr Connolly. One of them is where a firm contracts to perform a specific task - to build a road, to put in some sewerage works or whatever it may be. It provides a quote to do that and it is given the money and it goes out and does it and it arranges that however it wishes to do so.

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Another method, particularly with larger jobs, is that firms quote to be project managers and to provide their expertise in the construction of a large project - for example, a school, or something along those lines. They then hire out to other subcontractors and, in effect, subcontract to other subcontractors to do the work, to provide the concrete, to put in the electrical work, et cetera.

In cases of project management this is the standard arrangement which is entered into with all firms, not just Shelleys. The arrangement is that the firm acts as an agent, if you like, for the Government in providing that expertise. When work is performed by a subcontractor the arrangement is that the subcontractor will be paid by the agent, the agent then sees the Government and says, "There's the work. It has been done to the standards that we have asked the contractor to do it to. We have paid him. Please provide the money to us so we can continue. We get our cut off the top; our cream off the cake".

I can see from the look on the faces of the Opposition that this comes as a complete mystery and surprise to them. It seems remarkable to me that if you are going to raise a matter of public importance and have as your trump card a letter from Public Works - as if, as I have said, it was evidence of treason - you should not bother to check whether this is the normal procedure. I can assure the Assembly and I can assure you, Mr Acting Speaker, it is. In all aspects of the relationship between Shelleys, as a contractor for the Government, and the Government, the proper, legal and correct procedures have been adopted. It is not our fault and it is not our problem if Shelleys, for whatever reason, goes into liquidation.

In relation to the other works, the other sort of jobs we are talking about - for example, where they have contracted to build a road or a sewer - if they go into liquidation and find that they cannot pay for the subcontractors who are working for them, the Government is no different from any other principal tenderer or principal lessee. For example, if it was a large business organisation that was building works, and Shelleys had worked for them, won the job to do so and had gone into liquidation, the tenderers and subcontractors would not be coming to them saying, "Pay us because Shelleys owe us money".

It has been noted, also, that Mr Connolly said that the word was out about Shelleys for quite some time. This did not prevent the subcontractors from working for them. If they were so concerned about the arrangements for Shelleys they should not have worked for them. I know of some subcontractors around this town who did just that. I shall leave further arguments to show the ridiculousness of this matter of public importance to be followed up by my colleague Mr Jensen.

MR BERRY (3.54): We have just heard the most stupid, arrogant and uncaring response to the dilemma and the tragedy that contractors in this city have been subjected to because of the incompetence of the Minister opposite. The very first issue that I wish to deal with is this Minister's reflection on the Follett Labor Government when he said, in as many words, that there was some responsibility to be borne by the Follett Labor Government because they had awarded contracts to R and G Shelley under the stewardship of my colleague Mrs Grassby. I can say to this place and to the people of Canberra that under the stewardship of Mrs Grassby there were no difficulties. I am sure that Mrs Grassby would have ensured that the financial viability of subcontractors who do work for this Government, and through it for the people of Canberra, was checked out.

Mr Acting Speaker, it was on 5 December, a date we all remember well, that this irresponsible and stupid Minister joined with the Liberals and the Residents Rally members opposite to form what they loosely called a government. I think they have demonstrated that it is the loosest form of government that this Territory will ever experience.

Mr DUBY: It is relaxed with the Opposition we have got.

MR BERRY: It is certainly relaxed. Mr DUBY says that it is relaxed. It is certainly relaxed because it has got a very relaxed approach to the discipline that is required in the management of this Territory's finances.

The stupid finance Minister, Mr Acting Speaker, has allowed a number of subcontractors, I repeat, has allowed a number of subcontractors and their employees to go to the wall because of the mismanagement that he has borne the responsibility for. That has been clearly put on the record by my colleague Mr Connolly. It is a great pity that the chief gorilla, the Chief Minister, is not in what he describes as the zoo to listen to this debate, because it is, after all, his leadership - - -

Mr HUMPHRIES: On a point of order, Mr Acting Speaker; I would ask Mr Berry to withdraw the reference to the Chief Minister as a chief gorilla.

MR ACTING SPEAKER: Just a second, Mr - - -

MR BERRY: If it causes the Acting Speaker any difficulty, I will withdraw it for the moment.

MR ACTING SPEAKER: Yes, I think it might be sensible if you withdraw that. Thank you, Mr Berry.

MR BERRY: Mr Acting Speaker, the real issue here is that the Minister opposite, the finance Minister, has failed to keep track of important contracts for the delivery of services in the ACT. He said that there were 46 contracts from the ACT Government - - -

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Mr DUBY: Name them.

MR BERRY: I mean, he does not even know himself; he just said, "Name them" - that is how stupid he is. There were 46 contracts from the ACT Government valued at many millions of dollars. Of course, the company's management is not the Government's responsibility. It was overgeared and it got itself into bother and went to the wall. What is the problem for the people of Canberra is that this Government knew that it was heading in that direction. And I suggest, Mr Acting Speaker, that it knew that the company was inextricably locked into that position well before it went into receivership, and this Government, on the evidence that has been provided to us, continued to give contracts to that company knowing full well that the company was going to the wall and it was going to take with it small contractors and their workers.

This Government opposite has no concern for working people in the ACT. It has demonstrated that in the past. I see Mr Collaery smiling there because he knows that I am just about to mention his disregard for workers, and particularly for workers in the construction industry. I will repeat this over and over again. He described them as "sheep who grunt". That would have to be the most disgraceful conduct for a Minister in a government - the most disgraceful conduct that we could ever experience.

Mr DUBY: That's b-a-a-d! Na-a-sty!

MR BERRY: There we have the Minister for Finance echoing his sentiments. This Government took power, took the reins, but could not cop the responsibility. The Minister for Finance, the stupid Minister for Finance, only ever had one policy and that was no self-government. Then he got his second policy - snouts in the trough. I am sure that the people who take the time to examine this debate need to hear all of these issues, because they will thereafter know about the incompetence of the Minister.

No wonder they are twitchy, Mr Acting Speaker, because they are indeed guilty of a crime which has caused a great deal of stress for - - -

Mr HUMPHRIES: Oh, has it? I am sorry to hear that, Wayne.

MR BERRY: I can see that Mr Humphries is not caused any concern by stress on working people and subcontractors. This, of course, is a government that says that it has some interest in private enterprise. I say it has got no interest in any enterprise, except its own, and its own individual Ministers. They are the only interests that are being looked after by this Government. It is a government which cares not for propriety in the awarding of contracts. It knew this company was in trouble; it knew that it was not financially viable; and even though it knew that it was not financially viable, it still continued to give

contracts to it and did not take any action to ensure that the management responsibilities of that company were improved and the workers and subcontractors who worked for the company had their futures protected. They took no care at all.

There has been no care and no responsibility taken by this Government. You just cannot keep walking away from your responsibility in the ACT the way that you have in the past, blaming it on everybody else. The fact of the matter is, when you took the reins you took the responsibility; you have to wear it. If you continue to avoid it, we will continue to raise it as we have done now to ensure that the people of Canberra are aware, if they are not already aware, that this is an incompetent government.

Mr Acting Speaker, the Minister opposite - sometimes called the most hated man in Canberra - has been described here today as being stupid. I think it has been successfully demonstrated that his stupidity has flowed on into his management of the contracting out of his department. There is great difficulty there, Mr Acting Speaker. There has been no indication from this Minister opposite that there will be any change in the contracting arrangements within his department in order to improve the situation in the workplace. If there is no indication that this Minister will seek to improve the performance of his department in this area then I fear that the operations of this Assembly will be in for more scorn from the people of Canberra because of his behaviour.

MR COLLAERY (Attorney-General) (4.03): Mr Acting Speaker, I do not have much to say, other than to say that this matter is partly before a civil court and it ill behoves anyone in this Assembly to be bringing forward issues of fact and drawing conclusions on them in advance of those which may be found in that court process. I believe that some of the comments here have probably gone close and at times surpassed those matters.

The other issue I want to raise briefly is the fact that we are all here in this Assembly to protect the revenue of the Territory and it ill behoves an opposition to damage or decrease a negotiating position of the Government when it is in the position of seeking to renegotiate matters, to ameliorate damages and to otherwise attend to arrangements with subcontractors. The very danger of putting this matter of public importance forward today is that views may be settled in a negotiating process which is under way at the moment. In a consultative phase, the Opposition may well have thought to have consulted with the Government before bringing forward this matter of public importance. For the information of members, there were matters my colleague, the Minister for Finance, could have raised today but he could not. He is strictured from that - - -

Mr Berry: You are starting to sound as if you are on our side.

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MR COLLAERY: Not at all, Mr Acting Speaker. We are trying to be statesman-like in the protection of the ACT revenue and to ensure that justice and equity prevails in relation to these contracts. To put this little debate into perspective, it may interest the Opposition to know that there are more than 3,200 contracts afoot at the moment in the Territory between the Crown, in its right, and other parties. This debate has centred around one particular incident. It would have been better, Mr Acting Speaker, if Mr Connolly could have pointed to a pattern of conduct to support his case. He has not done that. I do not believe he has put a case forward.

Let me come back to the narrow focus upon which the Opposition has debated this matter. Let me say that for my part, as a member of the Government, I have the utmost faith in my colleague Mr Duby. He has an extremely sharp financial mind which he has shown in all the discussions that I have attended with him. I have the utmost faith in the manner in which he discharges his duty and his functions. He has my confidence and I dare say that of his other colleagues in the Alliance Government.

It is not a viable proposition, Mr Acting Speaker, to bring forward a matter which has been the subject only recently of an application to the Supreme Court and to seek to put the Government on to the back foot to debate issues which it, itself, has to advance in its own cause and the cause of the people of the Territory. I say to Mr Berry and to Mr Connolly that I invite them, if they wish, to discuss the general terms and conditions of contracts entered into by the Territory with my law officers. The form of contract, of course, is one which is endorsed nationwide. Further, I invite the Opposition when it wishes to bring forward matters which have entered civil court proceedings to consult with me as Attorney-General first. I am quite prepared to allow my law officers to brief the shadow Attorney-General. So, in summary, I regret the discussion of a matter of public importance today. It is an issue of importance but it may well prejudice other positions. It may well not act to the benefit of the workers and the subcontractors the Opposition purports to want to protect.

MR JENSEN (4.08): It is very interesting that having raised this matter of public importance the Opposition is only prepared to put two speakers forward to speak on the issue. I would have thought that it would have been appropriate when bringing on a matter of public importance to have speakers lined up ready to talk. You do not put it on, have two speakers, and then leave the running to the Government, which is what is about to happen.

Members interjected.

MR JENSEN: We did not bring on the matter of public importance. It was brought on by the Opposition. This is the opportunity for the Opposition to bring forward matters

of public importance. If they cannot debate them, what is the point in wasting the Assembly's time?

Mr Berry: You have to answer the question. See if you can answer it. You cannot answer the challenge.

MR JENSEN: I will answer the challenge, Mr Berry, right now. Mr Acting Speaker, through you I will answer the challenge that Mr Berry has made right now. Once again, it is unfortunate to see the nature of the personal attacks that we find coming across the table from Mr Berry. Fortunately, Mr Connolly was quite erudite. His arguments may not have been that crash hot, but at least he was prepared to debate the issue and not necessarily the personalities involved. This is Mr Berry's normal tactic, unfortunately, as he waffles on day after day, time after time, on these sorts of issues.

It is good that this matter has been brought forward by the Opposition today because it gives the Government an opportunity to announce its decision in relation to the sorts of concerns that have been applying in the ACT in relation to contract operations for some time.

Mr Berry: Tell us what you are going to do to protect subcontractors. Tell us that. Stop pussyfooting around.

MR JENSEN: If Mr Berry will be patient, I will give him his answer. These issues have been around for some time, throughout the time of the previous Federal Labor governments in the ACT and also the past Follett Labor Government. Following extensive discussions with subcontractors involved in the industry, the Chief Minister proposes to establish a subcommittee of his industry consultative forum which will deal specifically with matters relating to the ACT construction industry. It is envisaged that this subcommittee will comprise representatives of a wide range of organisations represented in the construction industry in Canberra. Such organisations would comprise representatives of the Trades and Labour Council including the building trades group, the Australian Federation of Construction Contractors, the Master Builders Construction and Housing Association, the ACT Contractors Association, the specialist contractors association, the Building Owners and Managers Association, representatives of material suppliers, the Association of Professional Engineers, the Royal Australian Institute of Architects and the Federal Government through the Australian Construction Services. There will also be representatives from within the areas of administration with an interest in the construction industry. These will include the economic development division, the industrial relations and occupational health and safety group, the Transport and Engineering Division and ACT Public Works.

Unlike the ex-Government opposite and the previous administrations that have had care over the ACT, this Government is taking some positive action. All we hear

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from across the other side is lots of talk, or as they used to say, Mr Acting Speaker, "We're gunna do this and gunna do that". We have got a bunch of "gunnas" over there. All they were going to do was "gunna do this and gunna do that". This Government takes the initiative and gets on with the business of governing.

ACT Public Works currently maintains regular meetings with a wide range of those interest groups on a one-to-one basis, but such a forum as I have outlined will allow a wide range of issues to be addressed effectively and will allow the Government to receive the views of all sectors in a consultative forum.

Mr Berry: Why do you not try some personal attacks? This is boring.

MR JENSEN: Mr Berry says this is boring. I am sorry, Mr Berry; if you find that this Government taking action is boring, that is unfortunate. All Mr Berry can do is to continue to throw insults at the chamber because he does not have any facts behind his statements. This was clearly evidenced by the discussions and the debate that we have had today.

This forum will provide a mechanism whereby problems being experienced by any sector of the industry can be brought to the attention of the Government quickly. No such opportunity was ever afforded to the unions or industry groups by the Labor Party when it was in government, and I challenge the Labor Opposition to give us this sort of information during the final minutes allowed in this debate.

Mr Acting Speaker, once again we see an attempt by the Opposition to alienate the public service with their claims of incompetence. What its members are really suggesting is that it is the public service that is incompetent in providing its advice to the Minister. That is a shameful act - totally and utterly shameful - and that is all we get from the Opposition. It is an opposition that is bereft of any ability to oppose at all. It has got no standing at all in relation to this. It is quite obvious as we look at the press gallery; the press gallery is completely empty. If members of the press gallery were interested in this sort of matter and they thought that the Opposition was really going to oppose the Government in this area they would be listening with bated breast - breath - to the arguments that are coming across.

Mrs Grassby: Breast - I do not think any of them have got bated breasts, Norman.

MR JENSEN: I make no comment on that, Mrs Grassby, whatsoever. In relation to this matter there has been no loss to the ACT taxpayers through the Government paying out for work that was not actually completed.

In the closing moments of my comments here let me now pick up Mr Berry's suggestion that the Alliance Government is not concerned about the subcontractors. I trust Mr Berry will listen to this because he was saying that the Government is not interested in the welfare of subcontractors. Quite to the contrary, Mr Acting Speaker; the Minister has advised the contractors involved in the Shelley industry that if they are prepared to continue the work that they started under a project management appointed by the Government, the Government will ensure that they are paid directly in cash for the work that they do. Clearly, the Government is committed to ensuring that those contractors that have been affected by this unfortunate incident will be given the opportunity to continue to trade themselves.

One wonders how the Opposition could have guaranteed the viability of Shelleys. The problem is really with the mismanagement of the Federal Government, a federal government that those members opposite claim to have some affiliation with. It is pursuing the high interest rate policies which are causing large and small development and contracting companies around Australia, as well as in the ACT, to get into trouble. Unless there is a change in this policy from the Federal Government more ACT companies will unfortunately fail but it will not be because of any failure on the part of the ACT Government. It will be a failure on the part of the Federal Government which has not grasped the problems of the economy and ensured that honest working people in Australia can work without the inequities of high interest rates.

MR WOOD (4.17): In this debate today we have seen no concern on the part of the Government for the subcontractors who are so severely harmed by the problem we are discussing. I am not going to raise the cases of subcontractors. That has been well done by my colleagues. I want to raise the matter of the complete lack of concern that the Government has towards the people of Canberra. I am sure Minister DUBY has come past a spot that I want to raise and that is the intersection of Barry Drive and the access into the Australian National University. That is one of the areas closed down as a result of this stoppage. I have been concerned at the dangerous position that exists - - -

Mr DUBY: I think you have got the wrong dispute, Bill. That is the TWU bus-stop. That job you are talking about is done by - - -

MR WOOD: No, this is the turn-off from Barry Drive into the Australian National University where it has been - - -

Mr DUBY: It is not by Shelleys, old fellow.

MR WOOD: It may not be Shelleys, but it is one of the problems that you have got.

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Ms Maher: It is.

MR WOOD: Yes, thank you, Ms Maher.

Mr Humphries: What has it got to do with this debate then?

MR WOOD: It is a turn-off from Barry Drive into the University. You would come down there in your bus every day and you would see the turn-off at McCaughey Street and you would notice that. What has happened, of course, is that that has been sitting there for some weeks now unattended.

Ms Maher: It is not Shelleys.

MR WOOD: It is Shelleys.

Ms Maher: It is not Shelleys.

MR WOOD: It is not Shelleys? Well, one of your contractors has dug it up and now has left it and
- - -

Ms Maher: They were working on it this morning, Bill.

MR WOOD: Yes, what they have done now is to extend the area of closure across two lanes of the main road into the city.

Ms Maher: They are making it safe.

MR WOOD: They are making it safe and as a result of this much delayed work and the need to make it safe they have caused a massive traffic jam as you come into the city. Let me go to another area where you are maintaining - - -

Mr Kaine: If you are going to dig up the road, Bill, you are going to affect the traffic. You know that.

MR WOOD: Yes, but it has sat there for the best part of two weeks now with nothing happening to it.

Mr Kaine: There may be good reasons for that.

MR WOOD: Yes, good reasons; incompetence on the part of your Government.

Ms Maher: It is the weather. Why do you not talk to him up there?

MR WOOD: The weather - so every bit of road work stops, does it? You know better than that. What about the corner that you spoke to me about up beyond the ABC at the corner of Limestone Avenue? Is that about to start, can you tell me, or is that corner going to be - - -

Mr Berry: No, that is one of the ones that are going to be blocked for ages because of the incompetence of this stupid Minister.

Mr Duby: That is one of the ones that are going to be blocked for ages because the unions are holding the people to ransom and they will not go back to work.

MR WOOD: Yes, because you will not take the procedures that are - - -

Mr Duby: Because we guaranteed them money up front and they will not accept it.

MR ACTING SPEAKER: Order!

MR WOOD: I see that my time has expired. (Extension of time granted)

Mr Kaine: This is too entertaining to pass up, Bill.

MR WOOD: The Chief Minister has been listening to Gough Whitlam over the years, I fancy. We may extend this debate a little further. When I finish we will go on for another five minutes and that will enable Mr Duby to get up and explain how it is that we have got road works all over Canberra where nothing is happening.

Mr Duby: Make it the MPI tomorrow and we will tell you.

MR WOOD: All right, thank you. I have raised two points of concern to me; whether they are Shelley's responsibility or someone else's, I will take your advice on.

Mr Duby: Shelleys is Wakefield.

MR WOOD: Thank you; but you can go along in any part of Canberra and find a disconnection to our services because of this disruption. You can debate whether I have picked the best examples or not, but the fact is that we have been seriously inconvenienced all over Canberra because you have not hurried to pick up the pieces that you have had thrown all over the place. This is the problem. I would prefer to see some sort of indication on the part of people on your side that you are concerned about the traffic jams that you have created.

Mr Kaine: We are, very, because it causes pollution and we are very worried about that.

MR WOOD: I do not see this. I see no evidence anywhere that you want to hasten things so that people in Canberra can move about in the way they normally do.

Mr Jensen: So, we stop all road works, Bill, do we? No road works whatsoever, is that what you are suggesting?

MR WOOD: No, fix the roads, but when you get a foul-up, as there is at the moment, I would like to see some evidence that you want to hurry and get things back to the stage where there is work being carried on. What you see now in

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so many of these places is that nothing is happening. You are not doing anything so I suggest - - -

Mr Kaine: Bill, you know that sometimes the hurrieder you get the behinder you get.

MR WOOD: You are getting behinder and behinder, if I can use your words, and it is a big problem. I suggest that in the remaining minute or two of this debate Mr Duby or Mr Jensen - no, you cannot talk, you have already spoken - or Mr Kaine can get up and tell us how they propose to get things moving once again so we can get back to normality.

MR ACTING SPEAKER: The time for discussion has now expired.

SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION - STANDING COMMITTEE Reports and Statement

MS MAHER, by leave: I present the following papers:

Report No. 11 of 1990, dated 29 June 1990.

Report No. 12 of 1990, dated 14 August 1990.

The first report I have just tabled is No. 11 which we circulated to members out of session on 29 June 1990. The second report, number 12, details the committee's comments on the Association's Incorporation (Amendment) Bill 1990, the Business Names (Amendment) Bill 1990, Evidence (Laws and Instruments) (Amendment) Bill 1990, Occupational Health and Safety (Amendment) Bill 1990, Schools Authority (Amendment) Bill 1990 and the Unclaimed Moneys (Amendment) Bill 1990. The report also covers 55 pieces of delegated legislation, together with a response by the Attorney-General to a previous report. I commend the reports to the Assembly.

PUBLIC ACCOUNTS - STANDING COMMITTEE Report

Debate resumed from 14 December 1990, on motion by **Mr Wood:**

That the recommendations be agreed to.

MR KAINE (Chief Minister) (4.25): Mr Acting Speaker and members, you will be aware that last year the Public Accounts Standing Committee undertook an inquiry into the need for a local committee to look into allegations of corruption in the ACT. That report was tabled towards the end of last year. The Government has been examining that report and the legal and other ramifications of it since then. Today I would like to present the Government's response to that report and to table a statement flowing

from it which indicates the Government's intentions with respect to that report.

Mr Acting Speaker, I believe - and I should be a bit humble about this - that the committee is to be congratulated on its report and recommendations which are sensible, moderate and comprehensive. I am a bit cautious about saying that because you will note that I was the chairman of this committee at the time that the inquiry was being undertaken.

Mr Wood: We rejected Mr Collaery's suggestions; that is why it is so good.

MR Kaine: Yes, I thought it was an excellent report. Mr Acting Speaker, the Government, which is determined to tackle any possible corruption in the ACT public service - and I use the words, "any possible corruption" advisedly - accepts the vast majority of the committee's recommendations. The Government agrees that a statutory body should be established: to receive allegations or complaints of corrupt conduct involving ACT public officials; to refer those allegations to appropriate investigatory bodies; to receive reports from the investigators; and, to monitor the types of complaints received and their outcomes. The Government agrees that the committee should not have the power to carry out investigations itself. There are already, in our view, a number of competent investigatory bodies in place in the Australian Capital Territory. The committee will have only those powers necessary to ensure that its investigations are carried out in an effective manner, free from political or other interference.

What is required in addition to those bodies, is - as I said when moving the original motion in the Assembly - an intermediary, a community interface, in order to foster and strengthen public confidence that this important issue is being dealt with effectively and honestly. Furthermore, consistent with this Government's commitment to fiscal responsibility, we are not proposing to establish an expensive and cumbersome structure. This committee will meet as and when required.

The members of the committee will be appointed in accordance with the recommendations of an independent body and will be respected members of the community and of good repute. The recommendations of the Public Accounts Committee concerning the administration of this body, the ambit of its powers and its method of operation have all been willingly accepted by this Government. The body will be accountable to the Assembly, through regular reports to the Public Accounts Committee and annual reports to the Assembly itself. Further, in order to ensure that the body is functioning effectively, a review of its operations will be carried out after two years.

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The only significant differences between the committee's recommendations and the Government's responses are firstly, that the committee should have the power to require the production of documents in appropriate circumstances; and, secondly, that persons who are the subject of a complaint or allegation should not be required to be advised when information is passed by the body to investigating agencies. This is to avoid the potential for destruction of evidence and the general compromising of an investigation. The legislation to be drafted will provide protection for employees who might otherwise be prejudiced against by their employers because of the giving of information. The legislation will also provide confidentiality for both informants and persons about whom information is received.

Mr Acting Speaker, the Government is very pleased to be able to implement the Public Accounts Committee's main recommendations, and believes that this new body will greatly assist in guarding against official corruption in the ACT and in promoting public confidence in the vast majority of honest, dedicated members of the ACT public service.

We believe the proposed body will be effective. It will be a body that will not cost a great deal of money to maintain. It will be at arm's length from the Government and will very adequately take account of the problems of possible corruption in the public service and amongst public officials in the Australian Capital Territory.

MRS GRASSBY (4.31): I rise to make a few brief comments on the Government's response to the Standing Committee on Public Accounts report on the Independent Advisory Committee Against Corruption. This is a very important issue. We on this side of the house will consider the Government's response in detail and provide a detailed response. However, it is unfortunate that the Government did not give this issue the priority it really deserves.

The most noticeable thing about the response is the amount of time it has taken the Government to prepare it. Our current Attorney-General has made his name on conspiracy theories, so much so that a well known writer at the Canberra Times has taken to referring to Mr Collaery's "conspiracy-enriched existence". In opposition Mr Collaery demanded the establishment of a commission against corruption. The report of the Public Accounts Committee which we are considering today was the result of his demands. This report was tabled last December - eight months ago. What has the Attorney-General been doing since then? The answer is obvious, nothing; unless you count as action this dismantling of the ACT health and education systems, his inability to reach agreement with the Commonwealth Government over policy and his half-baked ideas for a Canberra court. Where is all the legislation he promised? Why has it taken the Government over eight months to respond to the committee's report? I will tell

you. Mr Collaery has been sitting on his hands. He is the "all talk, no action" man.

Mr Acting Speaker, I look forward to the debate on this response. It is a pity that it was not put before this Assembly six months ago.

Debate (on motion by **Ms Follett**) adjourned.

ASSOCIATIONS INCORPORATION (AMENDMENT) BILL 1990

[COGNATE BILLS:

BUSINESS NAMES (AMENDMENT) BILL 1990
UNCLAIMED MONEYS (AMENDMENT) BILL 1990
EVIDENCE (LAWS AND INSTRUMENTS) (AMENDMENT) BILL 1990]

Debate resumed from 8 August 1990, on motion by **Mr Collaery**:

That this Bill be agreed to in principle.

MR ACTING SPEAKER: Is it the wish of the Assembly to debate this order of the day concurrently with orders of the day Nos. 2, 3 and 4? There being no objection, that course will be followed.

MR CONNOLLY (4.34): Mr Acting Speaker, the package of Bills before the Assembly which comprises the Associations Incorporation (Amendment) Bill, the Business Names (Amendment) Bill, the Unclaimed Moneys (Amendment) Bill and the Evidence (Laws and Instruments) (Amendment) Bill, merely gives effect to the ongoing movement of administration of the ACT from the Commonwealth to the separate and independent institutions of the ACT Government. The Opposition, in general, is supportive of these Bills and will be backing them in their passage through the house, which should be able to occur this day.

Mr Acting Speaker, the day before these Bills were introduced to the house the Opposition refused leave to the Attorney-General to make a ministerial statement because, in accordance with the established practice of parliaments, we had not been told of the content of the statement. Mr Collaery that day issued a very excited press release claiming that the Opposition had gagged the Alliance Government's statements on its legislative programs. If these bills are the leading edge of the Alliance's legislative program for these sittings, we are in for a long, slow time indeed. Government business before the Assembly will continue to be made up of debates on ministerial statements, rather than consideration of substantive legislation. I hope that we will have substantive legislation to consider rather than constant debates on ministerial statements.

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Mr Acting Speaker, the Opposition supports the Bills. While the ACT has no power to legislate with respect to companies because of the provision in section 23(1)(h) of the Australian Capital Territory (Self-Government) Act, we do, of course, have power to legislate with respect to incorporating associations, and that is given effect by the Associations Incorporation Act 1953. Prior to these amendments, that Act continued to be administered by the Commonwealth Corporate Affairs Commission, albeit on behalf of the ACT. The purpose of the first Bill, as explained by the Attorney, is to provide a discrete registrar of incorporated associations to administer this Act. This is a sensible move and one which is supported by the Opposition. The same explanation applies to the Business Names Act 1963 and the Unclaimed Moneys Act 1950 which have also hitherto been administered by the Commonwealth Corporate Affairs Commission on behalf of the ACT. Again, the Bills, as explained by the Attorney-General, create a discrete position of registrar to administer each Act. The Opposition shares the Government's expectation that these measures will be revenue neutral because in each case fees and charges will be levied to provide for the cost of administration.

The Evidence (Laws and Instruments) (Amendment) Bill, as explained by the Attorney, makes the necessary changes to legislation to ensure that actions by the three registrars created under the earlier Acts will be recognised in legal proceedings of courts in the Territory; again, a sensible consequential provision.

Mr Acting Speaker, the Opposition supports these four Bills and wishes them a speedy passage through the Assembly.

MR COLLAERY (Attorney-General) (4.37), in reply: First of all, I thank my legal colleague Mr Connolly for his comments. The Government certainly has brought forward these minor amendment Bills urgently and I apologise for not introducing them cognately, due to some confusion when they were put on the table. This is a welcome response from the Opposition because passage of these Bills today, or at least by the end of this week, is vital for a number of functional reasons.

Although comparatively simple in their content, these Bills are a step further towards full control over locally incorporated associations and associated matters such as the registration of business names. In the area of unclaimed moneys, that is, money which is unclaimed after corporate liquidations or payments of dividends, the money has, since 1950, been paid to the Commonwealth. This money is paid into revenue but is available for payment to a claimant in accordance with procedures set out in the principal Act.

A tentative arrangement has been reached between the Commonwealth and the ACT that all moneys paid into Commonwealth revenue since self-government will be paid to

the ACT so that the Territory can administer those claims. Rather than pay all moneys received since 1950 from corporate activities in the Territory, the Commonwealth has acknowledged that the ACT is not liable for any claims which relate to the period prior to self-government. My officers have advised the ACT Treasury to reserve its position on this matter as there is an argument that supports an ACT entitlement to all moneys received by the Commonwealth since 1950. The issue is an important one as the majority of unclaimed moneys apparently become a windfall to Government revenue as few claims are lodged. I see that my Treasurer is moving closer to me at this very moment.

While this transfer of functions is a significant development for the ACT, I remain unconvinced that the Commonwealth has treated the ACT fairly in the area of adequate powers to monitor corporate activities. I am supportive of a strong national regulatory body which will enforce higher standards of accountability and ethics on our now tarnished corporate sector, but I deplore the effective exclusion of an ACT Minister from having full membership in such important bodies as the Ministerial Council for Companies and Securities.

The Opposition may find this amusing, but recently in Alice Springs the Federal and State Attorneys, with the exclusion of the ACT, hammered out an agreement on constitutional, legal and administrative arrangements to deal with companies and securities. The ACT has a right to expect that the ACT Government will have an effective voice to be heard on matters which affect their financial investments in companies operating in the ACT. Certainly, the residents of the ACT should press to have section 23(1)(h) of the self-government Act, referred to by my legal colleague Mr Connolly, reviewed in its impact, not only on their rights to have a say in the conduct of the corporate sector in the ACT but on the prospects of the ACT itself securing the rightful revenue it should from those activities. On behalf of the Alliance Government and, hopefully, all members of the Assembly, I urge the Commonwealth to remove that preclusion in our self-government Act which prevents the ACT Assembly from passing laws on companies and securities.

That preclusion presents the ACT with very real difficulties. For example, we have recently seen the making of a Commonwealth ordinance which was necessary to tidy up shortcomings in our own Co-Operative Societies Act 1939. The ACT was unable to amend its own legislation a few weeks ago because the subject matter of the Companies (Registered Societies) Ordinance 1990 related to companies and securities. This is an insoluble situation while section 23(1)(h) remains in its current form on the Federal statute books.

Mr Acting Speaker, I firmly support this package of legislation. I take the opportunity to express our

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appreciation to the Federal Corporate Affairs Commission for the professional and courteous manner in which they have carried these functions on behalf of the ACT since self-government. I am also reminded by my officers to thank the Corporate Affairs office for the helpful and productive assistance it gave during the complex changeover which occurred in recent times.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

BUSINESS NAMES (AMENDMENT) BILL 1990

Consideration resumed from 8 August 1990, on motion by **Mr Collaery**:

That this Bill be agreed to in principle.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

UNCLAIMED MONEYS (AMENDMENT) BILL 1990

Consideration resumed from 8 August 1990, on motion by **Mr Collaery**:

That this Bill be agreed to in principle.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

EVIDENCE (LAWS AND INSTRUMENTS) (AMENDMENT) BILL 1990

Debate resumed from 8 August 1990, on motion by **Mr Collaery**:

That this Bill be agreed to in principle.

MR DUBY (Minister for Finance and Urban Services) (4.44): Mr Acting Speaker, there are a few words I would like to say in connection with this package of Bills - - -

Ms Follett: You are determined to say them whether we need them or not; is that right?

MR DUBY: Yes, I am determined to say them whether we need them or not. I am sure members are agreed that the transfer of corporate affairs functions to the ACT represents yet another small but important step in the transition of the ACT to becoming a fully fledged member of the Commonwealth of Australia.

This package comprising the Associations Incorporation (Amendment) Bill 1990, the Business Names (Amendment) Bill 1990, the Unclaimed Moneys (Amendment) Bill 1990 and the Evidence (Laws and Instruments) (Amendment) Bill 1990, is another severing of Commonwealth Government apron-strings. Administration of the first three Bills I have just named was transferred to the ACT at self-government. However, until now, the Corporate Affairs Commission has administered them on our behalf. Now the time has come for us to take full responsibility for these matters. Responsibility will take the form of increasing the range of duties currently undertaken by an existing structure, namely the registrar's office. These three Bills will enable us to establish a registrar of incorporated associations, a registrar of business names and a registrar of unclaimed moneys, to operate out of a single location. I am sure members have seen the merit, not to mention the convenience of this proposal. Members will also be pleased to note that this proposed method of operation will not involve the expenditure of any of the Territory's all too scarce capital.

A consequence of the creation of the new registrars is the alteration of the Evidence (Laws and Instruments) Act 1989. The proposed changes to that enactment mean that a registrar's signature and seal will be recognised by a court. The fact that a person holds, or held, the office of registrar is also given judicial recognition. This acknowledges and protects the registrar's position. Other rights are safeguarded by transitional provisions to have effect during the changeover period.

This package of amendments also makes an alteration to the method of setting fees in the use of forms. In the past, fees were prescribed in schedules to the relevant legislation and forms were prescribed in regulations. Making alterations to fees and forms took longer than it should. These Bills propose that fees be set by determination and published in the Gazette and forms be approved by the registrar. This will streamline the process where changes are needed and result in the fees being charged more accurately reflecting the cost of services provided by the registrar. A determination, as

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a subordinate law, is, of course, subject to disallowance once tabled in the Assembly.

In conclusion, Mr Acting Speaker, I would like to reiterate that while these Bills appear insignificant to some - namely Mr Connolly - they have importance in the fact that they are part of the ACT's progress to becoming a fully responsible member of the Commonwealth.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Sitting suspended from 4.48 to 8.00 pm

HIGGINS SCHOOL ACTION GROUP

MR BERRY, by leave: I would just like to announce to the Assembly that the Higgins school action group is in the Gallery. You can identify them by their shirts. I would like to welcome them to the Assembly.

ACT GREENHOUSE STRATEGY Ministerial Statement and Papers

Debate resumed from 26 April 1990, on motion by **Mr Kaine**:

That the Assembly takes note of the following papers:
ACT Greenhouse Strategy - Ministerial statement, 26 April 1990;
Developing an ACT Strategy to Respond to the Greenhouse Effect.

MR DUBY (Minister for Finance and Urban Services) (8.01): The greenhouse effect, of course, is a matter of great concern to all citizens in the ACT and Australia generally. On a per capita basis, Canberra would be one of the greatest generators of greenhouse gases in the world, owing to the various lifestyles that we adopt in this city. We use a large proportion of electricity in our space heating, and I think it is worth noting that each kilowatt hour produces about two and a half kilograms of carbon dioxide, which is one of the major causes of the greenhouse effect generally.

Here in Canberra we use motor vehicles as our primary mode of transport - often, unfortunately, with only one passenger per car, and that being, of course, the driver. We generally have energy inefficient buildings, many of

them built well before the oil crisis of the 1970s. They are often poorly insulated, sited with little regard to passive solar opportunities and without adequate shading. One of the things we have delighted in seeing recently is the recognition in design work by architects of the need to site buildings, particularly our residential homes, to take full advantage of the sun's effects, and thus cut down on the requirements for heating aids.

But there are many places where Canberra could lead the way. We could, for example, convert our incandescent globes to fluorescent ones as they become due to change. When I attended the Australian and New Zealand Environment Council in Sydney some months ago, I was able to hear the noted energy consultant Dr Amory Lovins speaking on energy conservation options. His talk generally was very thought provoking, and I am convinced that there are many opportunities for Canberrans to take advantage of his ideas in reducing our total energy needs. Measures which conserve energy could not only reduce greenhouse gas emissions, but could, if properly organised, allow us to reduce or defer the cost of infrastructure and reticulation.

We can look at our energy use, our planning guidelines, our building requirements, our use of CFCs, education, nature reserves, corridors - in short, the whole way we do things here in the ACT. The paper that the Government has recently released is a skeleton of an approach - a shopping list of things that might be done. There is no doubt there is a lot of scope for consultation with the community and with affected people. I hope that in the long run the ACT Government strategy to respond to the greenhouse effect will be supported by sector strategies generally, which will give the detail of how specific industries will respond. Nationally industries have already responded this way in the ANZEC Ozone Protection Strategy.

Members of the Assembly will be interested to note that, in a very small way, the ACT contributed to the United Nations Inter-governmental Panel on Climate Change. Three working groups were formed: the first dealing with scientific assessment of climate change, the second dealing with possible impacts of climate change, and the third dealing with responses to those climate changes. On 25 May this year the first working group reported on the scientific assessment of climate change. The Inter-governmental Panel on Climate Change, the IPCC, is the best informed group of people working on the greenhouse problem. It draws together experts in many fields, and its conclusions represent a consensus of very high credibility.

I would like to inform the Assembly of some of these findings, because they certainly are matters that the general population, and that of the ACT in particular, could take up. But basically there is no doubt that there is a natural greenhouse effect which already keeps the earth warmer than it would otherwise be. I do not think

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there is any dispute about that in this day of scientific evidence to that effect. Also it is known that emissions resulting from human activities are substantially increasing the atmospheric concentrations of the greenhouse gases - carbon dioxide, methane, the chlorofluorocarbons and nitrous oxide.

These increases will enhance the greenhouse effect resulting on average in an additional warming of the earth's surface. The main greenhouse gas, water vapour, or steam, will increase in response to global warming and further enhance it, like a dog chasing its tail. Under the IPCC business as usual scenario A, it is forecast that emissions of greenhouse gases will produce an increase of global mean temperature during the next century of about 0.3 degrees centigrade per decade, with an uncertainty range of 0.2 degrees centigrade to 0.5 degrees centigrade per decade. Now, this is greater than that seen over the past 10,000 years. This will result in a likely increase in global mean temperature of about 1 degree centigrade above the present value by 2025 - an increase of about 3 degrees centigrade before the end of the next century.

This rise will not be steady because of the influence of other factors - there is no doubt about that - but under the other IPCC emission scenarios, which assume progressively increasing levels of controls, rates of increase in global mean temperature of about 0.2 degrees centigrade per decade or about 1 degree centigrade per decade are the scenarios that the IPCC has reported on.

The report acknowledges that there are many uncertainties in predictions, particularly with regard to the timing, magnitude and regional patterns of climate change. The report gives the most probable scenario for a climate change, and this is most relevant for planning here in the ACT.

The global mean surface air temperature has increased by 0.3 degrees centigrade to 0.6 degrees centigrade over the last 100 years with the five global average warmest years being in the 1980s. That is indisputable. Over the same period the global sea level has increased by 10 to 20 centimetres. Now, these increases have not been smooth with time nor uniform over the globe. The scientists point out that further information is needed to improve our predictive capability.

In the ACT we need to promote research relevant to our region. I hope that this IPCC Working Group 1 Report gives us a clear perspective into the problem that we are tackling at our local level. There are two types of action we can take. We must act very soon to reduce emissions and we must start thinking about how we are going to adapt to the inevitable changes. Emission reductions will have both economic and social impacts, as well as the beneficial environmental impacts hoped for through the response actions. The Alliance Government will work with the

Federal Government and the States to develop a national target and to identify a realistic target for an ACT contribution towards achieving that national target.

The Toronto agreement set an interim goal of a 20 per cent reduction by the year 2005 of carbon dioxide emissions globally. When considered along with the potentially tightened Montreal protocol for reduction in ozone depleting substances, this would mean about 45 per cent overall reduction in greenhouse gas emissions - a very worthy aim and something which I am confident the governments of the world can achieve.

Many countries produce less greenhouse gas per capita than we do in Australia and in Canberra in particular. We need to carefully consider what our targets should be and how we measure achievement. We cannot just measure the fossil fuels used for energy in the ACT. Obviously we have got to consider our substantial imports of electricity and the manufactured goods we import as producing greenhouse gases.

There are many issues which need to be brought into the open, and the Government is looking to see how best this can be done. The greenhouse effect is not a simple matter, it is not a matter of black and white, but it is a very important matter. The issues are complex and they affect us all. We, as a Government, are developing a policy which shows leadership. It must not be an "at all costs" policy as those approaches invariably do not work.

The options and the trade-offs must be identified and taken into account in our considered response if we are going to be able to address the problems that we have identified throughout this debate. All in all, I am looking forward to the contribution of the community in this vital issue and I think the release of the Government's response and intentions in regard to the greenhouse effect has come at a very satisfactory time.

MR HUMPHRIES (Minister for Health, Education and the Arts) (8.11): I think it is clear from what has been said so far that the Alliance Government is determined to develop a systematic response to the environmental challenges facing the ACT. To achieve that we have produced a set of three policy statements which I think complement each other in developing a coordinated approach towards the environmental problems that face us.

We have first of all the Alliance's environment policy, which has in fact been on the table for some months. Secondly, there is the greenhouse statement, which we are debating this evening; and there is also the environmental platform which detailed a five-year implementation strategy for the environment policy. That platform, of course, was released on World Environment Day as one of a set of ongoing environmental initiatives.

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The greenhouse consultation paper we are discussing tonight was released by the Chief Minister in conjunction with the statement we are debating now. It demonstrates, I think, first of all that the Government is prepared to consult the community about the implications of that issue and our strategy for combating the greenhouse effect, and also it shows that the Government is realising that a whole community response - that is, one that brings in every member of the community at one level or another - is necessary to deal with this problem.

Before I refer to the health implications of the greenhouse phenomenon, I think it is important to recognise the link between the greenhouse effect and another significant environmental problem, namely, the depletion of the ozone layer which, of course, also has very dire health implications. The earth has an atmosphere of two levels, the troposphere and the stratosphere, and the troposphere helps retain the earth's climate through the absorption of heat radiated from the earth by gases.

Mr DUBY: Well, where did you find that?

MR HUMPHRIES: Credible sources of information to my office, Mr DUBY. The heat these gases absorb keeps the surface of the earth 40 degrees higher than it would otherwise have been, as I think Mr DUBY probably told us a few moments ago.

Mr BERRY: They are struggling for business, fellows. They are struggling for business.

MR HUMPHRIES: I see Mr BERRY is a bit confused by all this information. He is probably not used to taking in facts very much but I think others might be interested in this.

Mr BERRY: I am not confused; I think we are just struggling for business to have to have so many speakers on this issue. It is important, I know, but this is tedious and repetitive.

Mr DUBY: I think your shoes might be environmentally unsound, Wayne. Maybe you had better take them off and put them in a paper bag.

Mr BERRY: Tedious and repetitive.

MR HUMPHRIES: I think they will contribute to the ozone effects somehow. The problem is that in the 150 years since the industrial revolution the level of greenhouse gases in the atmosphere has risen significantly, such that more heat is being trapped in the troposphere, and so temperatures are rising. That is, in a nutshell, the greenhouse effect. However, one of the more recent greenhouse gases - namely, chlorofluorocarbons - not only add to the greenhouse effect but also damage the second layer of the atmosphere, the stratosphere. This layer is high in ozone, which filters out the sun's harmful

ultraviolet radiation before it reaches the earth's surface. We can be encouraged that a coordinated campaign to address the greenhouse effect will also assist in curtailing the gases which damage the ozone layer.

I said I would say something about the health impact of the greenhouse effect. The greenhouse effect will impact not only on the health of the planet but also on all of her inhabitants. The Australian and New Zealand Environment Council has looked at the public health impact of the projected climatic change resulting from the greenhouse phenomenon. The effects can be broadly categorised into five groups. First, there is likely to be an increase in medical conditions arising from exposure to increased environmental temperatures and the associated higher humidity. Conditions likely to occur more frequently are: diseases of the skin, varying from prickly heat to basal cell carcinoma to melanoma. Also, an increase in heat stress is likely to particularly affect the frail, the elderly and the very young.

Secondly, there is likely to be an increase in infectious diseases transmitted by arthropods - that is, mosquitoes, ticks and mites - including epidemic polyarthritis, malaria, Australian encephalitis and scrub typhus.

Thirdly, there is likely to be an increased risk of injuries and deaths as a result of catastrophic events such as cyclones and floods. Fortunately, Canberra is not likely to be affected by that.

Fourthly, there are likely to be stress effects associated with the disruption and damage caused by climate change - in particular, extreme events. Psychological disorders are likely to increase as people suffer actual loss or damage, or live with the fear of such loss.

Fifthly, it is likely that there will be problems in relation to water, drainage and sewerage systems, electricity supplies and refuse disposal caused by coastal flooding. The depletion of the ozone layer will reduce the earth's ultraviolet radiation protection, increasing our vulnerability to skin cancer and eye problems.

Our responsibility, I think, is very clear. We need, as Australians, to appreciate that we have a particular responsibility to address the factors creating the greenhouse effect and ozone depletion. As my colleague Mr Duby indicated, the ACT probably contributes more than its fair share - more per capita than do other States. Australians use 50 to 100 times more energy per capita than people in India or China and therefore release an equivalent amount of greenhouse gases into the atmosphere.

The Alliance Government is under no illusion that, acting alone, we cannot successfully turn around the situation. We are looking at cooperation with other governments and with our community. At a government to government level we

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are involved in the Australian and New Zealand Environment Council, which has a greenhouse task force which is moving towards a national greenhouse strategy.

An encouraging recent development was the release of the first report of the Inter-governmental Panel on Climate Change in London last Friday. Some of the doubting nations, such as the United Kingdom and the United States, had been awaiting the release of that report. I hope that, with the report's confirmation beyond any doubt that the greenhouse phenomenon is actually occurring, we will have as a result a greater level of international cooperation on this issue.

The ACT Government proposes to act to limit the greenhouse effect and its impact by reducing emission of greenhouse gases in five particular ways: firstly, through reducing emissions of CFCs and other greenhouse gases such as carbon dioxide and methane; secondly, through energy conservation and developing the use of cleaner energy sources; thirdly, through promoting recycling to conserve energy and reduce methane emissions; fourthly, through developing reforestation and landscaping programs to enhance the fixation by trees and plants of carbon dioxide through drawing it out of the atmosphere; and, fifthly, through agricultural development and land management practices which are sensitive to minimising greenhouse emissions.

Specifically, the consultation paper raises a number of initiatives to reduce CFCs and other greenhouse gases. That was the first of the initiatives I referred to. It includes, for example, prohibiting or regulating the use of specific gases and substances through early amendment to the ACT Air Pollution Act to control ozone depleting substances. This will include the recovery of CFCs already in existence. It also means ensuring that existing regulations to control motor vehicle emissions are enforced, and it means, thirdly, that we should consider introducing regulations to control the emissions from solid fuel burning appliances. That issue was looked at by the Conservation, Heritage and Environment Committee, which I chaired before December last year. I regret that I was not able to see that inquiry through to its conclusion.

A fourth specific action is the development of a timetable to phase out all CFCs in aerosols and refrigerators in the ACT, consistent with the ANZEC guidelines. Legislation requiring the recovery of CFCs released during maintenance work will be included in the amendment to the Air Pollution Act. In addition, I think the ACT has to monitor developments in other States, in the areas of the collection and utilisation of methane gas generated in landfill, and also in sewerage treatment and other industrial processes, with a view to introducing efficient and effective measures in the ACT as soon as possible.

I turn briefly to education. The Government appreciates that a community wide response to the environment is vital. (Extension of time granted)

As I indicated, the Government appreciates that we do need a community wide response to the environment, and that through community education, awareness and anticipation, we can develop innovative responses to the problem. As Education Minister, I appreciate that community awareness often flows out of the schools, and that we need to ensure that environmental education enables students to address environmental problems.

Within our schools community we distributed, some months ago now, a draft policy on environmental education for community consultation. Our strategy also proposes the development of an environmental curriculum statement to assist schools in implementing environmental education programs, including those dealing with the greenhouse effect.

To conclude, I commend the Chief Minister's statement to the Assembly, and I urge the ACT community to get behind the initiatives it outlines and to respond positively to the consultation process. I think we do need to develop, in the long term, a lifestyle which is environmentally sustainable, and I hope we can achieve that in such a way that we do not need to lose some of the quality of life which is obviously so important to us. If we tackle the waste - the unnecessary contribution we make to the greenhouse effect - I am sure that we can avoid having to go too far down the path of threatening our standard of living.

MR KAINE (Chief Minister) (8.23), in reply: Mr Acting Speaker, I assume that nobody else wants to speak on this important subject, so I will close the debate. Mr Acting Speaker, you and members will - - -

Mr Berry: Just about everybody has, I think.

MR KAINE: You have demonstrated your interest in the greenhouse effect, Mr Berry.

Mr Berry: We are not trying to make up time.

MR TEMPORARY DEPUTY SPEAKER (Mr Jensen): Order, Mr Berry!

MR KAINE: On 26 April this year I advised the Assembly of the release of the Government's discussion paper called Developing an ACT Strategy To Respond To The Greenhouse Effect. The ACT became one of the first of the States and territories in Australia, and one of the few governments in the world, to take positive steps to plan for and deal with the effects of climate change. (Quorum formed)

As I was saying, the ACT became one of the few states or territories in Australia, and one of even fewer governments in the world, to take positive steps to plan for and deal with the effects of climate change and global warming. It is noteworthy that only last week, on 8 August, the

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Commonwealth itself floated its discussion paper entitled Towards a National Greenhouse Strategy for Australia.

It is rather interesting that its title is not too different from ours. Clearly it was a discussion paper, just as ours was, to encourage people to get into the debate. I hope ACT residents will comment on the Commonwealth's paper, just as they have done on ours, because that contribution has been very significant and very important.

Our proposed strategy was released to begin a community consultation process which has now been completed, and a substantial number of submissions have been received on various aspects of the proposed strategy. There has also been some significant debate in this Assembly on this strategy but, incredibly, only from the Government. (Quorum formed)

I am starting to feel like a jack-in-the-box, but I will persist because I think it is an important subject. I was saying that there has been some significant debate in this Assembly on our strategy - but, incredibly, only from the Government. The Opposition, of which no Labor member is currently present - at least Mr Stevenson is here - has got so little interest in this potentially catastrophic phenomenon for the world's population that its members do not even bother to be here for the debate.

This is quite characteristic of the Opposition's approach to subjects like this. They obviously do not believe there is a vote in it or they would be sitting here right now. We see plenty of them when they think there is a vote around. But when there is an important subject that they think is not voteworthy we do not see anything of them.

There has been a high degree of consensus on the importance of the issue, and the need for sensible and affordable actions by all levels of government, and by the community. The Government is greatly encouraged at the Canberra community's evident concern and desire to participate in the development of the greenhouse strategy. It is clear that, like the Government, the community is well aware of the importance of this issue to the Australian Capital Territory, to the world and to future generations.

There was some initial confusion as to the Government's intention regarding wood burning stoves. This was reflected in some of the community responses, but those fears have now been put to rest and I confirm that the Government has no intention of banning wood burning stoves. What we are talking about is controlling the emissions of harmful gases from appliances like wood burning stoves in the future, not banning them altogether.

Well, welcome, Mr Connolly; somebody from the Opposition with a conscience.

Mr Connolly: Thank you, Chief Minister.

MR KAINE: The Government will consider all of the suggestions and comments received and respond to them in formulating its environment protection strategy for the Australian Capital Territory. The release of our environment strategy on World Environment Day was the opportunity for the Government to announce a number of initiatives that will contribute to a reduction in the release of gases detrimental to the atmosphere - gases such as carbon dioxide, methane, chlorofluorocarbons and halons, and even water vapour, which most people do not seem to recognise as being one of the gases that are detrimental to the atmosphere and conducive to the greenhouse effect.

As the Opposition rightly pointed out - that was Mr Wood, the only one who made a contribution to this debate - energy conservation is a major matter that must be addressed by any strategy that purports to deal seriously with the greenhouse effect, and our paper deals comprehensively with this matter. It refers, for example, to promoting energy conservation in transport in the ACT; to promoting energy conservation in building; to promoting energy conservation in the home; and to promoting energy conservation in industry - all aspects of importance in reducing the unnecessary consumption of energy and in the conservation of resources.

The Government has undertaken to examine the development of a set of procedures for design and siting of buildings to maximise energy conservation and efficiency. There will be a Government report addressing issues such as using passive solar energy in building design, having building setbacks determined by space and design considerations, providing energy efficient public housing, and promoting the calculation and use of energy efficiency ratings.

The Opposition has also made much of the important role of public transport in the conservation of fossil fuels. Again, the Government is moving, as outlined in the greenhouse strategy, to implement measures to facilitate more efficient and attractive public transport. Only a week ago my colleague Mr DUBY, the Minister for Finance and Urban Services, announced that the ACT had let a contract to develop a comprehensive bus priority strategy for the whole of the ACT. This strategy will result in reduced operating times and hence encourage greater use of public transport. It will address a range of measures including priority on roads and at traffic signals for buses. These initiatives will also reduce operating costs, including fuel costs for ACTION - and savings in fuel translate into savings in harmful emissions.

We will continue to look at other measures to reduce vehicle related emissions. The Australian Transport Advisory Council's environment program has accepted the ACT's multi-occupancy car parks for evaluation as a national demonstration project to promote more efficient

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transport use. In addition, the Territory Plan will reserve a right of way for an inter-town public transport route.

Managing the greenhouse effect may be one of the greatest challenges that governments in the next century will face and it is important - even imperative - that a long term and bipartisan view is taken. I hope that the Opposition in this Assembly will accept that and join with the Government in making sure that the proper measures are taken.

I was going to make, at this point, some comments about some of the contributions that the members opposite have made to the debate, but unfortunately they have been so few that I can only comment on a couple of matters raised by Mr Wood.

Mr Berry: Well, we do not want to make more greenhouse gases. You just seem to want to make greenhouse gases, you lot over there - just making up time.

MR TEMPORARY DEPUTY SPEAKER: Order, Mr Berry!

MR KAINE: I can only comment on a couple of points made by Mr Wood who, I repeat, was the only member of the Labor Opposition who made any contribution to the debate at all. One of the comments that he made was that in our greenhouse strategy the Government could have been less cautious.

Mr Berry: He is our spokesperson, is he not?

MR KAINE: Well, I accept that. The paper that we put out was a discussion paper and, as I say, we have had a good deal of input from the community, and Mr Wood's exhortation to the Government to be a little less cautious is perhaps not an inappropriate one. He suggested, for example, that we should require thermal insulation in new buildings - instead of encouraging things, we should require them. I accept that. To some degree that coincides with some inputs that we have had from the community and, in implementing our policy on this matter, we will take Mr Wood's exhortations into account.

He also asked that, in planning Gungahlin - which will be the next major development for residential land - we do not plan it for the car; that we perhaps plan for a light rail system instead. Well, his thinking exactly coincides with mine. (Extension of time granted)

Mr Wood's thinking on that matter exactly coincides with mine. In fact, I am on record as far back as 1976-77 advocating even then the reservation of right of way facilities for a future light rail system of some kind. If members go back to the Hansard of the old Assembly they will find my comment that if we did not do something about it soon - and I am talking about 13 or 14 years ago - the only right of way left would be between Queanbeyan and

Bungendore because we would have built on all the rest of it. I said this then and unfortunately very little has been done since. If the Government does not start to plan for a right of way for some sort of transportation system to replace buses and cars, we will indeed find that the only right of way left will run between Queanbeyan and Bungendore.

So I accept Mr Wood's comments and I take them in the spirit in which they were offered. I can only say that I regret that the other members of the Labor Opposition did not see fit to make a contribution to the debate of the same standard as that of Mr Wood.

As we said in our environment strategy issued in June, we will be continually reviewing, evaluating and updating all aspects of our environment programs to ensure that the complex interrelationships will continue to be comprehensively managed. That is an undertaking and a commitment that I give on the part of the Government. We have a comprehensive policy now on the greenhouse effect. We have a very comprehensive strategy on protecting the environment - again, one of the few issued by a government in Australia.

It is the intention of this Government to do whatever we can at our level to preserve and protect our environment and, particularly, to address the greenhouse effect and the depletion of the ozone layer.

Question resolved in the affirmative.

**RESEARCH AT THE ROYAL CANBERRA AND WODEN VALLEY HOSPITALS AND
THE POTENTIAL FOR A UNIVERSITY HOSPITAL
Ministerial Statement and Papers**

Debate resumed from 1 May 1990, on motion by **Mr Humphries**:

That the Assembly takes note of the following papers:

Review of research at the Royal Canberra and Woden Valley Hospitals and the potential for a university hospital -

Ministerial statement, 1 May 1990;

Review by Interim Board of Directors, dated February 1990.

MR BERRY (8.36): There will be only one Labor Opposition speaker on this matter as well because we do not see the need to take up the time of the Assembly with tedious and repetitious speeches. This issue of research at the Royal Canberra and Woden Valley hospitals and the potential for a university hospital has some irony, even in the title, because, after this Government has finished with the health system, there will be no Royal Canberra Hospital, because it intends to close it.

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Mr Duby: We do not intend to; we will.

MR BERRY: The Government will close it, according to Mr Duby. The issue of universities in relation to a hospital, of course, is a very important one for the people of the ACT but they were not consulted about this issue. The need was identified by elements in the hospital system and at the Australian National University - not by the community. I found nothing in the Minister's statement in relation to the matter which would cause the community to be grateful for its emergence because it has not been consulted.

Many interests have not been represented in the proposal that has been put forward by Fraenkel. Some of these groups - patients groups, welfare groups, the Federal Government - were not even approached. They therefore had no input. In other words, the people that are expected to pay for the proposal, either directly or in cuts to other services - and it seems by the way this Government is handling hospital budgeting that cutting other services is the way it sets out to pay for new services - have not been consulted. We need to go back some way to the start of the Fraenkel report and, first of all, how it was set up. The interim board of the Woden Valley and Royal Canberra hospitals, without consultation, invited Fraenkel to conduct a small study with specific terms of reference. We then have to discuss those who were invited to submit to Dr Fraenkel. It was a small and very select group of people. There were no community representatives; as I said earlier, no Federal Government representatives; and no trade union representatives - that is, with the exception of the doctors' union, the Australian Medical Association. None of those people were asked to make submissions to the inquiry which led to the report.

We then need to turn to the terms of reference. Very narrow terms of reference were set. They were set at a time of discussions on amalgamation between the Australian National University and the then Canberra College of Advanced Education, and subsequently between the University of Canberra and Monash University. We find in the report that the terms of reference were too narrow for issues such as fostering a medical school to be considered.

Were these issues addressed? I suppose, yes and no. The first problem was the setting of the terms of reference. The study was not to consider whether a university hospital concept was viable or a feasible option. Surely, that should have been the first issue to be studied, but what happened was that the inquiry moved to develop proposals for a university hospital concept. So it did not consider whether it was viable or feasible in the first place. It was required to move on to develop proposals for a university hospital concept. It was in this development of proposals that the terms of reference were not addressed. Surely such a concept allows the study of many options, and the fostering of a medical school can be considered within

this framework. The study does not address in detail costings for any university hospital concept, and I think that was a serious failure in the terms of reference which were set.

Another issue that needs to be addressed closely in discussion of this issue, particularly in the light of the Government's attitude to cutting costs in the public hospitals area, is the costs. This is a Government that takes great pride in announcing that it will rip the internals out of our public hospital system to provide a bigger chunk of public hospital beds to the private sector and, in so doing, it will lay a cost on the people of Canberra of, according to its figures, about \$154m - but the real cost will be closer to \$200m. The Government squirms about that, and it moves from one position to another. The latest, I should add, is that it will be less than the \$154m that was announced in the past, and this suggests to me that the Government is going to cut more costs if it is going to try to stick with that figure. So the people of Canberra can expect less service delivery in the public hospital system.

But the costings provided are totally inadequate, and obviously they have not been assessed by anyone with expertise in the costs associated with medical schools. It was a quick-fix, in my estimation, and the Government should take account of that as it moves to consider the matter further. The University of Canberra has found that the figure of \$1m per annum is underestimated by a factor of six to eight. The costs for its proposal will be \$6m to \$8m per annum without any capital undertaking - a significant cost for the people of Canberra. All of those issues need to be very carefully addressed. We have a Government that is tearing the heart out of this city in the area of education, and it is tearing the innards out of our hospital system, and it is now looking at a proposal which might cost \$8m per annum in relation to the delivery of a university hospital concept.

Whether that is needed or not has to be assessed very closely. But the cost to the community also has to be assessed very closely, and all of the figures have to be made available - not like Mr Humphries with the education and hospital costs so far. He has wrapped them up in a blanket and tucked them away somewhere saying that there will be no announcements in relation to those because they are budget matters. The people of the ACT need to assess what this Government is doing in terms of the financial impact on the ACT. It really comes back to the question of who pays. Well, the people of Canberra pay. That is who pays and, of course - - -

Mr Humphries: Who benefits?

MR BERRY: Of course the people of Canberra benefit, but how do they pay from a Liberal Party philosophical point of view? How they pay is by the transfer of public sector services into the private sector.

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Mr Humphries: Where do you get this rubbish from?

MR BERRY: Well, you are doing it. It is in your own plan. It is in your own plan.

Mr Humphries: There is nothing about transferring beds to the private sector. We are closing private sector beds. Get that through your head.

MR BERRY: Well, what we are going to do is double the amount of private sector beds in the ACT, double the amount of private hospitals in the ACT.

Mr Humphries: We are closing private sector beds in Calvary.

MR BERRY: Double the amount of private hospitals in the ACT and this Minister - - -

Mr Humphries: And increase the number of public beds.

Mr Doby: We are increasing the number of public beds.

MR BERRY: You keep out of it because I do not think you know what you are talking about. He does not.

Mr Doby: We are increasing the number of public beds.

Ms Maher: You are just misinterpreting it.

Mr Humphries: He is increasing the number of public beds.

MR BERRY: He is not increasing the number of public beds. Mr Humphries said today that he would be maintaining the number of public beds. That is what he said today. But he did not say that as a percentage because, in percentage terms, there will be fewer public sector beds available to the people of the ACT. There will be double the amount of private sector beds.

Mr Humphries: Oh, as a percentage; that is different. You increase the number of public beds, but somehow you take something away because the percentage increases.

Mr Doby: Wayne, you never could add up. Do not pretend you can now.

Mr Humphries: Where are the numbers?

MR BERRY: I was never a bookie.

Ms Maher: Maybe you would have learnt something if you were.

MR BERRY: Well, Craig did not. The fact of the matter is that the Government is a government of privatisation.

Mr DUBY: I know a sure thing - a sure loser.

MR BERRY: Now, let us not get into the discussion about use by dates. The fact of the matter is that this Government is about privatising health services. We have a Minister here who said that the pace for the education system should be set by the private sector, and that is the philosophical line that will be taken in relation to the provision of additional public sector services in the ACT. It will mean a real cut in services to the people of the ACT and a transfer of public sector services to the private sector. After all, where does the Liberal Party constituency lie? It lies in the private sector and it has to satisfy its constituency.

Mr Kaine: Well, it is everywhere, Wayne, everywhere.

MR BERRY: But it is getting to be a pretty small little package lately, Trevor. The issues that were not addressed in this inquiry were the real reasons for the lower standards of medical care in the ACT and the many options which could be available to improve those standards. There are no detailed costings, both in capital terms and recurrent terms, and no assessment of their impact on the ACT economy. It is the starting point for expenditure of a great deal of ACT money. The Government has to consider the impact of those sorts of expenditure levels.

There is a whole range of fallacies in all of the arguments that have been put. But the most important factor is that most of the people in the ACT were not consulted; nobody knew that this was going on. The large majority of workers in the ACT health system were not consulted.

Mr Humphries: I am sure they would have loved to have been discussing a university hospital.

MR BERRY: Well, you never ensured that they were asked.

Mr Collaery: He wants to say "non-consultation" because he has got a gallery. He is on his theme tonight. His theme is non-consultation.

MR BERRY: We do not need any patronising remarks from you, Bernard. Get back in your revolving door.

Mr Collaery: I am going to get back to my work.

Mr Kaine: You want to get back into your cage.

MR BERRY: When I lay the facts on the line here it makes the Chief Minister and all his cohorts twitch. They all get very twitchy because we lay it on the line.

Mr Kaine: You would not know a fact if you fell over one.

MR BERRY: The fact of the matter is that this Government gets twitchy when you talk about privatisation.

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Mr Kaine: They get tetchy when people distort the truth, too.

MR BERRY: Where have you been? What have you been drinking for dinner?

MR TEMPORARY DEPUTY SPEAKER: Order, members!

MR BERRY: This is about the only exciting part in the debate tonight. If one gets to his feet and lays a few facts on the line, the whole - - -

Mr Collaery: We are trying to run a ministry and suffer you at the same time.

MR BERRY: Well, give up on the running of a ministry, Bernard, because you have not made it yet. Of course, there were no negotiations with the Federal Government departments and Ministers with an interest and expertise in these areas. The negotiations yet to be done relate to contracted medical staff. We live in a city where there is a particularly low rate of salaried staff in medicine, and proposals in that report to radically reform present staffing patterns may involve industrial difficulties. Of course, that matter has not been addressed. So there is a lot of work to be done. The Government needs to pay due regard to the additional work that is required and to the holes in the report. There is a likelihood that there will be major difficulties if the Government does not examine these points closely.

I must say it is amusing to see how impressed the authors of the report were by the willingness of those in charge of the hospital service to consider substantial additional funding in the interests of raising patient care, having stated that a university hospital in the ACT would involve large expenditures, both capital and recurrent. It seems obvious to me that one group that they did not talk to is the discredited machete mob, the Priorities Review Board. (Extension of time granted)

How many professors will there be? Where will they come from? Why have seven more professors to train the same number of doctors? Of course, we need specialists and not generally trained medicos. Surely other options should have been examined to provide the Territory with specialists to enhance our regional centre of excellence role. Of course, looking at medical research and medical training should be a priority of any study.

All of the issues that I have addressed in my speech on this subject tonight go back to a requirement that the Government take a close look at this issue and take into account recognised social justice strategies in relation to the delivery of better health services in the ACT. As far as this Government's record goes, it would appear that the people of Canberra could not expect the Government to have any conscience about the issue of social justice.

The people of Canberra require a very close investigation of this issue and a very close costing of it. They will also require that this Government focus on the delivery of high quality health services in a very strong public hospital system throughout the ACT, and that the Government back away from its announced decision to reduce the value of the public hospital system in the ACT. I think the Government should rethink its position in relation to its attack on the education system as well.

DR KINLOCH (8.54): I am very delighted to have a chance to discuss this important matter. I hope over the long pull that members on both sides of the house will be greatly in support of medical research in this city and of this city as a centre for national and international medical research.

However, 10 or maybe 15 years ago there was a possibility of a medical school here related to the ANU. I remember the considerable arguments about it at that time, often on costs. This is a matter that comes up all the time. It was the University of Newcastle which won that particular hospital. That initiative has produced since then one of the most interesting medical schools in Australia. Many young people who cannot get into medical schools on some kind of very exaggerated high level mark are able to get into that medical school because, above all, it is looking for people who will care for patients. So each medical school has its own special priorities and needs, and I would hope that will be especially true for the ACT.

Above all for the ACT there should be a focus on national and international research. There was talk at one stage in this house of a multifunction polis, you remember, and one part of that was to stress research. There is no doubt in my mind that this is what we should do. Fortunately, there is now a strong move in the ANU and also at the University of Canberra to move towards as great a degree of medical research as possible.

Happily, we already have the John Curtin medical school as a magnificent base for what may happen to move towards a medical school and teaching hospitals. Specifically - and Mr Berry has already referred to the Fraenkel report - there will be an aim to produce the fourth, fifth and sixth years of a medical school. This then will be a very special medical school where indeed the emphasis will be on young doctors who will move on into areas of research, not just for the ACT but for Australia as a whole - and, I hope, the world as a whole. But that will have very particular effects. Wherever you find very high levels of research other things flow from that, and I will come back to that in a minute.

The question arises of the location of such research and of such a medical school. Well, of course, there are many models of the way research works. Such research can be

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centred on a principal hospital; that is one way to go. It can be spread over several hospitals and facilities. Indeed, any able specialists worth their salt, whether there is a teaching hospital or not, would be involved in research. There are already doctors in this city, working in their own specialties, who are involved in research, writing papers and so forth.

Mr Berry: What happened to your support for having it at Royal Canberra? It has evaporated.

DR KINLOCH: Look, I am trying to speak to the subject of research and the potential for a university hospital. People can be rude and interrupt if they like. I remind them of standing order 61.

Some of the research of the kind which appears in a university medical school, a university hospital, is already here. We already have departments of physiology, biology, biochemistry and zoology in various tertiary institutions in this city; that is, we already have some of the areas which are essential for a teaching hospital. We do not have to begin from scratch. Not only is there the John Curtin medical school but there are also specialists in their own areas, who are not necessarily medical practitioners or medically trained, who have the needed technical specialist skills in a number of academic areas.

Much of that we already have and we would necessarily build on that. Mr Berry raises worries about the numbers of professors and so forth. One report I saw referred to a need for something like five additional professors for this institution. I do not think that is an extravagant claim.

So we can build on existing institutions. Some of those institutions may not easily occur to you. For example, there is already a special area of physiological research in the Institute of Sport. So across the city - in the CSIRO, the ANU, the University of Canberra, the Institute of Sport, ADFA and so forth - there are the beginnings of a number of areas of research.

There is also the possibility of specific research in specific research institutes. There is one area in the ANU already which deals with the problems of ageing and in particular with the problem of Alzheimer's disease. That kind of research is already going on and that is not necessarily related to the John Curtin medical school. There are individual research institutes already in existence.

So there is a very great need for us, as a Legislative Assembly, to initiate and foster in any way we can - and I would certainly like to be involved with this - a pulling together of the tremendous resources in this city, which need to be added to with the new professorships; the actual establishment of those fourth, fifth and sixth years at the ANU; and the growth of technical medical education at the

University of Canberra in a number of fields so that Canberra as a whole is seen as a centre for medical excellence right across the board. I refer to nursing education, education for young doctors, education in research and education in the many specialties which are related to what goes on in a first class university medical school.

There are, of course, the problems of fundraising, and that is necessarily on the table. Both sides have discussed it. I am sorry that the time is so short but I would like to stress here a well worn theme - the special role of research in creating other side effects. I agree that there must be social equity and social justice in any kind of medical hospital scheme. Putting considerable amounts of money into research does not mean that you damage that. On the contrary, you enhance it. These are the effects of adding research to hospitals and universities in this area. You first of all produce the highest level of expertise available and that expertise spreads out into other fields. Good research is also related to good teaching; you attract high calibre staff.

There are worries. I hear worries about the morale of doctors in some present systems. There is no doubt that once you have a medical school you attract those kinds of professors and that kind of research which produces a snowball effect in all areas of medicine in a city or in a State. There is also, in research, a spreading effect from field to field to field.

You may appoint a professor of anatomy or a professor of physiology, but given the multiplicity of areas of research these days it is very rare indeed that that research does not spread right across a whole area of academic disciplines. Furthermore, research - and I think this is central to our kind of city and our kind of economy in the future - attracts further research and above all further development.

If I could give the obvious example, at the ANU in areas of research that already exist there is this relationship between a whole number of research fields and Anutech. This is the body at the ANU which processes the results of that research and markets it, making the university not just a place of research, education and teaching but a place where practical applications of research are put into being. I hope that will be very much the case with our medical schools and medical education.

To conclude, I hope that, given the growth of a national-international research centre, wherever it is - Woden, Canberra, Calvary, John James, whatever their names are - the ACT will grow in that particular area. Finally, I believe that will be a very great economic benefit to this city as well as a benefit to medical education and medical practice.

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MR JENSEN (9.03): I notice that Mr Wayne Berry has cut and run again. He has given his comments and left the chamber once more. I seem to recall, in Mr Berry's speech this evening, a reference to some problems with the terms of reference. Maybe I missed something but I was not quite sure which terms of reference he was talking about. I can only assume that he was talking about the terms of reference that are located in this report. I presume that, because it was not clear from his comments.

A quick check of the terms of reference on page 8 of the report indicates that these terms of reference were set out in a letter dated 16 August by the Chief Executive of the Hospital Services Division of the Royal Canberra and Woden Valley Hospital Interim Board of Directors. That letter invited Professor Fraenkel to conduct a small study. We have specific terms of reference which I will quote just so that people are aware of what we are talking about:

- . to review the state of research in the Woden Valley and Royal Canberra Hospitals
- . to develop proposals for strengthening the research infrastructure and
- . to develop proposals for a university hospital concept.

They were the terms of reference. I seem to recall that it was during this period that Mr Berry was in fact the Minister responsible and that the Chief Executive of the Hospital Services Division was, in fact, responsible to Mr Berry as the Minister. So, I am not quite sure whether Mr Berry is in fact having a shot at himself for ensuring that the terms of reference were not up to the mark. That is all I can assume. I guess Mr Berry got carried away, if you like, in trying to bring other matters into the debate, and forgot that when this report was commissioned he was the responsible Minister. If Mr Berry had these concerns, why did he not change them during the time? He had plenty of time from August until December to change those terms of reference. Once again one can only assume that we find Mr Berry seeking to make cheap political points really forgetting, in fact, that he was the one responsible.

This brings me on to another issue that Mr Berry raised - concern about the lack of consultation. Once again he must not have been talking about the report and its processes when he referred to that apparent lack because, once again, it was his administration that commissioned this report, established the terms of reference and appointed the members of the review.

Once again we return to page 8 of the report and we see considerable reference to a list of submissions received. Mr Connolly may like to have a look at the report just to prove that I am not telling any pork pies; it is actually the truth. Maybe Mr Berry did not read the list at appendix B of the report, and I refer members to that appendix B. We find a list of submissions from 27 people,

many of them doctors and senior professors, who put in submissions to this particular inquiry. And also at appendix C we see a list of those people interviewed over a five-day period. In fact, more than 52 people were interviewed during that period. Also, in appendix A of the report we find a copy of a detailed letter seeking submissions of interest. This letter is dated 25 August, and it was sent to 11 interested organisations. These organisations read like a Who's Who of the medical profession in the ACT. There is the Postgraduate Education Committee, the Postgraduate Committee in Medicine ANU, the AMA, the Medical Staff Committee, the John Curtin School of Medical Research. Need I go on? There is a quite considerable number of those organisations.

So clearly Mr Berry must not have been talking about that sort of consultation and that sort of submission when he was making his comments. I am not quite sure what to think about that, but clearly Mr Berry's brain must have been addled by something that he ate at dinner.

However, let me move on and make some more comments in relation to the suggestion that the ACT could, in fact, have a clinical school established here. The report envisaged that this school would provide a clinical training component of the normal undergraduate medical degree, and it would be conducted over three years at the Australian National University. There is no doubt that the establishment of a clinical school in Canberra would greatly enhance the quality of health services.

I know that there has been some talk about the relationship between the Royal Canberra Hospital and the ANU, because they are so close, but I am sure members need no reminding that there are activities taking place between the John Curtin school of medicine and the Woden Valley Hospital. That seems to work quite successfully. I also know of many places around Australia where medical schools are able to operate quite effectively with the hospital and university some miles apart.

This occurs in cities that are even more congested than this city of ours. Most of us know that it takes, at the most, 20 to 25 minutes to get from one side of Canberra to the other. So I suggest that it would not be a major problem if the clinical medical school was eventually located at the Woden Valley Hospital, which, as I understand it, will eventually be renamed the Royal Canberra Hospital in accordance with the normal traditions of these sorts of activities. It is not the first time that that has happened in Australia and I am sure it will not be the last.

Such a clinical school would expand the opportunities for research and teaching well beyond present levels. It would set in place the foundations for a transition to full medical undergraduate education around the end of this century. The Australian National University is keen to

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mount the program, I understand, and the University of Canberra seems to have accepted, at least informally at this stage, that the Australian National University should be the focus for that school. With the development of the principal hospital in Canberra, now is the best time to be moving ahead with the clinical school proposal. This would enable the proper planning of physical requirements and their incorporation into the construction program at Woden. Capital costs would be reduced as a result and the outcome would be better.

I understand that my colleague Mr Humphries will be making some comments in relation to the way that such a project could be funded. However, as I have indicated, the major issue yet to be addressed is the cost of the proposal. There has been a suggestion that this could be something in the order of \$10m or more per year. In answer to the questions that Mr Berry raised, the service has tentatively arranged for Professor Nick Saunders, head of the Department of Medicine at John Hunter Hospital, to assist in developing possible budget options. He is well qualified to do this, having been intimately involved in the development of the new John Hunter Hospital, which is the major teaching unit for the University of Newcastle. It is expected that this work will be completed by early September and, if it was the desire of the Minister to proceed, I understand a submission would be prepared for Cabinet by the end of that month.

In closing, this matter deserves very serious consideration and, if at all possible, it should gain bipartisan support from all members of the ACT Legislative Assembly and the community. Aside from the fact that it offers some real benefits to the quality of health services in Canberra in the short and long term, it is certainly inevitable over the next five to seven years and it is far preferable to plan for it now rather than try to accommodate it later. I commend the report to the members and, if the members of the Opposition have nothing to say, I am sure my colleague Mr Humphries will sum up the debate on this issue.

MR HUMPHRIES (Minister for Health, Education and the Arts) (9.13), in reply: I am rising to close this debate. As my colleague Mr Jensen noted, it appears that the Opposition is pretty well bereft of ideas on this matter, except for only one of its members. I note that this Government - - -

Ms Follett: He is the health spokesman, in fact.

MR HUMPHRIES: Well, this Government has many people, all of whom contribute - - -

Ms Follett: It is not a debating club, Gary.

MR HUMPHRIES: It is a debate, Ms Follett.

Ms Follett: It is a legislative assembly; it legislates.

MR HUMPHRIES: Yes, and debates happen in legislative assemblies.

Ms Follett: When you are too scared or have not got any business - - -

Mr Berry: But the motion before this place is that we take note of the paper, for heaven's sake.

MR HUMPHRIES: It appears that Ms Follett and her colleagues are unable to contribute any positive or even negative arguments to this whole debate, except for those put forward by Mr Berry.

MR ACTING SPEAKER: Order! Members.

Mr Berry: The motion before the house is that we take note of the paper. Heavens above!

MR HUMPHRIES: Well, you were able to raise school closures in the context of taking note of the paper on the university hospital, so obviously a pretty wide debate can ensue - but apparently not wide enough to spread to any of your colleagues. I think it is an important issue and I think it is - - -

Mr Berry: You are a bit tetchy about school closures, Gary. I can understand why.

MR HUMPHRIES: We should all be sorry for the fact that Mr Berry seems to be unable to get off that issue and understand that there are other important issues facing the Territory and this is one of them. It is also worth commenting, from Mr Berry's comments - and his are the only ones we have to go on in the course of this debate - that it is pretty obvious that there is a certain element of panic in the response exhibited by the Opposition to the debate tonight.

Ms Follett: Ha, ha!

MR HUMPHRIES: Ms Follett laughs; she thinks that is funny, but I think she should examine Mr Berry's comments very seriously. I am not sure she was here all the time. She would see very clearly that there was a large element of panic in those comments. What Mr Berry fails to appreciate is that, in fact, nothing has yet been set in concrete in respect of this proposal. We do not yet have a Government decision to proceed with a university hospital. We do not have a Government commitment to spend funds on a clinical school. We have nothing of that kind. We only have an idea, a paper - a position worthy of exploration put forward by a committee established under the aegis of the Interim Board of Directors of the Canberra hospitals.

Apparently, Mr Berry and his colleagues begrudge the exploration of that idea to the extent that it has been explored by this committee. He begrudges the efforts that

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it has made to explore the benefits that will accrue to the people of Canberra through the creation of a clinical school such as this. I think we should ask ourselves why it is the Opposition seems to be so intent on attacking that proposal - and they are attacking it, let us make no bones about it. They clearly do not accept the idea that such a school will provide considerable benefits to the people of Canberra and that we, therefore, as a serious legislature, ought to consider very carefully what those benefits will be and seek to specify and quantify them so that we can assess, as a parliament and as a government, just whether it is worth committing the resources necessary towards that end to achieve those benefits. That is all, apparently, lost over the heads of those opposite.

Mr Berry described the result of that committee's inquiries, this report, as a quick-fix. Well, if that is the case, I think we have had a lot of quick-fixes over the years in this Assembly and elsewhere in respect of many major problems faced by the Territory. I reject the assertion that that is a quick-fix. I think it is a careful, considered opening shot, if you like. There will have to be a very important debate to establish what those benefits are for the people of Canberra.

Apparently Mr Berry thinks that however far the Government goes in looking at this issue is too far; that however much commitment it makes towards seriously examining this concept is too much of a commitment. I think that Mr Berry really ought to realise that there are considerable benefits beyond the narrow vision that he can espouse. He should realise that the people of Canberra stand to be the big winners from a proposal such as this and it at least deserves to be progressed positively, in a positive environment, to the next stage. Mr Berry obviously has no conception of positive debate on anything, and this is clearly a case where he would rather kick and scratch and knock down than make a positive contribution.

I think that it is worth looking at the processes whereby this has been progressed so far. My colleague Mr Jensen pointed out, very properly, that there has, in fact, been a level of consultation in the preparation of this document which is entirely appropriate. It is an entirely appropriate level of consultation. It is a subject which naturally attracts debate. It is quite obvious that the sort of information contained in this document should properly be discussed and debated, and, at this stage, at a fairly technical level. I refer members to appendix B, which indicates the sorts of persons that made submissions to the inquiry. They were almost all doctors or professors of medicine, and it is pretty clear that the debate has, at this stage, been a very technical one.

I think that it is an entirely appropriate level of debate, but to suggest, as does Mr Berry, that there has not been any consultation at all is pretty hard to sustain. The fact is that this is only the first step. There are many

steps to follow, and when those steps follow obviously governments have to consider carefully what is in the interests of - Mr Acting Speaker, I have had almost continuous interjection. I seek your intervention.

MR ACTING SPEAKER: Would you stop your interjections, Mr Berry. Let the member speak. I do not want a four-way conversation here. We are listening to Mr Humphries.

MR HUMPHRIES: Thank you, Mr Acting Speaker. It is obvious decisions have to be made, and one decision this Government has taken has been to table this document in this place for the benefit and interest of members here, for their perusal and understanding. I think that is an appropriate step. If Mr Berry begrudges that much effort, I think Mr Berry ought to realise that he does not really have a clear understanding of what this place is all about.

I want to express what really amounts to a personal view, at this point, as to why the ACT does need a clinical school. I think it is important, first of all, to state that the particular time context in which this debate is occurring is very important. We have the opportunity presented by a major commitment on the part of the Government to the restructuring of our hospital system. We have a major opportunity, in that context, to create something better for Canberra - to create something which will permanently augment the quality of health care in Canberra. That is what the hospital redevelopment debate has been all about, and that is what this debate about a university hospital is all about.

I have no desire, as Minister for Health, to go to my colleagues and seek another X million dollars for another fancy piece of real estate somewhere in town for the sake of showing that we have got a you-beaut, wonderful, gold plated university hospital or clinical school. I think there are many other things we could be spending our money on which would attract a lot more kudos. We are not talking about kudos. We are talking about contributing to the quality of health care in Canberra. That is what this is all about. If the university hospital contributes to improving the quality of health care in Canberra and brings it up to standards which are applicable elsewhere in this country - and we should make it very clear that at this stage we are in many respects not up to those standards - then I will support it. And I will expect the support of every other member of this chamber - far-sighted or not - because I believe that is important if we are going to make a real effort to improve Canberra's general health scene.

So I say it is important to do that, to attract that quality to Canberra. It is also important to be able to provide in Canberra the sort of environment where specialists, in particular, will want to come and make a contribution to Canberra because they see an attraction in doing so. Frankly, those attractions are not purely monetary and they are not purely provided by the atmosphere

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and environment of Canberra; they are provided by having a high quality institution in which to work and in which to do research.

Labor's theme seems to be that because something is not done yesterday it is somehow too late - that because we have not yet got all the costings on the table and because we have not done all the consultation and that sort of thing in front of people, somehow that has all been left undone and will not get done, and therefore some big con has been pulled on the people of Canberra. That is a very consistent theme. It is a deliberately political theme. The Government has not done this work because the stage has not yet been reached for that work to be done. But when it is reached it will be done. (Extension of time granted)

A number of things are obvious to me tonight. One is that this debate is producing all of the innate hostilities that come out of the ALP towards certain bogey men.

Mr Berry: To the Liberal Party, that is right.

MR HUMPHRIES: Well, the Liberal Party is an old one but there are other ones as well. One is the hostility of the ALP towards institutions of learning and to the intellectual freedom which goes with institutions of higher learning. That is one thing. A second thing is the hostility of the Labor Party towards the medical profession.

Mr Berry: Who said that?

MR HUMPHRIES: It came through every word you said, Mr Berry - this hostility on behalf of the ALP towards the medical profession. Doctors are fat cats. Doctors are people who drive big cars and earn gallons of money and do not really deserve to have any notice taken of them. That is the impression that comes through from the ALP.

Ms Follett: I raise a point of order, Mr Acting Speaker.

MR ACTING SPEAKER: Yes, what is the point of order, Ms Follett?

Ms Follett: Relevance, Mr Speaker. Mr Humphries is supposed to be summing up on a report that has been presented, not giving us a discourse on the policies of the Labor Party.

Mr Kaine: Well, Mr Berry thought that education was relevant.

MR HUMPHRIES: Well, that would be a very amusing subject if I were, in fact, to elaborate on that.

MR ACTING SPEAKER: Order, members! In the debates tonight I think a number of members probably have been guilty of not being terribly relevant to the points at hand.

MR HUMPHRIES: Well, I will move off the question of the ALP's hostility towards its old class enemies and move onto another area of hostility, which is hostility, particularly on the part of Mr Wayne Berry, towards the Interim Hospital Board, because he somehow deep down blames that board for the fact that somehow his handling of the hospital system prior to the change of government was in ruins or tatters. He somehow blames that hospital board for that.

Mr Berry: That is why I was going to replace them with a more efficient - - -

MR HUMPHRIES: Well, I think he needs to look at his own performance as Minister for Health before he starts to blame people who worked underneath him and tried to make the best of a desperate situation. It has been suggested in the course of interjections on the other side of the chamber that somehow Royal Canberra Hospital would be a good location for the clinical school. That is just rubbish. You must put the clinical school at the principal hospital. You simply must; there is no question about that. The clinical school must be at the principal hospital. Even Mr Berry was prepared to concede that Woden Valley was a better location for the principal hospital than is the Royal Canberra site. So, on his own logic, if Mr Berry had ever had the chance to remain as health Minister and embark on this project he would not have put it at Royal Canberra Hospital. He would certainly have put it out at Woden Valley.

Mr Berry: That is right, but I never criticised that element of it.

MR HUMPHRIES: Well, you did, Mr Berry.

Mr Berry: No, I criticised the fact that you are going to close Royal Canberra Hospital.

MR HUMPHRIES: Well, if Mr Berry wants to backtrack now that is his entitlement, I suppose. The costs that Mr Berry and others have referred to in this debate are of very serious concern and should be carefully addressed. They will be weighed by this Government. We will weigh those costs against the benefits. If the benefits are important and significant enough, if they can be measured in terms that will provide an incentive for us to spend that money, we will spend that money. If it will not provide those benefits and they do not weigh up appropriately, we will not spend the money. It is as simple as that.

I think it is also important to note, as I think Dr Kinloch noted, that without a clinical school the ACT really does not bring back to the Territory some of the benefits of the John Curtin School of Medical Research. Much of the benefit of that research is not directly won or gained by the ACT. It flows to other medical establishments outside

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the ACT because the links are not there between other institutions in the ACT and that school. I would like to see this clinical school established, if only because it would provide those links and that strengthening of the bond between what happens in that school and what is going on in the medical practices of the ACT.

I think there are many benefits. I, unlike the Opposition, am not prepared to dismiss this out of hand. It deserves serious consideration. We will give it our in principle support and await the outcome of the evidence. If that evidence points to the fact that Canberra should have such a school, we will support it to the hilt and will provide the necessary funding.

Question resolved in the affirmative.

ADJOURNMENT

Motion (by **Mr Collaery**) proposed:

That the Assembly do now adjourn.

Education

MR BERRY (9.29): In rising in this adjournment debate, I want to focus again on the issue of education, because it is this Government opposite that has set about ripping the heart out of our city by way of its attack on the education system and its closure of schools. Now there is no way of denying that what the Government is on about is attack on the heart of Canberra.

It is timely that I rise tonight because the Higgins school action group is in the gallery. Our first-born went to Higgins school for a short time, although that was some time ago, so I have a link with the school. Later on our children went to Holt school where many of the Higgins school pupils are expected to go.

What I find angering, if you like, about this whole decision is the lack of proper consultation and concern for the school communities and the communities of places like Higgins. Higgins was established around the late 1960s and early 1970s and of course it grew from there into a mature suburb of Canberra. It had a mature primary school which was ensured of a strong and increasing enrolment well into the future. I should say that that increasing enrolment was never refuted by the department, yet it moved on to close that school. There has been a concerted response by the Higgins school community in reaction to the Government's decision to close that school.

Another thing I find most disturbing about the school closures is the number of schools that were closed in areas where no Government members opposite live. Now I think that is more than coincidental.

Mr Collaery: That is outrageous.

Mr Kaine: You will stop at nothing, any lie, any innuendo will do.

MR BERRY: Well, I say that it is more than coincidental.

Mr Kaine: You are a crook. I withdraw that, Mr Acting Speaker.

MR BERRY: That was a quick recovery there by the Chief Minister. The fact of the matter is that that is what has happened. No matter which way you look at it, the school closures occurred in areas where Government members do not live.

Mr Kaine: I live in a suburb that does not even have a school, and never had one - and your Government did not propose to put one there either.

MR BERRY: I cannot help that. I am talking about school closures.

Ms Maher: My son's school is twinning, and it is a proposal they have been working on for 18 months, Wayne.

MR BERRY: It is not closing though.

Ms Maher: But it is a proposal they have been working on for 18 months.

Mr Humphries: They are prepared to save some money.

MR BERRY: Your school is not closing though, is it?

Mr Humphries: They will admit that there are some benefits in that.

MR BERRY: They get a bit toey. By gee, are we not twitchy once the facts are laid on the table? We get very twitchy.

Mr Kaine: You do not like interjections, do you, but you do not mind when somebody else is talking.

MR BERRY: I do not mind them at all. I like to hit the nerve ends because - especially this - - -

Mr Kaine: Look at the nerve ends. Look at you, react to every interjection.

MR ACTING SPEAKER: Order, members!

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MR BERRY: The fact of the matter is that this Government, and particularly these Ministers along the front row here, are responsible for ripping the guts out of our education system. And you particularly, Mr Kaine, you who said that education standards in this Territory would decline, are heading up the attack on our education system. You are attacking our education system. You said it would decline and you are trying to make sure that it happens. You have admitted that it would decline throughout Canberra. The fact of the matter is that you are in charge of the decline of education in this Territory.

Mr Kaine: I raise a point of order. That allegation was made last week and I refuted it, and I want it withdrawn.

MR ACTING SPEAKER: Mr Berry, I think that was made last week and the Chief Minister made a personal explanation, so perhaps if you - - -

MR BERRY: I think that the Chief Minister used unparliamentary language. He said that I had lied.

MR ACTING SPEAKER: Are you taking a point of order too? I am sure the Chief Minister will withdraw that if you withdraw yours. So perhaps if you would both like to withdraw those comments.

Mr Moore: Withdraw what?

Mr Kaine: He knows well enough what I want withdrawn. He made an assertion which was made last week by Mrs Grassby and which I refuted.

Mr Moore: I raise a point of order. There is a correct procedure if he feels he has been misinformed, if there has been misinformation.

MR ACTING SPEAKER: I will just take advice on that. I am advised by the Clerk that the matter Mr Berry raised which the Chief Minister refuted in a personal explanation last week - and I accept what the Chief Minister said there - apparently is not a point of order, and the Chief Minister would have to refute it again. It seems a rather strange procedure to me.

Mr Kaine: Why do I have to continue to refute such allegations? It is a lie and you know it is a lie.

MR ACTING SPEAKER: I do not know, Chief Minister. I have been given that advice. I think it is somewhat ridiculous myself. I think it is repetitious and a waste of time and I would ask members to exercise a little bit of commonsense because I think it is rather ludicrous if we have to keep getting the same personal explanation week in week out.

School Closures

MR MOORE (9.36): I rise to speak in the adjournment debate. It is very refreshing to see people from the Higgins Primary School here as part of their campaign against these people who are ruining the education system in Canberra. Let me start by saying that last year when the introductory English centre moved from the Ainslie Primary School - the school of my own children - it was a great disappointment for many of us at the Ainslie Primary School, because of what its presence offered to our children in addition to what our children could offer to the students at that centre. We felt that it was Higgins school's good luck that it was able to look after the introductory English centre.

We were aware that the cost at that stage of moving those students was about \$100,000. I understand that this year it looks like it is going to be another \$100,000 to relocate them. It is just one of the errors that were published in the rationale for closing Higgins Primary School along with a whole series of other errors right across Canberra. This Government made its decision on very, very shonky grounds. The reality of the matter is that the Government has no idea of the sort of costs it is inflicting in terms of straight economics or the emotional strains on the students and on their families. The Government probably is not even aware that, having closed the Higgins school, the equivalent capacity in the receiving schools, Holt and Latham, simply is not there. So what will the Government do? It will put transportables up - and this is supposed to increase the quality of education.

Anybody who has ever taught in transportables, as I have, will realise the impact that has on the quality of the education that you can deliver. I am sure that Mr Wood will verify that if he has been unfortunate enough to have taught in the sort of transportables that are around. They are noisy; they are uncomfortable.

Mr Wood: I taught under the mango tree.

MR MOORE: Oh, I forgot; you were in Queensland. We do not need to try and make our education system exactly the same quality as it is in Queensland, although that does appear to be the sort of aim that these people have.

Safety issues are most important, too. What about the poor children who have to cross Southern Cross Drive? What will be done there? What is the expense associated with getting them across there safely, and how will it be done? The underpass that currently exists to Latham is actually from Holt and not from Higgins, as was suggested by the Government's own rationale.

The reality of the matter is that the whole school closures debate has been totally incompetently handled. I have

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heard from my sources - and it should be a great embarrassment for you - that on the south side, in Weston Creek, the recommendation was actually to close Chapman school. Of course, you could not see your way clear to sending those Chapman students to Rivett - oh, that would be awful - so instead you have turned around and closed Rivett. But of course that will never see the light of day because you probably stamped those documents with "Cabinet-in-Confidence" or something along those lines.

Mr Jensen: That is a slight on the Rivett school, Mr Moore - a disgraceful slight on the Rivett school.

MR MOORE: Yes, exactly. I am glad Mr Jensen interjected, "That is a slight on the Rivett school". I am glad you actually got the point that your Government has put that sort of slight on to that sort of school, because that is the attitude you present. If you look right across Canberra at the socioeconomic groupings and the schools you have closed it tells a story about your set of values, about the way you treat education and the way you treat people throughout Canberra who are concerned about the retention of their schools and their neighbourhood school system.

The other factor that is most important here is the \$250,000 just spent on Higgins school. The same story is told again and again throughout Canberra. Hundreds of thousands of dollars has just been spent on upgrading Cook school and making sure that it is in good condition - just ready for you people to bulldoze it. That is good economic management.

Mr Berry: They were painting it last Saturday.

MR MOORE: Exactly. They were painting it last Saturday, Mr Berry interjects. Well, I think it is time you people realise that if you have got any guts at all some of you will cross the floor tomorrow.

School Closures

MS FOLLETT (Leader of the Opposition) (9.41): I am happy to support the comments made by Mr Berry and Mr Moore in relation to the debate on the closure of schools. Government members opposite have to fairly and squarely face the fact that day after day, week after week we have sought in this chamber some evidence of rationality behind the Government's decisions, some evidence that there is a financial case for the drastic action that it is taking, some evidence that it has considered the educational and sociological impact of the decisions that it has taken. We have sought that in vain, week after week, and in fact we have had the extraordinary statement by Mr Humphries quite recently that he does know the figures on school closures but he is not going to tell us - and nor is he going to

tell the Canberra community. He has no comment whatsoever to make on Dr Frances Perkins' work, other than that it is probably wrong, but he has not presented his own documents; he has not been able to say in what respect Dr Perkins' figures might be different from his.

Mr Humphries: Were you not listening at question time?

Mr Kaine: She never listens.

Mr Humphries: She probably was not here.

MS FOLLETT: Mr Acting Speaker, please.

MR ACTING SPEAKER: Order!

MS FOLLETT: Indeed, we have sought and sought in question time after question time for any evidence that this Minister has done his homework and we have not had that evidence presented, and neither has the Canberra community. I would like to draw on a couple of documents that I have received today. I am sorry Dr Kinloch is not in the house because he will probably claim at a later stage that he was not aware of these facts, but they are important issues for the community.

Mr Collaery: I raise a point of order.

MR ACTING SPEAKER: Your point of order, Mr Collaery?

Mr Collaery: That is an allegation that Dr Kinloch would make a full statement, or has absented himself from the Assembly for the purpose of avoiding debate. I ask that that unbecoming allegation be withdrawn.

MR ACTING SPEAKER: It may be conceived as a personal reflection, Ms Follett, so I think if you would - - -

Mr Humphries: It is. Why do you not say it to his face when he is here?

MS FOLLETT: I have. It is a bit hard. He is not here. Mr Acting Speaker, in order not to waste my speaking time, I will withdraw it. I have here a letter from some parents of students at the Higgins Primary School and I would like to read to members opposite some of the points that these parents make. They have said, firstly, that they are appalled by the Government's decision to close their local primary school. They are appalled, so they do not buy your arguments. They go on to say that:

The school itself is in very good repair, both inside and out as it has just been repainted. The inside paint and the painters who did it were paid for by the P & C who wanted our school to be a bright and cheery place for children, staff and the many mothers who spend a lot of time there. The P & C and the Canteen Committee have worked

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very hard to give our children the best we can - a maths centre and a science room with access to computers and a remedial reading program.

I think Mr Humphries is ignoring this kind of community involvement in their local school that is obviously of great importance, not just to the parents of children there but to the children themselves and, of course, to the staff of those schools. In this whole debate one group that has been totally ignored is the staff, and their need to have their professionalism recognised, their need for some stability in their workplace and their need to have consideration given to them while you are closing schools around their ears.

They have a stake in these schools and they have just been cut out of the whole debate, it seems to me. The writers of this particular letter go on to say that they feel that even though their school is small it has a right to exist because the Government is leaving smaller schools open. They have urged that members do all they possibly can to make this irresponsible Government reverse its decision.

That letter is typical of many that I have received. In the few seconds left to me I would like to refer to another letter from the Weetangera school which I think demonstrates - if any further demonstration were needed - that Mr Humphries is just not getting through to the community that he is supposed to be serving. This is a very recent letter from a person associated with Weetangera school. It says:

I welcome the recent announcement by the Minister for Education, Mr Humphries, to review their decision.

This referred to the decision to close Weetangera school. Now it seems to me that what Mr Humphries has announced is that he may possibly review his decision to review the decision about closing Weetangera school. Obviously he has given false hope to the Weetangera people and I think that he should communicate with them much more clearly.

School Closures

MR WOOD (9.46): Mr Speaker, the Government is clearly embarrassed by the continuing debate on education. It wishes that it would just go away but I can tell Government members it is not going to go away. The Minister has to date carefully avoided - judiciously avoided - debating the issue. He has only a couple of stock answers that he keeps regurgitating but he has never seriously debated the matters at issue point by point. He cannot do that because he simply does not have the arguments in his hands, in his head or even in his heart. The Minister made a snap decision - and you all know that. You know it. He made a snap decision some months ago, about March - - -

Mr Jensen: I rise on a point of order, Mr Acting Speaker. I have listened very intently to the debate today. I refer you, Mr Acting Speaker, to page 554 of the House of Representatives Practice in relation to the adjournment debate. There will be ample time for this matter to be brought up in the normal course of debate. What the members are doing, Mr Acting Speaker, is abusing the normal practices in relation to the adjournment debate.

MR WOOD: You want to be a censor, do you? It is not a point of order; it is a waste of time, as he intended it to be.

MR ACTING SPEAKER: Mr Wood, if you would be quiet until I rule.

MR WOOD: There is nothing to rule, for God's sake.

MR ACTING SPEAKER: Well just be quiet, Mr Wood, while I do. In relation to that point of order, during the adjournment debate I think members can speak on anything. I think that is quite correct. The adjournment debate does, though, go for only half an hour. Continue, Mr Wood.

MR WOOD: Mr Jensen has just proved the point I made that the people on that side of the house simply do not want a debate and he tried to stall it. He has just taken a minute of my time to do it. The Minister made a snap decision in March, and you know that. You know he made a snap decision - you were shocked when you heard it - to close 15 to 25 schools, just like that. He was presented with a plan, it suited his political ideology and he said, "Great, we will run with it". There was no planning behind it - nothing behind it at all. He had no information to justify such a drastic cutting of education services in this city. You mob went along with him. Shame on you. And now you are regretting it - or some of you are regretting it. You wish he had never walked into your room upstairs, the joint party room, with that crazy idea in the papers he brought in. You are regretting it, but you will not come out publicly and say that and you will not cross the floor tomorrow and you will not stand up and say what you really think. You just wish it would go away. I can tell you it will not go away. It is going to haunt you for your very short political careers. It is not going to go away.

The Minister had no evidence at all to support the closure of 15 to 25 schools, none at all. There is not one day in this chamber that he stood up and gave point by point his evidence. All you have said is, "We have got to save money".

Mr Humphries: You will get that in the budget. That is your right - and nothing else.

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MR WOOD: Let me remind you that you have slightly changed your tune, because week after week as we have asked questions here you have said, "When we know what schools we are closing we can tell you". Week after week you said that. Now you know what schools you want to close but you have put it off till the budget. I predict that when that budget comes down very little information will be contained in it because you do not want to bring up the evidence. You do not want to bring that out at all. This Minister argues on two grounds: when we know what schools, or when the budget comes, we will tell you; and the other ground: we have got to save some money. I have not heard more arguments than that, because you do not have them. I doubt whether we will ever get them from you.

School Closures

MR HUMPHRIES (Minister for Health, Education and the Arts) (9.52): Mr Wood is wonderfully full of volume but pitifully short of facts. While members opposite continue to bleat and carp about the enormous damage supposedly being done to the school community of Canberra through this decision, they conveniently forget a number of things. They forget the fact that Mr Wood and all his colleagues sitting over there on the Labor Party benches were themselves conspirators with a government in 1988 that closed five schools. They are embarrassed by that fact. Ms Follett is rising in her place embarrassed.

Ms Follett: I rise on a point of order. I require that Mr Humphries withdraw the word "conspirators".

MR HUMPHRIES: I stand by that remark, Mr Acting Speaker. Ms Follett and her colleagues, I am sure, at the last Federal election were all handing out how to vote cards for the same Labor Government that closed five schools in 1988 - and another one in 1987. And they wanted to close preschools themselves last year.

MR ACTING SPEAKER: Mr Humphries, I will just rule on Ms Follett's point of order. Ms Follett, if he made that remark about any member of your party personally I would uphold your point of order.

Ms Follett: He did. He made it about me - and all members here - and I require it withdrawn.

MR HUMPHRIES: I will make it quite clear, Mr Acting Speaker: I am referring to members of the Australian Labor Party, which includes members opposite. Members opposite were among many other members of the Australian Labor Party who handed out how to vote cards on behalf of -
- -

Ms Follett: I rise on a point of order, Mr Acting Speaker. I did ask that it be withdrawn and I think that Mr Humphries ought to respond to that.

Mr Humphries: On the point of order, Mr Acting Speaker, I contend that it is impossible to make an unparliamentary reference in respect of members of an entire party. There are hundreds of members of the Labor Party in Canberra.

MR ACTING SPEAKER: Yes, that is true, Mr Humphries. That is what I have ruled; that, if you made it in relation to an entire party, you continue. I believe that is what you did.

Mr Berry: I rise on a point of order. This has had some precedents in the past where the Speaker ruled that we could not make collective statements or criticisms of the members opposite and the Government opposite. And I think that - - -

MR ACTING SPEAKER: I think I know what you mean. Mr Humphries, will you just withdraw so much of "conspirators" as relates to these five particular members here, and I think we will get on with it.

MR HUMPHRIES: Mr Acting Speaker, I withdraw the reference to the five opposite and say that all members of the ALP who handed out how to vote cards in 1988 were conspirators with the Federal Government when they closed five schools at the end of 1988. And Ms Follett and her friends opposite - - -

Ms Follett: I raise a point of order. That is quite clearly a qualified withdrawal. He has referred to all members of the Australian Labor Party, and quite clearly the five of us are all members of that party. He is attempting to get around your ruling by stealth.

MR ACTING SPEAKER: Mr Humphries, if you would just withdraw in relation to these five members and continue.

MR HUMPHRIES: Clearly, Mr Acting Speaker, I am referring to members of the ALP generally. If that happens to include - - -

MR ACTING SPEAKER: Well just continue now.

Ms Follett: Has he withdrawn it?

MR ACTING SPEAKER: Yes, he has. Continue now, Mr Humphries.

MR HUMPHRIES: It is perfectly obvious, Mr Acting Speaker, that those opposite obviously are sensitive about this subject because they know that that decision was sensible. They know that this Government has closed schools because it is a sensible decision. They know that their colleagues in Victoria are closing schools because it is a sensible decision. Their colleagues in South Australia are closing schools because it is a sensible decision. Their colleagues in Tasmania tried to close schools because it is

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a sensible decision. They know that the alternatives are more damaging to the quality of education than are closures.

I refer, for example, to the sacking of teachers. Ms Follett made some reference to the staff being ignored. Staff have not been ignored. We have not sacked staff. Sacking staff is the only alternative, in a system like this, to closing schools. You either cut the infrastructure or you cut the providers of the services. That is a decision this Government was not prepared to make and that is why it is closing schools. To suggest, as members opposite suggested, that we are wasting the resources of schools that are closing is simply not true. Those resources can and will be moved across to new schools and I am confident that those people at those new schools will vigorously pursue the interests of their new schools and make sure they work as viable entities.

School Closures

MR CONNOLLY (9.57): Mr Acting Speaker, it is utter nonsense to come into this place and try to justify the Government's decision to close schools by talking about what happened in 1988 - under the Federal Government. Members of this party, both in and out of the Federal Parliament, were opposed to that decision. It was taken by the national Government by national members and not by members here. At the time a clear statement was made that the figures would justify no further closure of schools for five years, but you ignore that.

Earlier tonight, Mr Humphries said that the Opposition had a lack of understanding about what this place is about. Well, we say it is Mr Humphries who lacks understanding. He has consistently and persistently, as pointed out tonight by Ms Follett, Mr Berry and Mr Wood, refused to answer the basic questions about why he is inflicting school closures on the community. He is treating the parliament, and through it the community, with contempt.

Instead of debating these issues and getting the substance of this important matter before the community, we spend the entire evening tonight debating ministerial statements. Mr Jensen is very keen to refer to the green book and I think he is an expert. He should look at page 561 which sets out the clear practice on ministerial statements, which is that a Minister makes them and a member of the Opposition responds and occasionally another member may respond. Instead, this Government prefers every member to take up 10 or 15 minutes talking about the same issue, so as to avoid getting on to these issues of school closures - so as to avoid answering the questions that we want answered.

It is not just this Opposition that wants them answered; it is the community of Canberra that wants them answered. But

do they get answers? Do they get that basic decency and respect? Are they treated as an intelligent community who can be reasoned with or argued with? No. It is, "Just don't you worry about that". It is the Sir Joh response: "Don't you worry about that. We are going to close the schools. We might tell you about it in the budget". To say that projected savings from school closures is a budgetary measure and cannot be released until the budget is utter nonsense. We have said that repeatedly. The Government just runs away from the questions. The reason for that is pretty obvious. The reason the Government is scared to produce the figures is very simple - three words: Dr Frances Perkins. You are scared to produce the figures because you know there are experts out there in the community who can take your nonsense figures on and demolish them.

Now, I wonder whether Mr Humphries really does have the figures he boasted he has, and whether he circulated them in the joint party rooms, because Mr Collaery repeatedly is saying in public forums that the Rally's view on school closures will not be made clear until the figures justify to their satisfaction that the school closures can be made out.

Well, whether or not Mr Humphries has attempted to justify it to his colleagues in the Rally, he certainly persistently refused to make those figures public. That attitude, we say, is contempt of this parliament and we say that the community will reciprocate that contempt and deal with this Government at the appropriate time. If you are not prepared to bring the community in to even reason with them, to even attempt to justify why you are closing the schools, you deserve the contempt of this community.

MR ACTING SPEAKER: It being 10.00 pm, in accordance with amended standing order 34, the Assembly now stands adjourned until Wednesday, 15 August 1990 at 10.30 am.

Assembly adjourned at 10.00 pm

14 August 1990

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ANSWERS TO QUESTIONS

CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY

ACT LEGISLATIVE ASSEMBLY

Delegations of Powers

QUESTION NO. 148

Ms Follett: Asked the Chief Minister and Treasurer -

Since the ministers assumption of office, what legal powers or functions has the Minister delegated to public servants.

Mr Kaine: The answer to Ms Folletts question is as follows:

1. On 3-August 1990, under section 5(1) of the Administration Act 1989, I revoked all previous delegations of powers made under the Instrument of Delegation dated 17 November 1989 only in respect of Administrative Service Officer Class 7 Positions Nos 3715 and 3719 and delegated to the person for the time being holding or performing the duties of an office specified in column 1 of the schedule outlined below, my powers under the provisions specified in column 2 of the schedule.

Schedule

Column 1 (Office) Column 2 (Act or Provision of Act)
Administrative Service Church Lands Leases Act 1924
Officer Class 7 (All provisions)

Position No 3715

City Area Leases Act 1936 and

City Area Leases Regulations

(All provisions)

Leases Act 1918 and Leases Regulations

(All provisions)

Real Property Act 1925 Section 72A

Leases (Special Purposes) Act 1925

(All provisions)

Unit Titles Act 1970

(All provisions)

Administrative Service Church Lands Leases Act 1924

Officer Class 6 (All provisions)

Position No 37.19

City Area Leases Act 1936 and

City Area Leases Regulations

(All provisions)

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Leases Act 1918 and Leases Regulations (All provisions)

Leases (Special Purposes) Act 1925 (All provisions)

Unit Titles Act 1970 (All provisions)

Administrative Service Regulation 4,
officer Class 4 City Area Leases Regulations
Position No 832

Administrative Service Regulation 4,
Officer Class 2 City Area Leases Regulations
Position No 2562

Administrative Service Regulation 4,
Officer Class 1 City Area Leases Regulations
Position No 942

Administrative Service Regulation 4,
Officer Class 1 City Area Leases Regulations
Position No 1965

2. On 14 December 1989, under subsection 5(1) of the Administration Act 1989, I delegated to the person for the time being holding or performing the duties of an office in the ACT Treasury listed below my powers and functions under the provisions of the Audit Act 1989.

Office Powers & Functions Limitations
Senior Executive Service Section 124 (1) Unlimited
Level 2
Position No 5148
Administrative Service Section 124 (1) \$5,000
Officer Class 8
Position No 4695
Administrative Service Section 124 (1) \$1,000
Officer Class 7
Position No 2830

3. On 7 February 1990, under subsection 5(1) of the Administration Act 1989, I revoked all previous delegations of my power under subsection 6(1) of the Financial Regulations to appoint Receivers of Public Moneys. Under that subsection I delegated my power under subsection 6(1) of the Financial Regulations to appoint Receivers of Public Moneys to the person for the time being holding or performing the duties of the office of Assistant Under Treasurer, SES
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Level 2, Position No 5146, in the ACT Treasury.

4. On 6 June 1990, under section 5(1) of the Ministration Act 1989, I delegated to the person for the time being holding or performing the duties of an office specified in Column 1 of the Schedule outlined below, my powers under sections 28, 86(1) and 86(3) of the Audit Act 1989 to invest moneys up to the monetary and time limits set out in Column 2 of the Schedule.

Schedule

Column 1 (Office)	Column 2 (Limit)
Senior Executive Service Level 4 of funds available Position No 5145	up to the amount Unlimited
Senior Executive Service Level 2 of funds available Position No 5146	up to the amount Unlimited
Administrative Service Officer Class 8 of funds available Position No 1312	up to the amount up to 5 years
Administrative Service Officer Class 8 Position No 3797	25,000,000 up to 1 year
Administrative Service Officer Class 8 Position No 3064	25,000,000 up to 1 year
Administrative Service Officer Class 7 Position No 3798	10,000,000 up to 1 year
Administrative Service Officer Class 6 Position No 1413	5,000,000 up to 1 year

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14 August 1990

**ATTORNEY-GENERAL
MINISTER FOR HOUSING AND COMMUNITY SERVICES**

Delegations of Powers

QUESTION NO 149

Ms Follett - asked the Attorney-General and Minister for Housing and Community Services: - on 29 May 1990

"Since the Ministers assumption of office, what legal powers or functions has the Minister delegated to public servants."

Mr Collaery - the answer to the Members question is as follows:

As Ms Follett is aware delegations remain effective despite a change of Minister. Most of the delegations within my portfolio have not been changed since I became Minister - those that were current when I became Minister are still in force. However, as at 30 June 1990 I have delegated the following powers and functions to public servants:

- (a) Australian Capital Territory Gaming and Liquor Authority Act 1987 s21(1) relating to approvals for the Authority to enter into contracts having a value in excess of \$100,000 to SES Level 4 position no 5233 and SES Level 2 position no 5235.
- (b) Betting (Totalizator Agency) Act 1964 ss21(2), 29(2), 44(1) and (4) relating to approval of Offices and Agencies for ACTOR, monthly payments to prescribed race clubs, the appointment of inspectors and the issue of certificates of identification to inspectors respectively. The delegates are as set out in item (a).
- (c) Bookmakers Act 1985 s4 and 5 relating to appointment of Registrar and Deputy Registrar and inspectors. The delegates are as set out in item (a).
- (d) Childrens Services Act 1986 s 7(1), 9(1) and (5) and 10(1) relating to the appointment of a Director of Welfare, Youth Advocate, and persons to act in those offices and the issue of an identity certificate to the Youth Advocate to SES Level 4 position no 5738.
- (e) Housing Assistance Act 1987 s9(2j) relating to the approval of contracts having a value in excess of \$500,000. The delegate is asset out in item (d).

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- (f) Instruments Act 1933 s7 relating to the appointment of a Registrar and Deputy Registrar of Securities. The delegate is SES Level 4 position no 5233.
- (g) Liquor Act 1975 s15(1) and (3), 16(1) and 16A relating to the appointment of a Registrar and Deputy Registrar of Liquor Licences and of inspectors and the issue of identity cards to inspectors. The delegates are as set out in item (a).
- (h) Lotteries Act 1964 s7, 13 and 18 relating to the approval of lotteries, the requisitioning of documents relating to the conduct of a lottery, and appointing a person to supervise the conduct of a lottery. The delegates are as set out in item (a).
- (i) Pool Betting Act 1964 s6, 10 and 13 relating to the approval of pool betting schemes, the requisitioning of documents relating to the conduct of a scheme and appointing a person to supervise the conduct of a scheme. The delegates are as set out in item (a).
- (j) Sale of Motor Vehicles Act 1977 s10(1)(g)(i) and 11(1)(h)(i) relating to the issue of a certificate that the carrying on of the business of a dealer at specified premises would not be in breach of the lease of the premises. The delegates are ASO 8 position no 3896 and ASO 7 position nos 2682, 5282, 5283, and 5288.

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