DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

10 November 1994

Thursday, 10 November 1994

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MADAM SPEAKER (Ms McRae) took the chair at 10.30 am and read the prayer.

STATUTORY OFFICES (MISCELLANEOUS PROVISIONS) BILL 1994

MS FOLLETT (Chief Minister and Treasurer) (10.31): Madam Speaker, I present the Statutory Offices (Miscellaneous Provisions) Bill 1994.

Title read by Clerk.

MS FOLLETT: I move:

That this Bill be agreed to in principle.

Madam Speaker, this Bill amends provisions of existing Territory legislation which deal with appointments to statutory offices. There are some 255 statutory officers currently required to be appointed by Ministers, and usually after a public service merit selection process. This Bill simplifies these arrangements by giving chief executives responsibility for most statutory office functions, while leaving some to Ministers where that is clearly appropriate.

The Bill provides that a chief executive will create, maintain and fill public service positions which have statutory office functions. This simplifies the current practice of both the Minister and the chief executive having duplicate roles in the processing of a statutory appointment. By rationalising appointments in this way we are able to rectify the inappropriate hands-off approach of administering the Territory that we inherited from the Commonwealth. We are also able to put in place clear lines of responsibility and accountability.

The affected statutory offices tend to be those equating to municipal-type functions. These offices involve more routine administrative functions and are more appropriately exercised by a person attached to a given public service position. Administratively, these arrangements will lead to a more efficient and accountable Government Service through a strengthened merit selection process, through opportunity to improve in the performance of duties, and through enhanced definitions of lines of direction and responsibility.

I would like now to outline the model developed for dealing with the statutory office appointments covered by the Bill. The functions of the statutory office form part or all of the duties of a public service office. The public service office will be advertised and filled in accordance with the public service processes described in the Public Sector Management Act 1994 and the Public Sector Management Standards. The final step in

the selection process is the formal appointment, promotion or transfer of a person by a chief executive into the public service office. The public servant filling the position will carry out the full functions of the position, including those directly related to the statutory office. The public servant will receive direction from and report to the chief executive, and the chief executive, in turn, has reporting responsibilities to the Minister.

Using this model of the chief executive making the decision about filling the office, it logically follows that the chief executive should also have responsibility for administrative tasks associated with the performance of the functions of the statutory offices. These tasks include, amongst other things, issuing certificates and issuing identity cards. There are a very small number of instances where it is more appropriate for a non-public servant to be appointed. For example, Madam Speaker, nature conservation officers may be members of the rural patrol of the Australian Federal Police, Commonwealth employees in Jervis Bay, or New South Wales National Parks and Wildlife Service staff. Similarly, fishing inspectors may be New South Wales Department of Conservation and Land Management staff. They are necessary to perform the role of cross-border law enforcement. Animal welfare inspectors may be representatives of the Royal Society for the Prevention of Cruelty to Animals, and, in the event of an emergency, such as an outbreak of disease, we may need to seek the expert skills of professionals within the community. In these cases the Bill provides that a chief executive may appoint such a person to perform statutory office functions without the person becoming a public servant.

I now turn to the organisation of the Bill. The Bill has three parts and one schedule. Part I sets the commencement arrangements in place. Part II provides for the amendment of 102 pieces of existing legislation. In particular, it identifies the new statutory appointment arrangement model applied in the affected Acts and regulations, details of which are specified in the Schedule. Part III provides for arrangements which preserve existing appointments and the continuing legal effect of certain official action - for example, signatures on official certificates. The Schedule has two parts. The first contains amendments to Acts which put in place the arrangements for chief executives to create and fill positions with statutory office functions. The second part deals with the same arrangements as they apply to regulations.

Madam Speaker, this Bill represents a significant step towards establishing the structural arrangements for the separate public service and it clarifies accountability and responsibilities. It rationalises the former outmoded and inappropriate Commonwealth model. It recognises the new role of chief executives in a separate service environment, and it relieves Ministers of the unnecessary administrative burden associated with rubber-stamping a legitimate public service merit selection process. I commend this Bill to the Assembly, and I present an explanatory memorandum to the Bill.

Debate (on motion by Mr Kaine) adjourned.

RATES AND LAND TAX (AMENDMENT) BILL (NO. 2) 1994

MS FOLLETT (Chief Minister and Treasurer) (10.38): I present the Rates and Land Tax (Amendment) Bill (No. 2) 1994.

Title read by Clerk.

MS FOLLETT: I move:

That this Bill be agreed to in principle.

Madam Speaker, this Bill amends the Rates and Land Tax Act 1926. The Act provides for the imposition of municipal rates and land tax in the Australian Capital Territory. This Bill amends the Act to more adequately reflect current land ownership requirements. It allows correction of any type of error in the valuation and determination of unimproved land values, and it provides greater objection and appeal rights to rate and land tax payers.

Madam Speaker, under the current Act an owner is defined as meaning the registered proprietor of an estate or interest in a parcel of land. It is therefore possible for sublessees and tenants of residential properties to register an interest in the property they occupy and be regarded as owners for the purposes of the Act. Such persons would be eligible for an exemption from land tax on the property as their principal place of residence. In this way, and obviously for some financial gain, they could assist their landlord to avoid paying the tax. To prevent this situation from occurring, the definitions of "lease" and "owner" in the Act have been amended. The new provisions restrict the application of the Act, in relation to any benefits provided, to persons holding land directly from the Crown.

The Bill also provides for the commissioner to redetermine land values where any error has occurred in the processes involved in establishing, setting and determining the unimproved land value, or where an error is duplicated in later valuations. Previously the Act allowed only errors of a clerical nature to be corrected. This is unduly restrictive and can operate to disadvantage rate and land tax payers. The new provision will therefore benefit those rate and land tax payers adversely affected by the determination of an incorrect value which has resulted in a higher rates and/or land tax assessment.

As a result of changes to information requirements of the Revenue Office, Madam Speaker, an opportunity arises to reduce the details that lessees and lessors are required to provide to the commissioner in transfer of land advices. Changes introduced by this Bill will remove the need to inform the commissioner of details relating to the purpose for which the land is used and the value of any goods transferred because of the transfer of the land.

Madam Speaker, rate and land tax payers' objection and appeal rights have been extended to persons who may be adversely affected by the following decisions of the commissioner: To not grant exemption to sites of benevolent institutions, churches and other buildings used exclusively for public worship, or buildings used exclusively for public charitable purposes; or to not pay interest on an overpaid amount of rates or land tax, or to pay interest only for a lesser period of time than the period in which an amount of rates or

land tax has been overpaid. The Bill also provides land tax payers with a right of appeal where the commissioner has allowed an objection against an assessment of penalty tax, but in a lesser amount than the taxpayer had sought. These changes will ensure that all decisions made by the commissioner are appealable to the Administrative Appeals Tribunal and bring the rates and land tax appeal provisions into line with those available under other ACT tax laws.

Madam Speaker, action has also been taken in the Bill to overcome an anomaly in the Act which requires the commissioner, following a decision made by the Administrative Appeals Tribunal, to refund moneys paid on a rates or land tax assessment immediately, even though an appeal against the decision may have been lodged in a higher court. The change will overcome the current need to refund or recover the amount of the debt in question after each successive action, depending on the outcome, until the issue is settled at the highest judicial level. It will also bring the provisions of this Act into line with those applying to all other tax laws under the Taxation (Administration) Act 1987. Finally, Madam Speaker, a number of administrative changes have been made to the Act to remove sexist language and to put all numbers in numerical form. I commend the Bill to the house, and I present an explanatory memorandum to the Bill.

Debate (on motion by Mr Kaine) adjourned.

CASINO CONTROL (AMENDMENT) BILL 1994

MS FOLLETT (Chief Minister and Treasurer) (10.43): I present the Casino Control (Amendment) Bill 1994.

Title read by Clerk.

MS FOLLETT: I move:

That this Bill be agreed to in principle.

Madam Speaker, the Casino Control Act 1988 provides for the establishment and control of a casino in the Territory. Casino Canberra proposes to expand its business to target what it terms "the lucrative international junket market" - and I wish that there was another term for it. Junkets, Madam Speaker, are essentially groups of high stake overseas players who are organised by a junket operator or agent to play at a casino. The junket operator is paid a commission based on the value of the chips purchased or the amount wagered during the junket visit. The casino operator also offers direct inducements to the players to gamble in the casino, such as complimentary airfares, accommodation and meals.

Mr Moore: I raise a point of order, Madam Speaker. Now that we have had that word "junket" defined, I hope that it will always be used in that way in this house.

MADAM SPEAKER: Thank you, Mr Moore.

MS FOLLETT: That is a very good point. Madam Speaker, to compete effectively with other casinos for the patronage of junket operators and players, Casino Canberra is seeking a lower tax rate on junket profits. Currently the casino's gross profits are taxed at a rate of 20 per cent plus a supertax. The supertax ceases at the end of 1995. Junket profits can result in large wins and large losses. Under the current taxation arrangements a large win by the casino means additional tax revenue. Conversely, Madam Speaker, a large loss means less tax, possibly no tax, in the month or months that the loss occurs. Casino Canberra has agreed, therefore, to the segregation of junket profit and losses from other gaming profits. As a consequence, Madam Speaker, the risk to government taxation revenues from non-junket operations is eliminated.

Amendments to the Act are proposed which will provide for one rate of tax on junket profits and another rate of tax - the existing rate of 20 per cent - to be applied to non-junket profits. The amendments will also separate junket profits from non-junket profits for the reason I previously explained. Madam Speaker, the Government considers that a 10 per cent tax rate on junket profits is appropriate, for a number of reasons. Firstly, the disadvantages of Canberra's geographical location will add to the casino's underlying junket costs. Canberra Airport is not an international airport and competition with more conveniently located casinos should be recognised as a factor requiring particular consideration. There is also the factor of the increased monetary risks to the casino associated with highly skilled players and the fact that the Government does not share the risks of losses arising from junket operations. Finally, Madam Speaker, Casino Canberra has agreed that the tax rate on junket profits will be reviewed prior to 31 December 1995 when the current supertax arrangements on general casino profits come to an end.

Madam Speaker, the Government believes that there are significant benefits in encouraging junket tours to the Canberra casino. These include additional gaming tax revenue, estimated at $2m in the first full financial year; flow-on effects from additional tourism into Canberra - it is estimated that average spending by individual junket players will be $780 per person per day just on shopping, tours, restaurants and hotels; it does not include their gambling; and the fact that this level of high calibre junket business will contribute to putting Canberra on the international tourist map. Subject to the outcome of the current probity inquiry, the Sydney casino is scheduled to commence operations at an interim site in mid-1995. It is therefore strategically important to Casino Canberra that it have the opportunity to establish its junket programs before the Sydney casino commences operations. The amendments provided for in this Bill will give Casino Canberra that opportunity. I commend the Bill to the house, and I present the explanatory memorandum.

Debate (on motion by Mr Kaine) adjourned.

MOTOR OMNIBUS SERVICES (AMENDMENT) BILL 1994

MR LAMONT (Minister for Urban Services, Minister for Housing and Community Services, Minister for Industrial Relations and Minister for Sport) (10.48): I present the Motor Omnibus Services (Amendment) Bill 1994.

Title read by Clerk.

MR LAMONT: I move:

That this Bill be agreed to in principle.

I ask for leave to have my speech incorporated in *Hansard*.

Leave granted.

Speech incorporated at Appendix 1.

MR LAMONT: Madam Speaker, I present an explanatory memorandum to the Bill.

Debate (on motion by Mr De Domenico) adjourned.

BETTING (TOTALIZATOR ADMINISTRATION) (AMENDMENT) BILL 1994

MR LAMONT (Minister for Urban Services, Minister for Housing and Community Services, Minister for Industrial Relations and Minister for Sport) (10.49): Madam Speaker, I present the Betting (Totalizator Administration) (Amendment) Bill 1994.

Title read by Clerk.

MR LAMONT: Madam Speaker, I move:

That this Bill be agreed to in principle

I ask for leave to have my speech incorporated in *Hansard*.

Leave granted.

Speech incorporated at Appendix 2.

MR LAMONT: Madam Speaker, I present the explanatory memorandum to the Bill.

Debate (on motion by Mr De Domenico) adjourned.

NATURE CONSERVATION (AMENDMENT) BILL (NO. 2) 1994

MR WOOD (Minister for Education and Training, Minister for the Arts and Heritage and Minister for the Environment, Land and Planning) (10.50): Madam Speaker, I present the Nature Conservation (Amendment) Bill (No. 2) 1994.

Title read by Clerk.

MR WOOD: I move:

That this Bill be agreed to in principle.

Madam Speaker, the Nature Conservation (Amendment) Bill (No. 2) 1994 amends the Nature Conservation Act 1980. This Act is the primary legislation for conservation of the flora and fauna of the ACT and the management of lands reserved for environmental conservation. The Bill proposes amendments to existing legislation. They are separate from, although consistent with, the provisions contained in the Nature Conservation (Amendment) Bill 1994 recently passed by the Assembly, which introduced new provisions to implement a Government initiative for the identification and management of threatened species and ecological communities.

In recognition of the importance of having sound and effective statutory authority to underpin its nature conservation responsibilities and commitments, the Government undertook a comprehensive review of the provisions of the Nature Conservation Act with a view to streamlining and updating nature conservation processes and procedures. The review had the following aims: To amend those provisions which, in the light of experience, could be more effective in achieving nature conservation objectives; to accommodate recent developments in the administration of nature conservation; to amend outdated or unnecessary administrative requirements; and, finally, to correct anomalies and clarify meaning and scope.

The Bill provides for enhanced control of activities that are not adequately managed at present and affect the conservation requirements of native plants and animals. Other controls or administrative processes that do not serve a clear nature conservation purpose are relaxed or removed in the interests of increased administrative efficiencies and, in some cases, a decreased imposition on the community. It is proposed to strengthen controls over activities that affect the conservation requirements of native plants. Key proposals are to provide for controls to apply to indirect actions under the control of a person, and also to limit exemptions that currently apply to seed collection and the taking of timber and protected plants, so that conservation needs can be more effectively managed.

It is proposed to strengthen controls over activities that affect the conservation requirements of native animals. Key proposals include a requirement for applicants for the public display of live animals to prepare species and collection management plans; prohibition of the use of drum nets for fishing, on the grounds that they are non-specific in the animals that they trap and kill; and, finally, amendment of criteria that determine offences associated with the release of an animal from captivity, to recognise broad nature conservation considerations.

It is proposed to enhance management of environmental threats by introducing a process for the declaration of plants and animals of concern and the prescribing of controls over relevant activities. A number of administrative processes in the principal Act make only a limited contribution to nature conservation objectives. This is particularly the case with controls over the importation of animal products and commercial dealing in plants that are not of nature conservation significance. It is proposed to remove or relax controls where relevant. Native species threatened with extinction or migratory species subject to international agreement for their conservation are declared as having "special protection status" and are subject to more stringent controls. It is proposed to allow amendment to aspects of these controls by disallowable instrument, to allow greater flexibility in their application without lessening the Government's ability to fulfil its nature conservation responsibilities.

A range of criteria are prescribed in the principal Act to guide administration of controlled activities. These criteria have been reviewed to retain primary intent but allow detailed or secondary considerations to be developed outside the principal Act as a disallowable instrument. This amendment enhances access by affected parties to the decision making process and allows policy development to respond more readily to changing circumstances.

Other amendments that improve administrative efficiencies address timeframes for compliance, introduction of a system of on-the-spot fines for prescribed offences of a routine nature, and control of movement of vehicles in a reserved area. A number of minor amendments are introduced to correct anomalies or clarify meaning and scope. A provision has been introduced for management agreements to be developed between the Conservator of Wildlife and agencies or organisations that operate utilities on unleased land that is managed primarily for environmental conservation. The objective is to allow essential activities to proceed with a minimum of conflict with land management objectives.

Madam Speaker, this Bill enhances the Government's ability to meet current and future nature conservation responsibilities in an effective way through increased efficiencies, provisions which more adequately take account of current developments and issues, and increased flexibility in policy development. I commend the Bill to the Assembly, and I present the explanatory memorandum.

Debate (on motion by Mr Stefaniak) adjourned.

NATIONAL ENVIRONMENT PROTECTION COUNCIL BILL 1994

MR WOOD (Minister for Education and Training, Minister for the Arts and Heritage and Minister for the Environment, Land and Planning) (10.57): Madam Speaker, I present the National Environment Protection Council Bill 1994.

Title read by Clerk.

MR WOOD: Madam Speaker, I move:

That this Bill be agreed to in principle.

I ask for leave to have my speech incorporated in *Hansard*.

Leave not granted.

MR WOOD: I thank Mr Stevenson for his great interest.

Mr Connolly: Dennis, I have 12 of them and I will read really slowly, just at you.

Mr Stevenson: The question is: Why?

Mr Connolly: Because you are delaying debate on your CIR, you dill.

MADAM SPEAKER: Order! Mr Wood has the floor.

MR WOOD: Madam Speaker, the National Environment Protection Council Bill is an important landmark in the history of environment protection in the ACT and Australia. It marks the commitment of the Commonwealth and the States and Territories to work cooperatively to develop national environment protection measures. These measures will aim to give all Australians the benefit of equivalent environmental protection and to ensure that investment decisions by business are not distorted by inappropriate variations in environmental standards between Australian jurisdictions or so-called pollution havens. Establishment of the National Environment Protection Council and the mandatory implementation of national environment protection measures are part of the Intergovernmental Agreement on the Environment, to which the ACT is a signatory. The signing of this intergovernmental agreement in 1992 represented an important turning point in Commonwealth, State and Territory relations in the field of environmental management.

The objectives of the agreement bear repeating. That agreement provides a framework to facilitate: A cooperative national approach to the environment; a better definition of the roles of the respective governments; a reduction in the number of disputes between the Commonwealth, States and Territories on environmental issues; greater certainty of government and business decision making; and, importantly, better environmental protection through the integration of environmental considerations into the decision making processes of all governments at the project, program and policy levels.

The National Environment Protection Council Bill is part of a package of complementary Commonwealth, State and Territory legislation to give effect to Schedule 4 of the Intergovernmental Agreement on the Environment. For ease of reference, the text of the agreement is appended as the Schedule to the Bill. Although a signatory to the Intergovernmental Agreement on the Environment, the Western Australian Government has indicated that it will not be participating in the council at this stage. This action does not invalidate the national scheme. However, it is to be hoped that Western Australia will eventually review its position and join with other jurisdictions so that the council's work can extend across the whole of Australia. Meanwhile, all participating jurisdictions are taking legislative action to establish the council. Both the Commonwealth and Queensland parliaments have already passed the legislation. Other participating States and the Northern Territory are expected to introduce similar legislation later this year.

The Bill before this Assembly establishes the National Environment Protection Council - a ministerial council drawn from all participating States, Territories and the Commonwealth. The ministerial council will be empowered to make national environmental protection measures which, through complementary implementation mechanisms, will apply as valid law in each participating jurisdiction. As set out in the Intergovernmental Agreement on the Environment, the National Environment Protection Council may develop measures in relation to ambient air quality; ambient marine, estuarine and freshwater quality; noise, related to protecting amenity where variations in measures would have an adverse effect on national markets for goods and services; general guidelines for the assessment of site contamination; the environmental impacts associated with hazardous wastes; motor vehicle emissions; and the reuse and recycling of used materials.

National environment protection measures may be a combination of goals, guidelines, standards and protocols. In summary, goals are the desired outcomes; guidelines are the means of meeting these outcomes; standards are the quantifiable characteristics against which environmental quality is assessed; and protocols are the processes for measuring environmental characteristics to determine whether desired outcomes are being achieved.

Consistent with the principles of ecologically sustainable development, and to ensure simplicity and effectiveness of administration, the council must develop measures through a public consultative process, having regard to a number of factors as specified in the Bill. Important among these is the need to have regard to regional environmental differences. This will ensure that proper account is taken of the different properties of air, water and land across the diversity of Australian environments. In making a final decision on a measure, the council must have regard to an impact statement relating to the measure, to the public submissions received, and to advice from a committee of Commonwealth and State officials. Decisions by the council, which is chaired by the Commonwealth, will be by a two-thirds majority. The Commonwealth is thus one of eight members, under current arrangements, and does not have a casting vote. Measures will be disallowed if three or more members vote against a proposal put to the council.

Through the Intergovernmental Agreement on the Environment, the ACT, like other States and the Northern Territory, is required to set in place implementation mechanisms for the mandatory application of national environment protection measures made by the council. As members are aware, last year I launched a discussion paper proposing integrated environment protection legislation. Following public consultation on the broad proposal, I intend to have a second discussion paper to release later this year for further consultation with the community. This will comprise a detailed description of the proposed legislation.

The development of integrated environment legislation aims to improve environmental outcomes by taking a holistic approach to the environment and fostering the principles of cleaner production and waste minimisation. The new legislation will also provide the mechanism for giving effect to national environment protection measures in the ACT. For example, these measures could be adopted through incorporation into Territory environment protection policies which would be subordinate to the new legislation. This would be consistent with the means by which other jurisdictions plan to adopt the measures.

As incorporated in Schedule 4 of the Intergovernmental Agreement on the Environment, a national environment protection measure agreed to by the council may be disallowed by either house of the Commonwealth Parliament. If not disallowed, the measures will then apply automatically in each jurisdiction. As provided by the Intergovernmental Agreement on the Environment, measures adopted by such a process would not prevent the ACT from introducing or maintaining more stringent measures to reflect specific circumstances within the ACT. I believe that this is an essential safeguard for us.

As well as making national environment protection measures, the council has an important role to play in reporting annually to Federal Parliament on its activities and on its overall assessment of the implementation and effectiveness of national environment protection measures. The council will be assisted by a statutory committee of officials. The Australian Local Government Association will be represented on that committee. It is not proposed to create a substantial new bureaucracy for the development of these measures. Rather, the council secretariat will draw upon work being carried out throughout Australia. The cost of establishing the council and developing measures will be paid half by the Commonwealth and half by the States and Territories. The ACT's contribution is expected to be about $15,000 in the first year.

Madam Speaker, the introduction of this Bill is an important step in the process of developing harmonious environmental law in Australia. It complements this Government's achievements in enhancing accountability for environment protection, particularly in terms of its relevance to the work of the ACT Commissioner for the Environment and to state of the environment reporting. Furthermore, the National Environment Protection Council will provide the means whereby the ACT can work in partnership with the Commonwealth, participating States and the Northern Territory to share expertise, resources and decision making to benefit environment protection in the ACT and across Australia. Mr Deputy Speaker, I present the explanatory memorandum.

Debate (on motion by Mr Stefaniak) adjourned.

BUSINESS NAMES (AMENDMENT) BILL 1994

MR CONNOLLY (Attorney-General and Minister for Health) (11.08): Mr Deputy Speaker, I present the Business Names (Amendment) Bill 1994.

Title read by Clerk.

MR CONNOLLY: Mr Deputy Speaker, I move:

That this Bill be agreed to in principle.

I ask for leave to have my speech incorporated in *Hansard*.

Leave granted.

Speech incorporated at Appendix 3.

MR CONNOLLY: I present the explanatory memorandum to the Bill.

Debate (on motion by Mr Humphries) adjourned.

DISCRIMINATION (AMENDMENT) BILL (NO. 3) 1994

MR CONNOLLY (Attorney-General and Minister for Health) (11.08): Mr Deputy Speaker, I present the Discrimination (Amendment) Bill (No. 3) 1994.

Title read by Clerk.

MR CONNOLLY: Mr Deputy Speaker, I move:

That this Bill be agreed to in principle.

I ask for leave to have my speech incorporated in *Hansard*.

Leave granted.

Speech incorporated at Appendix 4.

MR CONNOLLY: I present the explanatory memorandum to the Bill.

Debate (on motion by Mr Humphries) adjourned.

TENANCY TRIBUNAL (AMENDMENT) BILL 1994

MR CONNOLLY (Attorney-General and Minister for Health) (11.09): Mr Deputy Speaker, I present the Tenancy Tribunal (Amendment) Bill 1994.

Title read by Clerk.

MR CONNOLLY: Mr Deputy Speaker, I move:

That this Bill be agreed to in principle.

I ask for leave to have my speech incorporated in *Hansard*.

Leave granted.

Speech incorporated at Appendix 5.

MR CONNOLLY: I present the explanatory memorandum to the Bill.

Debate (on motion by Mr Humphries) adjourned.

VICTIMS OF CRIME BILL 1994

MR CONNOLLY (Attorney-General and Minister for Health) (11.10): Mr Deputy Speaker, I present the Victims of Crime Bill 1994.

Title read by Clerk.

MR CONNOLLY: I move:

That this Bill be agreed to in principle.

Mr Deputy Speaker, this Bill is a significant step forward in redressing the traditional inequality and imbalance that victims have felt in relation to their position in the criminal justice system. The measures contained in this Bill and the Acts Revision (Victims of Crime) Bill 1994, which I also present today, together with reforms which will be given administrative effect, will provide victims of crime with the measure of dignity to which they are entitled through ensuring that they are accorded an appropriate and recognised position within the criminal justice system.

The legislative measures contained in the Victims of Crime Bill are: Establishing a code of acceptable conduct for criminal justice system officers who deal with victims of crime; and providing for the appointment of a victims of crime coordinator. The code of conduct for criminal justice system officers who deal with victims of crime consists of a number of governing principles for the treatment of victims of crime. Officers who have a function within the criminal justice system are required to have regard to those principles in exercising their functions. The principles are designed to ensure that the needs of victims of crime are, as far as possible, factors in decision making related to the administration of justice.

The role of the victims of crime coordinator will be to ensure that the needs of victims of crime are appropriately catered for by the criminal justice process. In keeping with this role, the coordinator will have a number of specific functions. These will include: Promoting the principles for the treatment of victims of crime; encouraging the efficient and effective delivery of services to victims of crime; promoting reforms in the criminal justice system to meet the needs of victims; developing educational and other programs to promote awareness of the position of victims in the criminal justice system and their needs; disseminating information about the Act and the role of the coordinator; maintaining a register of services available to victims; ensuring, as far as practicable, that victims receive the information and assistance they need to participate in the criminal justice system; and advising the Government on matters relating to victims.

Apart from the powers necessary to perform these functions, the coordinator is also specifically granted a power of investigation where a complaint is made about the treatment of a victim of crime and the power to attend closed criminal proceedings. Funding for the coordinator was set aside in the budget for this financial year. Mr Deputy Speaker, I am pleased to announce that the service will be provided through the Victims of Crime Assistance League, which provides services by and for victims. VOCAL has entered into contractual arrangements with the ACT Government to receive that money and provide that service.

This Bill is an important milestone in the history of victims' rights in the ACT. It will help to ensure that victims are accorded recognition and dignity within the criminal justice system. Hopefully, it will promote the criminal justice system as an important element in the healing of victims of crime in this Territory. I commend the Bill to the Assembly and present the explanatory memorandum.

Debate (on motion by Mr Humphries) adjourned.

ACTS REVISION (VICTIMS OF CRIME) BILL 1994

MR CONNOLLY (Attorney-General and Minister for Health) (11.13): Mr Deputy Speaker, I present the Acts Revision (Victims of Crime) Bill 1994.

Title read by Clerk.

MR CONNOLLY: I move:

That this Bill be agreed to in principle.

This Bill is related to the Victims of Crimes Bill 1994, which I have just presented. The measures contained in the two Bills will constitute a package of legislative reforms designed to ensure better delivery of justice to victims of crime within the ACT criminal justice system. The Acts Revision (Victims of Crime) Bill will amend the Crimes Act, the Bail Act and the Parole Act.

The amendments to the Crimes Act will provide a legislative framework for the tender of victim impact statements to ACT courts for consideration in determining sentences for offences which carry a maximum penalty of at least five years' imprisonment. A victim impact statement is a statement setting out the effects of the crime on the victim. These effects include the physical, psychological, financial and social harm suffered by the victim. They also include substantial impairment of rights accorded by law. Victim impact statements are an important means by which the victim can inform the court of how the crime has affected him or her. Until now, many judges have remained ignorant about how a particular crime has, in fact, affected its victim and have had to guess at that effect when sentencing the offender. The preparation of a victim impact statement will be completely voluntary. At any time before sentencing, a victim who has prepared a victim impact statement may decide not to have that statement tendered to the judge. The prosecutor cannot tender the statement without the consent of the victim. No adverse inference may be drawn from the fact that a victim has decided not to tender a statement.

In the areas of bail and parole, this Bill recognises that a victim who has concerns about the need for protection from violence or harassment by the offender should have those concerns taken into account when decisions about bail and parole are being made. The Bill also recognises that victims who have concerns for their safety on the release of the offender wish to be told whether bail or parole has been granted. They also want to be informed of any conditions of that grant. The Bill, therefore, requires the provision of that information where the relevant officer is aware that concern has been expressed. These measures are significant in the recognition they provide for the need of victims to participate in a meaningful way within the criminal justice system. I commend the Bill to the Assembly and table the explanatory memorandum.

Debate (on motion by Mr Humphries) adjourned.

EVIDENCE (CLOSED-CIRCUIT TELEVISION) (AMENDMENT) BILL (NO. 2) 1994

MR CONNOLLY (Attorney-General and Minister for Health) (11.16): Mr Deputy Speaker, I present the Evidence (Closed-Circuit Television) (Amendment) Bill (No. 2) 1994.

Title read by Clerk.

MR CONNOLLY: Mr Deputy Speaker, I move:

That this Bill be agreed to in principle.

This is a Bill to extend the Evidence (Closed-Circuit Television) Act 1991 to adult victims of sexual and indecent assault. As you are aware, as a result of measures passed by this Assembly, children giving evidence in court are already able to use closed-circuit television to do so. It is undeniable that sexual assault complainants are predominantly women. There is a large and growing body of information about the experiences of women who have entered the criminal justice system as complainants in sexual assault proceedings. Many women have participated in phone-ins and other surveys. Women have been unanimous in their condemnation of the present system of conducting proceedings in which they have to give evidence about a sexual or indecent assault. They have felt ashamed, humiliated, fearful and generally victimised by the system. For many women, the worst part about the system has been giving evidence in the presence of the accused. Ironically, the accused is often seated next to his counsel at the bar table, in a position that puts him closer to the witness than any other person in the courtroom. There is little doubt that this can be a traumatic, intimidating and sometimes terrifying experience.

The objective of this Bill is to ensure that the best evidence is available to the court. This is achieved by reducing the stress and trauma that beset sexual assault complainants under our present system. It is hoped that an ancillary benefit of this legislation will be that more sexual assault victims are encouraged to proceed with the prosecution of their case. The Bill is to apply for a trial period of 18 months. During this time, an evaluation of its operation and its effect will be conducted under the auspices of the Community Law Reform Committee. Some concerns have been raised that the use of closed-circuit television can be adverse to the complainant by making her or him appear to be remote from the jury. Little research has been done dealing with the effect on a jury of evidence given in this way. The evaluation will focus on this issue as well as seeking to ascertain whether there is any unfairness to the accused. A major study on child video evidence found that there was no unfairness and no prejudice.

The Bill will apply to criminal proceedings in both the Magistrates Court and the Supreme Court, proceedings for criminal injuries compensation arising from the alleged commission of a sexual offence as defined in the Bill, and proceedings under the Domestic Violence Act where the alleged domestic violence offence is also a sexual offence. A number of other jurisdictions, including Victoria, Western Australia, Queensland and South Australia, already have legislation allowing sexual assault complainants to give their evidence by closed-circuit television.

Unlike in other jurisdictions, this Bill does not require a sexual assault complainant to satisfy the court that she or he will suffer severe trauma or intimidation, before being able to use closed-circuit television. In the Territory a similar requirement was applied to children and was removed in 1992 upon amendments recommended by the Australian Law Reform Commission. There are three reasons why the Bill does not contain this requirement. First, it would be inconsistent with the scheme currently applying to children, leading to unnecessary complexity and perhaps confusion. Secondly, research indicates that most, if not all, sexual assault complainants are traumatised and/or intimidated by the prospect of giving evidence in court, and actually having to do so especially in the presence of the accused. Those who are not would presumably choose not to use the facility. Lastly, and in line with the reasoning of the Australian Law Reform Commission, a procedure which gives rise to protracted legal argument, delay and the requirement that complainants be exposed to additional assessment simply to determine whether they should be able to use closed-circuit television defeats the purpose of the legislation.

Under this Bill, the provisions of the existing Evidence (Closed-Circuit Television) Act apply to complainants. The court has a discretion not to allow the use of closed-circuit television where this would cause unfairness to the accused or cause unreasonable delay or where the witness expresses a wish not to use closed-circuit television. Under this Bill, the judge must still direct the jury not to draw any adverse inference against the accused by reason of the fact that the complainant's evidence is given in this way. I commend the Bill to the Assembly and present the explanatory memorandum.

Debate (on motion by Mr Humphries) adjourned.

DENTISTS (AMENDMENT) BILL 1994

MR CONNOLLY (Attorney-General and Minister for Health) (11.20): Mr Deputy Speaker, I present the Dentists (Amendment) Bill 1994.

Title read by Clerk.

MR CONNOLLY: I move:

That this Bill be agreed to in principle.

I seek leave to have my speech incorporated in *Hansard.*

Leave not granted.

MR CONNOLLY: I will enlighten you all about dentists.

MR DEPUTY SPEAKER: I would ask for the forbearance of the Assembly. I know that members can refuse leave to incorporate a speech in *Hansard*; but we have a great many Bills to go through and I believe that the Minister is trying to expedite the matter as much as possible.

MR CONNOLLY: Mr Deputy Speaker, in earlier practice, on some Bills I have sought leave to incorporate the speech in *Hansard*; but, on more substantial matters, particularly those dealing with the criminal law, I have read the full speeches.

Mr Kaine: Would you like to read the whole Bill?

MR CONNOLLY: Mr Kaine, perhaps we could further enlighten Mr Stevenson by reading the whole Bill.

The Dentists (Amendment) Bill 1994 is the eighth in a series of nine ACT health professions registration laws which are being amended in accordance with the Australian Health Ministers' agreement to adopt consistent standards for the regulation of health occupations. The Dentists (Amendment) Bill 1994 amends the Dentists Registration Act 1931. The proposed amendments adopt the nationally agreed uniform standards and arrangements for regulating dentists, specialist dentists and dental hygienists. The Bill also provides for an expanded range of uniform sanctions which can be imposed on these professions in relation to disciplinary or public health grounds.

In particular, the Bill recognises the entitlement of a person who is registered as a dentist, specialist dentist or dental hygienist in a State or another Territory to registration in the ACT. The Bill also provides for conditions which are imposed upon a person's registration in another jurisdiction as a result of disciplinary action to be applied in respect of the person's registration in the Territory. These provisions are intended to be consistent with the mutual recognition principle relating to occupations as set out in section 17 of the Commonwealth's Mutual Recognition Act 1992. With the application of that principle in both the ACT and other jurisdictions, it has become necessary to adopt the agreed minimum standards for registration in any of these professions. Unless all jurisdictions where mutual recognition applies have the same standard for registration, the jurisdiction where a lower standard applies will provide the means for a person who satisfies that lower standard to gain registration in all jurisdictions under the mutual recognition principle.

To be eligible for general or unconditional registration as a dentist, applicants must be graduates of a course of education or training in dentistry offered by an Australian institution that is accredited by the board or a registration authority in a State or another Territory; or they must have completed a course of education and training in dentistry in a place outside Australia which is accredited by the board, passed such examinations as the board requires and undertaken any training and gained any experience in practising dentistry as the board may require, but not for longer than 12 months.

To be entitled to unconditional registration as a dental hygienist, a person must be a graduate of a course of education and training as a dental hygienist which has been accredited by the board or a registration authority in a State or another Territory, or must have completed a course of education and training as a dental hygienist in a place outside

Australia which is substantially equivalent to an Australian course and which is accredited by the board. They must also have passed any examinations the board requires them to, and have undertaken any training or experience in practising as a dental hygienist as the board may require, but not for longer than 12 months.

To be eligible for registration as a specialist dentist, a person must be a registered dentist and hold a qualification in a specialist branch of dentistry that is accredited by the board or approved by a registration authority in another State or Territory. They must also have gained experience in the specialisation by holding an appointment in a hospital approved by the board or by practising in circumstances that the board considers would allow the person to be regarded as a specialist dentist.

In addition to unconditional registration, the Dental Board also has a discretionary power which enables it to register a person as a dentist "with conditions". If the board considers it appropriate, it may impose conditions on a person's registration. Those conditions would restrict that person to practising in a manner that the Dental Board considers to be in the interests of public safety. This Bill also provides for new registration arrangements and distinguishes "initial registration" from the more streamlined mutual recognition procedures for these professions.

The Dental Board's disciplinary powers have been expanded to provide for a range of uniform sanctions. These can be imposed singularly or in combination on a person's registration, either as a result of disciplinary action or in cases of impairment. There is, however, a requirement for the board to hold an inquiry prior to imposing any of the expanded range of sanctions on a person's registration. Where a dentist or dental hygienist has had conditions imposed on his or her registration under the impairment provisions, that person may request the board to review those conditions. If the board is satisfied that the impairment has lessened or that the person no longer suffers from that impairment, the board may either remove the conditions or impose new conditions. If the board refuses to review the conditions imposed under these circumstances, the applicant has a right of appeal to the Administrative Appeals Tribunal. The provisions relating to registration as a specialist dentist require a person to remain registered as a dentist and, where conditions have been imposed, for those conditions to apply equally to the person's registration in both categories.

The transitional provisions will ensure continuation of registration for dentists and dental hygienists registered under the Dentists Registration Act 1931. Their registration will be subject to the same terms and conditions as applied immediately before the commencement of the new provisions. The transitional arrangements also entitle persons who were granted provisional registration under the principal Act to interim registration under the new provisions. The transitional arrangements ensure that, where a person has failed to pay the annual fee payable under the principal Act or where registration was cancelled for failure to pay that fee, the fee remains payable or registration remains cancelled. The transitional arrangements also provide for the continuation of inquiries and reviews or the investigation of complaints in relation to the dentist's or dental hygienist's previous conduct which were pending or under way immediately prior to the enactment of the present amendments. Decisions of the Dental Board in respect of registration, disciplinary and impairment matters will be subject to review by the Administrative Appeals Tribunal.

Finally, Mr Deputy Speaker, the Bill also provides for a number of amendments of a housekeeping nature. These remove sexist language and redundant provisions dealing with registration of interstate practitioners and personal attendance requirements, which will now be dealt with under the mutual recognition legislative framework. I present the explanatory memorandum to the Bill.

Debate (on motion by Mrs Carnell) adjourned.

INTOXICATED PERSONS (CARE AND PROTECTION) BILL 1994

MR CONNOLLY (Attorney-General and Minister for Health) (11.26): Mr Deputy Speaker, I present the Intoxicated Persons (Care and Protection) Bill 1994.

Title read by Clerk.

MR CONNOLLY: I move:

That this Bill be agreed to in principle.

I seek leave to have my speech incorporated in *Hansard.*

Leave not granted.

MR CONNOLLY: Mr Deputy Speaker, today marks another step in the development of a comprehensive framework of care and support for those in the ACT community who experience problems related to their alcohol and other drug use. I am pleased to be able to provide a legislative basis for places where people can sober up when, due to intoxication from alcohol and/or other drugs, they have temporarily lost the capacity to care for their own safety.

There are two Bills in the package - the Intoxicated Persons (Care and Protection) Bill 1994, which I am introducing now, and the Intoxicated Persons (Consequential Amendments) Bill 1994, which I will also be introducing today. The recommendations to establish sobering-up places have been made a number of times, most recently in the report of the Select Committee on Drugs, Youth and Alcohol: A Rite of Passage?. That was a committee of this Assembly, Mr Stevenson. Many members of this Assembly spend a lot of time working on committees, rather than forcing Ministers to read speeches which other members would have given leave to have incorporated in *Hansard*. In its response to that report, the Government made a commitment to establish a sobering-up place.

This Government has a proud record of taking action to reduce harm related to the use of alcohol and other drugs, including the promotion of responsible serving of alcohol; educating children and young people about safe use of alcohol; discouraging under-age use of alcohol; and examining particular areas of concern, such as in Civic, through the establishment of the Community Safety Committee. The Government recently released

a public discussion paper on the proposed ACT drug strategy. This paper provides an overview of the comprehensive and integrated way that the Government, with the non-government sector, is working, and plans to work, to reduce drug related harm. This legislation will ensure that those people who, despite our best efforts, still become intoxicated are provided with a safe environment in which to sleep it off.

Throughout Australia, drunkenness has been decriminalised. However, the ongoing problem of what we should do with intoxicated people found in public has remained. In most States and in the Northern Territory, sobering-up centres have been set up where people can stay, in some instances for up to 18 hours. Until recently, in the ACT, all intoxicated people were held in the city watch-house - a waste of police resources and an inappropriate place for people whose problem is not criminal but, rather, that they have had far too much to drink. In a smaller number of cases, people may also have been intoxicated through the use of other drugs.

As an initiative in the last budget, the Government allocated $100,000 per annum to fund places for people to sober up in. Since August this year, a sobering-up place has been operating on a pilot basis to develop effective referral and care protocols. The pilot has operated under the supervision of a joint government and non-government agency steering committee to bring together key players. In some States, intoxicated persons may be detained in a sobering-up place against their will. However, based on the experience of this pilot and the strong commitment of the ACT Government to maintaining civil liberty, the ACT has stepped away from the concept of involuntary detention of intoxicated people in sobering-up places. The Bill I am now introducing reflects this unique approach in the ACT. It ensures that people can use such places to sober up and leave of their own volition. The legislation will ensure that these places meet high standards and that the level of care is monitored.

A number of police powers currently in section 351 of the Crimes Act will be transferred to the new legislation. Police officers will retain their current powers to take into custody a person who is found intoxicated in a public place and who is behaving in a disorderly manner; behaving in a manner likely to cause injury to himself, herself or another person, or damage to property; or incapable of protecting himself or herself from physical harm. The legislation will also retain the power for police to detain such a person in custody for up to eight hours, or until that person is no longer intoxicated. For example, where an intoxicated person is also violent, it may be more appropriate to accommodate that person in the watch-house rather than in a licensed place for sobering-up purposes. The legislation provides for the police to allow the intoxicated person to remain at the police station for up to 12 hours, even though the person may be detained for only eight hours. For example, in cases where the person is released after eight hours but there is no suitable transport available or the person wishes to wait for a friend to collect them, the police could use their discretion to allow the person to remain at the police station for up to an additional four hours.

The legislation provides police officers with the discretion to release the intoxicated person if it appears reasonable to do so. This could be when some other responsible person or relative assumes the care of the intoxicated person. It also specifies that it is reasonable for an officer to release the person into the care of a manager at a licensed place. Police will retain the power to search a person, but the search is limited to that of

specified outer clothing. When a police officer releases an intoxicated person into the care of a manager of a sobering-up place, the officer must give an admission statement to the carer. The statement should provide the intoxicated person's name and date of birth, if known; the time and date the person was detained; and a list of the person's possessions. The police officer may also provide any further information which would assist the carer to care for the intoxicated person. This could include the place and circumstances of where the intoxicated person was found, if this is relevant to providing care for that person.

People will be informed on arrival that they can leave at any time and that they will be assisted to make contact with relatives or any other responsible person to take care of them. If a person leaves when he or she is still considered by the carer to be a danger to himself or herself or others, the carer shall notify the police, who may then, if necessary, detain the person in custody, as is the case presently. Where a person obviously requires medical attention, the person must be transferred to the emergency department of a hospital. People may stay at a licensed place until they are no longer intoxicated, or up to 12 hours. As carers may have to take prompt action to maintain the safety of the intoxicated person or others at the place, the Bill provides protection for carers from any action, suit or proceedings against them for action taken in good faith for the care of the intoxicated person. However, the Bill does not provide any power for an intoxicated person to be given care against his or her objections. This means that carers can provide necessary care when the person does not object to being provided with that care.

The Bill provides the Minister for Health with the power to grant licences, on application, to individuals or corporations who are financially viable and have experience in caring for intoxicated people or people experiencing problems associated with the use of alcohol or other drugs. It also provides the Minister with the power to suspend or cancel licences where he or she considers that the place or licensee is no longer able to provide, or is not providing, a caring service for intoxicated persons. Conditions may be placed on the licence, to ensure that the place is capable of providing care, and standards can be set to further define the level of care to be provided for individuals. Any standards set under the Act will be in the form of a disallowable instrument, and notification of the standard must also be published in the principal daily newspaper.

I intend to introduce standards before the legislation commences in 1995. Standards will be developed based on the experience and knowledge gained from the current pilot sobering-up place program. Standards will address issues such as the nature and quality of care, training and skills of workers, the environment and conduct of facilities, safety of workers and clients, and referral to further care where necessary. Under the legislation, employees or carers, including any volunteers, at the licensed place must have a current first aid certificate issued by an approved provider. One or more inspectors must be appointed under the Act to monitor care and other aspects of the licensed place. Various ministerial decisions, such as the suspension, revocation and conditions set on a licence, can be appealed to the Administrative Appeals Tribunal. Confidentiality is required under the legislation. The legislation before the Assembly represents a major step forward in guaranteeing the appropriate level of care for people who are found intoxicated in a public place. I present the explanatory memorandum to the Bill.

Debate (on motion by Mrs Carnell) adjourned.

INTOXICATED PERSONS (CONSEQUENTIAL AMENDMENTS) BILL 1994

MR CONNOLLY (Attorney-General and Minister for Health) (11.34): Madam Speaker, I present the Intoxicated Persons (Consequential Amendments) Bill 1994.

Title read by Clerk.

MR CONNOLLY: I move:

That this Bill be agreed to in principle.

As people wanted the speech on the principal Bill read out, I presume that they want it read out on the other Bill. The Intoxicated Persons (Consequential Amendments) Bill 1994 provides for amendments to the Crimes Act 1900 and the Coroners Act 1956. Severe intoxication with alcohol, another drug or a combination of drugs can be dangerous, and in some cases fatal. Unfortunately, there have been a number of deaths in sobering-up places in New South Wales. The consequential amendments Bill makes provision for a death of a client at a licensed sobering-up place to be treated as a death in custody under the Coroners Act 1956. This amendment in no way undermines the voluntary nature of admission to a licensed sobering-up place, but will provide an added protection should a tragedy such as that which has occurred elsewhere happen in the ACT. The consequential amendments Bill also provides for section 351 of the Crimes Act, which deals with police powers to detain and search intoxicated persons, to be deleted, as these powers will now be contained within the Intoxicated Persons (Care and Protection) Act 1994. I table the explanatory memorandum.

Debate (on motion by Mrs Carnell) adjourned.

PSYCHOLOGISTS BILL 1994

MR CONNOLLY (Attorney-General and Minister for Health) (11.36): Madam Speaker, I present the Psychologists Bill 1994.

Title read by Clerk.

MR CONNOLLY: I move:

That this Bill be agreed to in principle.

Madam Speaker, this Bill is the last of the mutual recognition Bills. In the previous long speech on dentists, if you delete "dentist" and insert "psychologist", you have my speech. So I seek leave to have my speech incorporated in *Hansard*.

Leave granted.

Speech incorporated at Appendix 6.

MR CONNOLLY: I present the explanatory memorandum to the Bill.

Debate (on motion by Mrs Carnell) adjourned.

HEALTH LEGISLATION (CONSEQUENTIAL AMENDMENTS) BILL 1994

MR CONNOLLY (Attorney-General and Minister for Health) (11.37): Madam Speaker, I present the Health Legislation (Consequential Amendments) Bill 1994.

Title read by Clerk.

MR CONNOLLY: Madam Speaker, I move:

That this Bill be agreed to in principle.

I seek leave to have my speech incorporated in *Hansard.*

Leave granted.

Speech incorporated at Appendix 7.

MR CONNOLLY: I present the explanatory memorandum.

Debate (on motion by Mrs Carnell) adjourned.

POISONS AND DRUGS (AMENDMENT) BILL (NO. 3) 1994

MR CONNOLLY (Attorney-General and Minister for Health) (11.38): Madam Speaker, I present the Poisons and Drugs (Amendment) Bill (No. 3) 1994.

Title read by Clerk.

MR CONNOLLY: I move:

That this Bill be agreed to in principle.

The Act adopts by reference schedules 1 to 8 of the standard for the uniform scheduling of drugs and poisons as recommended and published by the National Health and Medical Research Council. The standard is revised and maintained by the National Drugs and Poisons Schedule Committee, which facilitates scheduling throughout Australia. The committee is under the auspices of the Australian Health Ministers Advisory Council.

The first drugs and poisons standard to be published under AHMAC will be effective from 18 December 1994. The purpose of the Bill is to amend the Act to reflect that the standard will be published by AHMAC, and not by the National Health and Medical Research Council, from 18 December. This will ensure that the scheduling of drugs and poisons in the ACT remains up to date. I present the explanatory memorandum.

Debate (on motion by Mrs Carnell) adjourned.

SKIN PENETRATION PROCEDURES BILL 1994

MR CONNOLLY (Attorney-General and Minister for Health) (11.39): Madam Speaker, I present the Skin Penetration Procedures Bill 1994.

Title read by Clerk.

MR CONNOLLY: I move:

That this Bill be agreed to in principle.

The Skin Penetration Procedures Bill aims to minimise the risk of contamination from blood-borne diseases. Examples of these diseases include hepatitis B, hepatitis C and HIV. The Government is committed to addressing this important issue through a range of activities, including legislation. As you are aware, there have been several recent instances where patients in New South Wales have contracted a blood-borne infection while seeking medical treatment. It is also possible that members of the general public are at some degree of risk from contracting infectious disease while receiving the professional services of acupuncturists, tattooists and beauty therapists. It is essential that the proposed legislation have application to all persons in the ACT who own a business which conducts skin penetration procedures or who perform these procedures.

Madam Speaker, other Australian States and Territories are adopting various approaches to addressing the risk of contracting infectious diseases. New South Wales, for example, has developed codes of practice and is adopting them by reference into registration Acts. Our Government will seek to minimise the risk of infection from these diseases by requiring all businesses, whether privately owned or conducted by the Government, as well as all persons who perform skin penetration procedures to comply with approved codes of practice. I shall approve codes of practice which have been prepared by the Chief Health Officer in consultation with various bodies and also in looking at interstate developments. These codes of practice will be, in part, based on universal precautions and will specify requirements regarding the fixtures and fittings to be installed in premises. The codes will also specify the practices of persons when these involve skin penetration procedures.

For the purposes of this legislation, "a business" may refer to any service to the public involving skin penetration procedures. In the ACT this will include hospitals, doctors surgeries, tattoo parlours and mobile beauty therapists. "Operators" would also include doctors, dentists, nurses and acupuncturists, as well as tattooists and any other

person who performs a skin penetration procedure. The Bill would require all businesses, apart from those operated by the Government, to be licensed. This will provide information concerning the locality of such businesses and will, therefore, enable authorised officers to make inspections of fixtures and equipment and to ensure that procedures are undertaken in such a way that risk of contamination is minimised. The public can, therefore, be assured that each business's equipment and practices are being audited.

Because many skin penetration procedures are performed by autonomous practitioners, the proposed legislation will require the licensing of operators not already regulated by a health professions registration Act. Therefore, all tattooists, beauty therapists and acupuncturists who practise in this Territory would require a licence. The licensing of businesses and operators would allow the Minister to either suspend or cancel a licence when a premises or person's practice fails to meet the requirements of the Act or the codes of practice.

In order to protect the rights of persons involved in the performance of skin penetration procedures, proprietors and operators would have the right of appeal to the Administrative Appeals Tribunal when they are dissatisfied with a decision of the Minister or an authorised officer. The proposed legislation will include provisions for the making of regulations which may further strengthen the administrative procedures relevant to this legislation. While this Bill has been in preparation, departmental officers have been liaising with a wide range of both medical and non-medical practitioners about strategies which will minimise the risk of contamination from blood-borne infections. There is a high degree of cooperation in the community.

Madam Speaker, I commend this Bill to the Assembly as a practical, timely and vital strategy for dealing with an important and potentially life-threatening issue. I present the explanatory memorandum to the Bill.

Debate (on motion by Mrs Carnell) adjourned.

COMMUNITY INITIATED REFERENDUMS - SELECT COMMITTEE
Report

MR MOORE (11.43): Madam Speaker, I present the report of the Select Committee on Community Initiated Referendums, together with extracts of the minutes of proceedings, and I move:

That the report be noted.

Before I start my speech on the report, I want to mention a very unusual thing that happened quite late last night. A submission was presented to the committee then. The committee has not had the opportunity to meet since then. It was from Professor Arthur Burns. It would be appropriate that the public have the opportunity to read this submission. Therefore, I seek leave to have it incorporated in the papers of the committee and authorised for publication.

MADAM SPEAKER: You have to seek leave to move a motion to have it incorporated and authorised for publication.

MR MOORE: Thank you, Madam Speaker. I seek leave to move a motion to have it incorporated in the papers of the committee and authorised for publication.

MADAM SPEAKER: The process is that, if we agree to this motion, the submission is tabled in the Assembly and then incorporated in the papers of the committee. The motion before us is that one. Those of that opinion say Aye; to the contrary, No. The Ayes have it.

Mr Stevenson: On a point of order, Madam Speaker: This is just leave to move the motion, I presume.

MADAM SPEAKER: Leave was granted. Nobody said no.

Mr Stevenson: No; leave was not granted, Madam Speaker. You did not ask whether leave was granted.

MADAM SPEAKER: We will start again. It was understood, Mr Stevenson; but I am not unhappy with putting it again.

Mr Stevenson: On a point of order, Madam Speaker - - -

MADAM SPEAKER: No; sit down. Mr Moore has the call.

MR MOORE: Madam Speaker, I seek leave to move a motion to incorporate this paper in the papers of the committee and to authorise its publication.

Leave not granted.

MR MOORE: I move:

That so much of the standing and temporary orders be suspended as would prevent Mr Moore from moving a motion to incorporate a submission in the papers presented by the Select Committee on Community Initiated Referendums and authorise it for publication.

Madam Speaker, I move:

That the question be now put.

Question resolved in the affirmative, Mr Stevenson dissenting.

Original question resolved in the affirmative, with the concurrence of an absolute majority.

Motion (by Mr Moore) proposed:

That the submission from Professor Arthur Burns to the Select Committee on Community Initiated Referendums be:

(1) incorporated in the Select Committee on Community Initiated Referendums documents presented; and

(2) authorised for publication.

MR STEVENSON (11.46): First of all - - -

Mr Moore: Madam Speaker, I move:

That the question be now put.

MADAM SPEAKER: Mr Moore, it is in my discretion whether I put the question straightaway. In this instance I shall allow Mr Stevenson to speak.

MR STEVENSON: First, let me make the point that you, Madam Speaker, did not ask whether leave was granted. To then have a go at me because I mentioned that point - - -

MADAM SPEAKER: It is not related to the motion before us, Mr Stevenson.

MR STEVENSON: and not allow me to speak is not okay.

MADAM SPEAKER: Mr Stevenson, you are out of order.

MR STEVENSON: A few moments ago Michael asked me whether I would agree to give him leave to table a submission, supposedly, to the inquiry into CIR. As Mr Moore mentioned, the submission came in last night. I said, "Can I have a look at it?". I looked at the start of it. I did not have time to read it. I would like to do so. My view might change.

Mr Moore: Have you read any other submissions to the committee?

MR STEVENSON: Yes, I have. Looking at the start of it, I would suggest that it is not so much a submission but some form of attack. Professor Burns, of all people, was well aware that the inquiry was on and was well aware when the inquiry was accepting submissions until. I suggest that there may be some other reason for presenting the submission on the night before the report was to be tabled. For that reason, I do not agree that the submission should be accepted, as it would have been had it been submitted in time.

MR HUMPHRIES (11.48): Madam Speaker, I have to indicate that my party does not see any problem with the tabling of this late submission. Had Professor Burns made the submission three weeks ago, clearly, it would have been part of the papers that Mr Moore is presenting today. Therefore, there appears to be no reason why it should be treated any differently, merely because it is late. I am a little surprised to hear Mr Stevenson say that he is opposed to a submission from a member of the public being tabled. He is normally a great supporter of public participation in these processes. Although we do not want to encourage late submissions of this kind, I see no reason why it should not be made part of the papers which this committee has considered and are on the table.

MR BERRY (Manager of Government Business) (11.49): Madam Speaker, rather than parrot the sum of the views expressed by the Opposition, I merely say that the Government will be supporting the motion which has been moved, because we believe that the papers would have found their way into the process if they had been submitted earlier. It is a mere matter of machinery that can be dealt with quite easily by supporting this motion.

MR MOORE (11.49), in reply: I close the debate, Madam Speaker, by saying that, from my reading of the submission, there are no attacks of the type that Mr Stevenson is talking about.

Question resolved in the affirmative.

MADAM SPEAKER: The question now is: That the report be noted.

MR MOORE (11.51): To begin my speech, Madam Speaker, I would like to thank members of the committee for the time and effort that they put in on this committee report. In fact, they made the effort to ensure that we were able to report early. They recognised that I would be out of the country for a while from tomorrow. I appreciate the efforts of other members of the committee. I would also like to extend my thanks to the committee secretary, Bill Symington; and particularly to the assistant secretary, Chris Papadopoulos, who had not worked on committee work prior to this report and whose assistance has been invaluable. Madam Speaker, it is most important for me to go, first and foremost, through the recommendations and to make it very clear why it is that the committee has not rejected CIR. I quote from the report:

The Committee recommends that the Assembly:

(a) proceed no further with the Electors Initiative and Referendum Bill 1994;

(b) defer consideration of the Community Referendum Bill 1994 until the implications of the Bill on the good governance of the ACT have been fully examined; and

(c) accept, in principle, the establishment of a select committee with terms of reference as outlined in Recommendation 3 to examine and report upon the concept of a CIR process for the ACT.

In other words, Madam Speaker, the majority of the committee determined that CIR is appropriate to investigate further and to do properly - and I emphasise "to do properly". The one thing that does appear inappropriate to us is to have a pretend CIR.

Madam Speaker, recommendation 2 states:

The Committee recommends that the Standing Committee on Administration and Procedures examine and report to the Assembly on what changes to Standing Orders 100 and 174 would be required in order to substantially increase public access to the proceedings of the Assembly.

Of course, that recommendation is based on much of the submission that you, Madam Speaker, presented to the committee.

Recommendation 3 sets out what the majority of members of the committee believe that it would be appropriate to incorporate in a full investigation by a committee of the Assembly. It would have suited us better had Mrs Carnell been able to bring this Bill, or even the issue, to the Assembly earlier so that the committee of this Assembly would have had more time to study it. Unfortunately, the timing of Mrs Carnell's Bill meant that we had a choice: Either look at it and see whether there was anything in the idea worth pursuing - and that is the stance that the committee has taken - or just reject it out of hand. Members of the committee believe that there are some great benefits in this idea and that it is appropriate for us to explore it further and to get it right.

Madam Speaker, we are talking about a fundamental change to the way in which we operate our democracy. It is interesting that on many occasions Mr Cornwell, in particular, and other Liberals have talked about the ACT being turned into a social laboratory. They have used this as a method of dealing with issues that I have raised, two of which are drug law reform and euthanasia. The process that we are suggesting is a similar process to those that this Assembly has agreed to go through on those issues. It is an extensive amount of work in terms of the committees, public participation and then continuing the process in the Assembly.

The third recommendation sets out what the committee ought to consider as part of its terms of reference. It is not meant to include the mechanical parts of the terms of reference for the issues that ought to be included. They include the constitutional limitations, if any, which will affect the adoption of CIR in the ACT. We certainly know that our constitutional limit, in as far as our self-government Act is our constitution, prevents us from having any form of binding referenda or binding ourselves in terms of referenda. A legal opinion on that issue is offered as an appendix to this committee's report. This was raised by the ACT Electoral Commissioner. That was why I used the term "pretend CIR". Everywhere we see CIR talked about, it is talked about as binding. Mr Stevenson will agree that CIR is about a binding referendum. He has done more work on this issue than anybody else in the Assembly. Indeed, Mr Stevenson's Bill sets up a binding referendum. This is what he seeks to achieve. Unfortunately, that simply is not possible under the self-government Act.

We talk then, Madam Speaker, about the implications of good governance of the ACT and the social justice impact should it adopt CIR. One of the real issues in terms of social justice is whether non-compulsory voting, in particular, should it be added to CIR, would have an impact on social justice. In fact, at this stage, I have not been able to find out whether propositions put forward in California have got up in the last couple of days. The polls indicated that they would get up.

Mrs Grassby: They got up, Mr Moore.

MR MOORE: Mrs Grassby indicates that they did get up. It means that health care and education will not be available now to illegal immigrants' children. We have now identified that, for a set of people in the American context, there is non-compulsory voting. That has had a significant social justice impact; and that is the trend.

Mr Humphries: And that is the difference.

MR MOORE: Mr Humphries, appropriately, interjects, "That is the difference". That is why we must be careful about, and sure of, what we are doing here.

Madam Speaker, I want to emphasise again that the committee has not rejected CIR.

Mr Stevenson: Not likely!

MR MOORE: The committee has not rejected CIR. If we had wished to reject CIR, we would have simply said, "Do not proceed with these Bills". Instead, we have a series of recommendations that say, "These issues need to be dealt with properly". We have a situation in which the Liberals are particularly upset by this report, because they do not want CIR as an issue - - -

Mr Humphries: Yes, we do.

MR MOORE: Exactly. They have come in now, Madam Speaker; they want CIR as an issue to run with at the election, instead of dealing with the issue more on the basis of timing. They think they can get political mileage out of it. That is how they want to deal with it.

Mr Humphries: Yes; we want to show that we have done what we promised, unlike you.

Mr De Domenico: We want to expose your hypocrisy; that is what we want to do.

MADAM SPEAKER: Order!

MR MOORE: They do not want to deal with it in exactly the same way as we have dealt with issue after issue which is controversial in this Assembly. I would like to deal with some of the issues to show just how controversial this is. Madam Speaker, you will note - and other people will note - that there is a dissenting report from Mr Humphries.

Mr Humphries wrote a dissenting report that was very high on rhetoric and very low on fact. As a general observation, Mr Humphries presents as arguments many of the matters that the committee has outlined in the report as advantages and disadvantages. We presented them as advantages and disadvantages so that people could see the possible advantages and disadvantages of CIR. They are not conclusions of the committee at all. The conclusions of the committee are in the recommendations.

Mr Humphries fails to address all the nuts and bolts issues, such as thresholds, signature checking and costs. He ignores the evidence of the Electoral Commissioner. He accuses the committee's majority of using the legal opinion as an excuse to put off the issue until after the election, when, in fact, the legal opinion raises general concerns about the workability of CIR, in general, and the Carnell Bill, specifically. *(Extension of time granted)* Mr Humphries suggests, in his dissenting report, that there are no submissions that expressly argue against CIR. Of course there are not; essentially, the idea is a very good idea. It is important to understand, Madam Speaker - and I draw your attention to the fact that, on the concluding date, we had eight submissions - that, because I wanted to do this inquiry properly, when I went on television and on radio I had papers in front of me, and I said, "This is the number of submissions we have - eight submissions". I am sure that some members saw that. I was suggesting that we needed more submissions. That process worked. It brought in over 20 submissions, with one more last night.

Madam Speaker, it is important to understand that many of those submissions came from outside the ACT. A handful came from MLAs, or potential Liberal Party MLAs, and the Electoral Commission. Then there were those that simply voiced or expressed an opinion; and they are very valid. They were a page of saying, "Yes, this is a good idea".

Mr De Domenico: So what?

MR MOORE: Mr De Domenico interjects, "So what?". What we were left with was two or three submissions that were substantive, beyond those that I have identified.

MADAM SPEAKER: Order! Members of the Opposition will have their turn soon.

MR MOORE: The reason that I raise the issue like this, Madam Speaker, is that on many occasions Mr De Domenico has said to me - and the euthanasia debate was a good example - "Where is the community concern for this?". "Why are we doing this?", Mr Kaine would have said a dozen times, I imagine. Mr De Domenico said, on euthanasia, "Why? What are the community concerns?". In that case, where they were wondering where the requirement from the community was, there were over 200 submissions - probably more submissions than any other committee of the Assembly has received.

Mr Humphries: That is the exception.

MR MOORE: Mr Humphries says, "That is the exception". What I am saying is this: If you are going to use those arguments one time, you ought to be consistent.

Madam Speaker, we took the issue very seriously. When Mr Humphries says that a number of submissions took a particular view, I do not disagree with that; but the comment needs to be put in context. That is what I am saying, Madam Speaker. It is also very important to add that Mr Humphries says that not one person who appeared before the inquiry thought that the legislation should be deferred. That is not true. At paragraph 8.56 of the report it states:

At the hearing, Mr Henry agreed with Mr Evans that, though they could see no reason why the Assembly, given its resources, could not amend the legislation and still pass it in the life of this Assembly, it would be wiser to defer the legislation than to pass it in its present form.

Others, like Mr Chapman, wanted it passed now; though he thought that it would be toothless if it were not binding on the Assembly.

Mr Humphries: We cannot bind the Assembly; you know that we cannot.

MR MOORE: The Electoral Commissioner's evidence raised issues that needed to be dealt with. These issues need to be dealt with appropriately when we are dealing with a new form of referendum.

Mr Humphries: After the election.

MR MOORE: Mr Humphries interjects, as he is wont to do today, "After the election". Thank you, Mr Humphries, for that interjection, because it raises an issue that I raised before: The Liberals are interested in this so that they can take it to the election as an issue, rather than deal with the issue itself. It is reasonable to say that, prior to this issue being raised in the middle of each term by the Liberals, there were only two people in this Assembly who had spoken positively about CIR. Mr Stevenson was one of them. He actually had in his platform that he would raise it. Clearly, he has a mandate to run with it.

Mr Humphries: And who was the other one?

MR MOORE: I was the other one. I have spoken on many occasions of my positive attitude to CIR, which still remains. I am not going to stuff it up with pretend CIR that will undermine the CIR process. I am not going to be party to a system which, in Mr Chapman's words, if I may paraphrase him - he is the representative of the Movement for Direct Democracy - is likely to undermine the current political system if you have a non-binding referendum. Madam Speaker, this Assembly has had enough trouble struggling to stand on its own two feet and not be the joke of the community. It is appropriate that we do this, but it is also appropriate that we take great care to ensure that we do it properly.

Madam Speaker, we already have two particular warnings about what happens with pretend CIR. The first one relates to what happened to the petition with 50,000 signatures, when Mr Humphries and Mr Kaine were part of a Liberal Alliance, and they said, "So what?".

Mr Stevenson: Why do you not discuss the EIR Bill, Michael?

MR MOORE: I will get to that. I put that to the Liberals. The second warning relates to the non-binding referendum on Hare-Clark. What could happen with the type of legislation that Mrs Carnell has presented is exactly what happened there, where the Labor Government moved an amendment, a very small amendment, which totally undermined the whole system. There is nothing to stop that happening under this pretend CIR system. We already have two warnings as to what can happen. We have to do it gently.

Mr Stevenson: The pretence was the inquiry, not the EIR Bill.

MR MOORE: Mr Stevenson asks, by way of interjection, why we did not deal with his Bill. We rejected his Bill very early in the piece, Madam Speaker, because it was quite clear that what we have to do before we can get a proper or an appropriate CIR, where citizens genuinely have a say and genuinely are empowered, is to have an amendment to the self-government Act. Mr Stevenson's Bill did not recognise that. Therefore, we felt that it was inadequate.

Mr Stevenson: Not true. But what about an amendment, if that were the case?

MR MOORE: The committee, as a whole, also believed - - -

Mr Stevenson: What about an amendment, Michael? Handle the issue; do not avoid it.

MR MOORE: I can also raise my voice, Mr Stevenson. The committee, as a whole, believed that the Stevenson Bill was entirely inadequate, compared to the Carnell Bill. That is the crunch.

Mr Stevenson: That is not my Bill.

MR MOORE: Like Mr Stevenson, I am capable of raising my voice, although I would prefer not to do it. Madam Speaker, that is why the committee believes that this issue needs to be dealt with properly, not rushed through; there is no reason to rush it through this Assembly. It can be dealt with appropriately; and those issues need to be dealt with appropriately.

MADAM SPEAKER: Mr Moore, you will need to table that paper.

MR MOORE: I table the submission, as approved by the Assembly.

MS ELLIS (12.07): Madam Speaker, in addressing this report today, I must make some comment on the dissenting report by Mr Humphries, along with comment on the general thrust of the committee's majority report. Mr Humphries, very sadly in my view, has started off his dissenting report with the words "a low point in the committee process". I take great exception to that.

Mr Humphries: You should not have been part of the process, should you?

Mr Moore: That was slimy, Gary, and you know it.

Mr Humphries: It is true.

MS ELLIS: Madam Speaker, this is an incredibly important issue. I would be very grateful if people paid me the courtesy of listening to what I have to say. They can debate it later.

We are talking about a dramatic and major change to how we in the ACT, as a community, govern ourselves. The Liberals appear to believe that, if they think a policy on CIR is a great idea for an election campaign, they do what they call a complete consultation on it, and come up with their proposal; and that all the rest of the ACT needs to do is say, "Good; great idea; terrific; we believe you; let us do it". If you dissent from that, you seem to be dissenting from the philosophy that they are pretending to represent. But it is not good enough to have that attitude; it is not responsible; it is a flibbertigibbet way of creating what we should seriously consider proper policy.

Members interjected.

MADAM SPEAKER: Order! Members will come to order. You will have your turn to speak.

MS ELLIS: How can Mr Humphries assert that a committee created by the members of this place to consider carefully and responsibly all - and I repeat "all" - aspects of this huge change to our democratic process is a low point?

Mr Stevenson: I did not. I knew what it was all about. I voted against it.

MADAM SPEAKER: Order! Mr Stevenson, you will have your turn. I call you to order.

MS ELLIS: It seems to me to reflect a proper, democratic way of looking at an issue of this dimension. One of the Liberals' major criticisms of the referral of this issue to the committee was the lack of time to consider the issues. What would you expect that this Assembly should do? Simply say, "Oh, you have brought it on a bit late; we are running out of time; it is a good idea, so we will go ahead and do it"?

Mr De Domenico: No; debate the Bill that has been there for a year and let us see how you are going to vote on it.

MADAM SPEAKER: Mr De Domenico, order!

Ms Follett: Madam Speaker, on a point of order: I merely wish to draw your attention to the number of times that you have had to call to order both Mr De Domenico and Mr Stevenson and suggest to you that not only are they out of order in continuing to interject in this way, but also there is a definite flavour of intimidation about the way that they are going about it. They are out of order.

MADAM SPEAKER: I call Ms Ellis.

MS ELLIS: This attitude of the lateness of the day, therefore the inappropriateness of the referral, is absolutely and totally irresponsible. It flies in the face of open discussion and democratic consideration, which, I might add, is what CIR is claimed to be all about. Mr Humphries has chosen to treat the questions, the unanswered queries in this report, as conclusions of the committee. That is misleading; it is wrong; they are not. I urge people interested in this question of CIR in the ACT to read the report carefully - all pages, including Mr Humphries's.

I realise that some people will choose to regard this report as a means of killing off CIR in the ACT. Nothing could be further from the truth. As a member of that committee, I could have very easily said, "No; absolutely no. I disagree with CIR, and I am going to recommend nothing but that". But that would have been equally as irresponsible as the Liberals' position. This process has raised many questions, all of which deserve proper, full consideration. As a responsible member of this Assembly, I cannot, in all conscience, agree to something so fundamentally new, so fundamentally different, without having those questions answered. It is simply not good enough; it is grossly irresponsible; in fact, it is politically opportunistic to expect any agreement to a Bill like this, at the same time knowing that changes are needed and that flaws are there to be addressed.

Mr Stevenson: A Bill like what? What about the EIR Bill?

Mr Moore: I told you why we dismissed it.

Mr Stevenson: I know. You had to get that out of the way in a hurry, did you not?

MADAM SPEAKER: Mr Stevenson, you will have your turn. Order!

MS ELLIS: Madam Speaker, may I also apologise to the house if I tend to be speaking loudly on this matter, but I tend to think that I have no option. One of the strongest voices who appeared before our committee in favour of CIR told us that it would be a waste of time proceeding if the process was not binding on the Assembly. How do we verify signatures, and at what cost? There is some debate about threshold levels. There is the question of recall. The CRB leaves this issue open. There are questions on the constitutionality of the CRB in its operation in the ACT. A legal opinion on this aspect is at Attachment 4 of the report. How irresponsible would we have been not to have sought that opinion.

Mr Humphries asserts that the majority report shows a belief that the electorate is incompetent to shoulder the responsibilities inherent in CIR. Talk about poetic licence, Mr Humphries! The truth of the matter is simple: It is a fundamental change to the way that we practise democracy in this town. If and when a proposal for CIR is adopted in the ACT in the future, we must get it right. This community does not deserve to have a continuing "Let us fiddle with and change our basic practices because we think it is a good election issue" approach to government. There are legitimate questions. They must be responded to. The issue must be understood - not by small groupings of interested individuals within the community, but by the whole community. Maybe the issue of CIR should itself be subject to a referendum.

Mrs Carnell: Fine; let us do it.

Mr De Domenico: Fine; let us vote on it.

MS ELLIS: Why have you not suggested that?

Mrs Carnell: What a good idea! Let us have a referendum on the CIR.

MADAM SPEAKER: Order!

MS ELLIS: I will not bend to pressure because of the timing issue, or because I will be accused of not being in favour of consultation or open government. I doubt that many in this place could consult or seek the opinion of the community more than I do. Our community deserves responsible leadership from this place and everyone in it. Just because Mrs Carnell and the Liberals think that they have produced a great election product is not good enough.

Mr De Domenico: Let us vote on the Bill. You can vote against it.

Mr Stevenson: Why do you not mention the EIR Bill?

MADAM SPEAKER: Order!

MS ELLIS: Let us see what a committee of the next Assembly can do to address the issues, to respond to the doubts and to work towards the possible production of a proposal that will work for the benefit of everyone in this community.

I reiterate the comments that Mr Moore made in relation to the secretariat, particularly in relation to Chris Papadopoulos and his work, and to the fellow members of the committee on what was a very difficult inquiry, given the time, but given the responsible attitude of the committee to its task.

MR HUMPHRIES (12.15): Madam Speaker, I do not retract one word of what I said about this committee having represented a low point in the Assembly's committee process. Ms Ellis has been a fairly stalwart supporter of the committee process - in fact, a very stalwart supporter of that process. But on this occasion I am afraid that, in my opinion, she did not do her duty. The overwhelming impression I have of the process of this committee is of being part not of an investigative team but of a burial detail. It was clearly the intention of both Mr Moore and Ms Ellis to make sure that CIR was buried before the next election. That was their intention, and that was what they succeeded in doing.

Madam Speaker, we had 24 submissions; apparently, it is now 25 submissions. At least 22 of those 24 are in favour of CIR. Not one of them said, "Delay this matter beyond next year's election"; yet, the report says, "No CIR before the next election". Not one person argued for that. The most important recommendation in this committee's report was, "We cannot proceed with CIR now". Not one person argued for that. You have gone in the face of every person who expressed a view about CIR before the committee. What was the point of hearing hours of evidence from people in favour of CIR when - - -

Mr Moore: That is a misrepresentation, because you know what the Belconnen Community Council, Graeme Evans, Mr Chapman and a whole series of people said. That is just gross misrepresentation.

MR HUMPHRIES: Madam Speaker, I expressly put to the people from - - -

Mr Kaine: On a point of order, Madam Speaker: Mr Moore has had his opportunity to speak to this report. I was sitting here while he was speaking, and Mr Humphries listened to him in silence. Mr Moore should do Mr Humphries the same courtesy.

Mr Moore: For Mr Kaine I shall, Madam Speaker.

MADAM SPEAKER: Thank you, Mr Moore. Perhaps a bit of quiet would help.

MR HUMPHRIES: Madam Speaker, I expressly put to those witnesses who appeared before the committee and who were in favour of CIR the question, "We have a choice of going ahead at the moment with this legislation, with possibly some things that you might like to improve about it, but which we cannot improve; or we can defer it until after next year's election. What do you think we should do?". In every case, including Mr Evans and Mr Henry, the suggestion was that we should try to get the legislation through before the end of this parliament. Mr Evans certainly did say that he would prefer to have his amendments incorporated in that process before it happened, but he did say that he wanted the Bill passed before the end of the year. Even though Mr Evans is now a member of the team of the non-party, the Moore Independents, I put it to you that Mr Evans would still say that this is an important enough issue to deal with.

I will tell you what: I will do you a deal, Mr Moore. I will bring back this Bill in two weeks' time, when we next sit, with Mr Evans's amendments incorporated in it, if you and Ms Szuty promise to support it.

Mr Moore: No.

MR HUMPHRIES: No; of course not. There is the excuse out the window. When the CIR Bills were referred to the committee, Madam Speaker, I said that there was not enough time. We all said that there was not enough time to do this job. I find it extraordinary that, when the report arrives, in the preface we see this phrase from Mr Moore, the chairman of the committee:

The Committee feels that the six weeks allocated to it to inquire into CIR is inadequate to explore in depth all the issues ...

What a surprise! That was exactly what was said before the matter was referred.

Beyond that, Madam Speaker, not one of the important issues which were raised in the evidence before the committee about CIR and how it would operate - things like thresholds and the extent to which people should be able to put a scope of issues before the Assembly; a whole series of issues - was actually decided upon by the committee. Every one of these issues was too hard. Six weeks' worth of work did not actually produce a conclusion beyond, "We need to look at this again". If we are being paid by the hour, the public certainly is not getting much value for money, because we did not actually reach any conclusions. I withdraw that. There was one conclusion, and that was that your suggestion, Madam Speaker, that amendments to standing orders 170 and 174 should be further examined. The public did not get much value for money out of that proposal, I have to say to you. Being very keen to return to the question of the committee process in this place, I must say that this week, with the whistleblower legislation and now with the CIR legislation, we are seeing the use of committees by the Assembly not as instruments of enlightenment but as tools of delay and obfuscation. Nowhere has that been clearer than with this report this week.

Most of the committee's report, which is before us today, could have been written even before this Assembly committee heard any evidence. Perhaps it was, for all I know; because much of the report consists of extracts from critics of CIR in other literature which was never actually presented to the committee.

Mr Stevenson: Small detail; do not worry about that.

MR HUMPHRIES: That is a small detail, indeed; but from all sorts of people, most of them I had never heard of before, who argue that there are problems with CIR. Many of the more authoritative sources such as Professor de Quincey Walker, the dean of the faculty of law at the University of Queensland, did not have any of their work before the committee. Apparently the author, or authors, of the committee report did not bother to read that tome before they came to this place.

Mr Moore: Come off it, Gary! Did you?

MR HUMPHRIES: Why was he not quoted, Mr Moore? He is Australia's leading expert on citizen-initiated referenda. You do not mention him in the course of the document. That is a large omission, do you not think? I think that it is a rather large omission. As I have said, 22 of the 24 submissions before the Assembly expressly supported citizens-initiated referenda. What is the point of an inquiry when we chose to ignore all the submissions? I have better things to do with six weeks of my time than to be sitting down and wasting it at an inquiry, when the outcome had already been determined.

Most of the submissions did recommend some improvements or some tinkering with the concept; but I believe that every one of those 22 submissions wanted to see CIR in place. I believe that every one of those 22 submissions realised that there was a window of opportunity available, so we thought, for the 1994 ACT Assembly.

Members interjected.

MADAM SPEAKER: Order! Both sides of the house will come to order.

MR HUMPHRIES: People realise that that was the case, and they want to see this pass. They have been sorely disappointed. The theme of this report is very clear. The theme is that people in this Territory are too ignorant, too gullible or too venal to be trusted with important decisions about their future and about the life of the Territory. On the other hand, politicians are wise, fair, eternally disinterested and not open to the blandishments of minority organisations. Madam Speaker, let me quote a few small phrases from the report to illustrate that point:

... voters may not have the expertise to come to grips with all the complexities of an issue, and therefore may not be in a position to make an informed judgment.

Goodness me, how can they decide at election time what they are going to do when they go to the ballot box?

Mr Moore: On a point of order, Madam Speaker: Mr Humphries is misrepresenting what is in the report. He is reading it as though it is a recommendation in the report; he is reading from a section of the report headed "ADVANTAGES AND DISADVANTAGES OF CIR", rather than a conclusion of the committee.

MR HUMPHRIES: I will read from another part which is not part of the disadvantages. Here is another part, Mr Moore, which is not from the same section of the report:

On the back of ... public outrage over a crime, a concerted move by a powerful special interest group could lead to the introduction of radical laws ...

In other words, people cannot be trusted to make a decision about propositions from powerful special interest groups; oh, no. But, of course, politicians can be trusted. They would never give in to powerful special interest groups; oh, no; they are much too much beyond that. Madam Speaker, the vein of this report that people of the ACT are open, effectively, to the bribery and corruption of special interest groups is a vein which is insulting to the people of the ACT. I have to ask: How did this bunch of no-hopers that the committee majority seems to think makes up the ACT population manage to elect such a wonderful Assembly? There is a profound distrust of the electorate evident in this committee report.

Moreover, there is an air of fear - fear of an elite, which includes Mr Moore, whose power to govern exclusively in this Territory is being threatened by this proposal. That is what this report is all about. It was prepared by those who see their chance to define the issues, be they euthanasia, urban infill, abortion or whatever it might be. *(Extension of time granted)* It is fascinating that in the same breath as the committee majority argues that politicians are disinterested, unlike the rest of the population, the political interest of those who are the majority authors of this report appears to be paramount.

Let us go to a few small details in this report. Mr Moore was quick to defend the report. I have to say that it was a poorly researched and muddled report. For example, I read with interest how the authorities in California had some difficulty in obtaining the names of people who voted at a previous election in order to get them to sign a referendum petition for another referendum. Mr Moore does not realise that that provision exists not just in California but anywhere in the United States or anywhere in the world. You have it wrong. You could not even research your report to the extent of being able to get it right.

I read criticisms of the Swiss experience with referenda. I read how the people of Switzerland are discontented with this process. I looked to see the authority for this statement. I saw that the arguments were drawn from a press release prepared for the Swiss National Tourist Office. Apparently the people of Switzerland have a different point of view. Certainly, all the authors I have read on the subject argue that the people of Switzerland are very happy with the structure of self-government. That is just one small point.

Mr Moore made the point about proposition 187 in the California election held yesterday, and how that got up, making it illegal for illegal immigrants to receive health care and education. I remind Mr Moore that that is already the case in Australia. Illegal immigrants cannot get health care in this country. What a pity the people of California are doing what we have already done for many years in Australia! The other extraordinary statement I heard Mr Moore make was that the Liberals want this issue as an election issue. If we want it as an election issue, why are we pushing so hard to have the Bill debated and brought into law before the election? We want to kill the issue. We want the issue to be in place so that there is no question of a campaign for or against CIR.

Madam Speaker, I must say that these people are clutching at straws with the supposed disadvantages of CIR. There are some very weak arguments here. This is an interesting statement. There is this proposition:

CIR is a threat to political institutions because it bypasses the safeguards and limits built into -

listen to this -

the legislative procedure.

What are the safeguards and limits built into the legislative procedure in the ACT? The upper house? The vice-regal reserve powers? The power of the Chief Minister to take two weeks to sign a Bill into law? Perhaps what they mean is the Independent members of this place. Maybe they are the constitutional safeguards that are referred to. There are not any limits in the ACT. We have a system without checks and balances, substantially at least. In any case, CIR, as it is presently drafted by Mrs Carnell, does not say that we bypass the Assembly. On the contrary, it says that we put things up, through the citizens, to the Assembly. That is what Mrs Carnell says at the present time.

Madam Speaker, this is quite extraordinary. The fact of the matter is that Mr Moore, in particular, has done a gigantic backflip. Let me quote from the *Canberra Times* of 5 August 1991 under the heading "Moore wants school, hospital closures put to referendum at next ACT election". He talked about Dennis and the League of Rights and about voters' veto. It was not a good idea, he said. The article continued:

Citizens' initiated referenda is much more positive and I think it is also interesting to observe the results of the idea in other parts of Australia.

No doubt he was referring to Mr Ted Mack's useful experience with CIR in North Sydney.

Mrs Grassby: Non-binding.

MR HUMPHRIES: Non-binding. Madam Speaker, what about this? Mr Moore said on 5 August 1991:

I can't see how anybody could oppose the idea.

Mr Moore, I cannot see how anyone could oppose the idea either. This report shows that the people of the Territory do not believe that the majority in this Assembly trust them, the people of the Territory. That is a great pity, because CIR places trust in the people. I believe that that is where it belongs.

Sitting suspended from 12.32 to 2.30 pmb

MADAM SPEAKER: Members, I have to inform you that, it now being 2.30 pm, the resumption of debate on the motion to take note of the report of the Select Committee on Community Initiated Referendums is set down as an order of the day for a later hour this day.

Mr Wood: They are not sure about it. I do not think they want it.

MADAM SPEAKER: That is my advice. We will sort that out later, members; but that is my advice to this moment.

QUESTIONS WITHOUT NOTICE

Harcourt Hill Development

MRS CARNELL: Madam Speaker, my question without notice is to the Minister for the Environment, Land and Planning. Is it true that the Government, through the Department of the Environment, Land and Planning, had to provide the Commonwealth Bank with an unconditional guarantee of $25m before the bank would agree to provide finance to Harcourt Hill Pty Ltd, in which the Government is a joint venturer? Why was this guarantee needed, Minister?

MR WOOD: Madam Speaker, in the process of drawing up that arrangement, in the discussions on the joint venture, we did agree to provide a guarantee - a guarantee of assets over which we have complete control. It was a satisfactory arrangement and one that I entered into. The department, of course, signed, as I recall, on my behalf. The question is an interesting one. The Opposition, across the road there, has been rather reluctant to acknowledge the worth of the joint ventures that we are undertaking. Those joint ventures are an important step as we come back into land development. It is, I believe, the right of the Territory Government to run land development on behalf of people in the Territory. I did not believe that we had been receiving a sufficient return from our land resources over the years from the private sector development that had been carried on. Nor do I believe that in every instance we have achieved the very best planning results. An important step in returning to that, to bring full benefit to the people of the Territory, has been our joint ventures. It is an interim measure, although they will probably always continue in certain circumstances. Eventually - very soon with North Watson - we will get back to doing land development ourselves. I am disappointed that the Liberals have some concerns about that. Harcourt Hill is an important and large joint venture which is going to reap good rewards for the people of Canberra.

MRS CARNELL: I have a supplementary question. Madam Speaker, the Minister did not answer my question on why the guarantee was necessary and whether it is regular practice for the ACT Government to provide financial guarantees to property developers.

MR WOOD: Madam Speaker, joint ventures are relatively new in this Territory. They go back just a few years. We are establishing precedents with joint ventures. There is nothing unusual about that. The Commonwealth Bank required it as part of their commercial practice. We examined the situation most carefully and we accepted it.

Housing - Single People

MRS GRASSBY: Madam Speaker, my question is to the Deputy Chief Minister in his capacity as Minister for Housing and Community Services. When discussing homelessness and SAAP services in the Assembly recently, the Minister alluded to a new group of accommodation schemes. Would the Minister now provide the Assembly with more details on this innovative scheme?

MR LAMONT: Madam Speaker, there has been much play over recent months following the release of a number of reports that have commented on the issue of homelessness in the ACT and the raft of programs which apply within the ACT, funded by both the ACT Government and the Commonwealth Government. It was interesting to note that, particularly in one of those reports, there was an indication that, of all States and Territories in Australia, the level of access to SAAP funded services in the ACT was higher per head of population than elsewhere in this country. I believe that that is appropriate. One would expect to see such a statistic here in the Territory, where services are more known, more available and more accessible.

In the specific terms of the question that has been asked, I announced last week the establishment of the single shared accommodation scheme for the ACT. The single shared accommodation scheme is an innovative program which is designed to expand the accommodation options of single people. It is unique in that each individual in a shared household will be able to have their own tenancy, which will increase their security of tenure. By providing more housing options for single people, the Housing Trust aims to satisfy a need in the community and to improve flexibility in its stock management. The scheme will operate as a pilot for approximately 12 months and will be evaluated during the pilot period. Housing provided under this program will come from the Housing Trust's existing stock. It is proposed that in the first six months of operation no more than 40 properties will be made available to the program. There may be considerable turnover of these properties.

Mr Cornwell: Why?

MR LAMONT: There will need to be. I will go on and explain that, Mr Cornwell. The effect of the single shared accommodation scheme on waiting times for standard accommodation is expected to be minimal. The single shared accommodation scheme may be particularly appropriate to meet the housing needs of young people. However, it is not a youth-specific housing program; it is aimed at all single people who wish to share accommodation. The single shared accommodation scheme has required an extensive developmental process because the program, in its entirety, has not been introduced elsewhere in Australia. Substantial work was done to ensure as far as possible that the concept was feasible and that the system to support the program was sufficiently robust.

The single shared accommodation scheme has been eagerly awaited by both the Housing Trust and the community housing sector. While it will be a valuable addition to the range of accommodation options provided by the Housing Trust, because of the shared nature of the housing, it will not be a panacea for the housing needs of all single people. Madam Speaker, the two brochures that have been produced outlining the details of the service quite clearly set out the options in stage 1 and stage 2. Stage 1 is through a head tenancy. I specifically would like to extend my appreciation to the community housing sector in the ACT for its cooperation in developing this very appropriate response to homelessness, or to one facet of homelessness, in the ACT.

Harcourt Hill Development

MR DE DOMENICO: Madam Speaker, my question without notice is to the Minister for the Environment, Land and Planning. I refer again, Madam Speaker, to the $25m unconditional guarantee which the Government has given to the joint venture developer Harcourt Hill Pty Ltd. Minister, what conditions have to be met for a firm to be eligible for an ACT Government guarantee? Is the Government prepared to offer similar financial guarantees to local developers in the future?

MR WOOD: Madam Speaker, the Opposition, I presume, will pursue this during question time. The Opposition might not be aware that all banks in recent times have been reviewing their lending practices, following the outcomes of the 1980s. We are accommodating to that in that we understand that change. We have entered into that agreement with great care. It has been carefully examined, through all government agencies and has been clearly seen to be an appropriate agreement. If circumstances arise, it could well happen in the future; but it would be based on an assessment, case by case, in the circumstances at the time, and would be entered into with the same care with which we entered into this arrangement. Mr De Domenico likes, sensationally, to put out the word "unconditional".

Mr De Domenico: That is what it says in the contract.

MR WOOD: It is a very secure investment for the ACT, Mr De Domenico.

MR DE DOMENICO: I have a supplementary question, Madam Speaker. Minister, does this not mean, in fact, that if the Sydney based partner in Harcourt Hill cannot pay its bills the ratepayers of the ACT will have to pay the debt?

MR WOOD: Madam Speaker, it means that we have the guaranteed security of ACT government land, ACT assets, as cover for that arrangement. There is no problem in respect of the ACT.

Mr Kaine: But we already have those assets.

Mr De Domenico: We already have those.

Mr Kaine: We already own them. Why would we give them away?

MADAM SPEAKER: Order!

MR WOOD: You have said it. We have exactly that security.

Mr De Domenico: Why did we give them a $25m guarantee?

MADAM SPEAKER: Order! Mr De Domenico, you have had your questions.

Traffic Arrangements - Mount Neighbour Area

MS SZUTY: Madam Speaker, my question without notice is to the Minister for Urban Services, Mr Lamont. Last week I attended a public meeting convened under the roads and transport subprogram of your department at the Mount Neighbour Primary School about proposed traffic calming arrangements to be introduced in the local area. Can the Minister inform the Assembly about the nature of the work to be undertaken, the expected timeframe within which it will be completed, and at what cost?

MR LAMONT: I thank Ms Szuty for her question. The subject, as you are aware, Ms Szuty, was raised by a number of residents with great concern about their streets being used as rat runs - that is, persons not living in the vicinity use the arterial roads and suburban distributors as short cuts between an area outside the suburban form that they wish to get to and where they may be. In this case both light vehicular and heavy vehicular traffic was using these streets as a short cut between Tuggeranong and Belconnen. When we looked at the statistics of vehicle journeys through those areas and measured the numbers that were coming out the other side, it was quite obvious that that was the case. After extensive consultation with the immediate community and through the public meetings that were alluded to, it has been decided that traffic calming measures are necessary and they will be provided. That process concluded, Ms Szuty, only in the last week, as you would appreciate. The decision to embark upon that program was taken after extensive community consultation. The specific timeframe and the final costing of the options that were considered at that community meeting have not yet been made available to me, but I understand that they will be available within the next week to 10 days. On the basis of your question today, I will provide a direct response to your office when that information is available.

Harcourt Hill Development

MR HUMPHRIES: Madam Speaker, my question is also to the Minister for the Environment, Land and Planning. I refer again to this $25m unconditional guarantee which the Government has given to the joint venture developer Harcourt Hill Pty Ltd. Was the Sydney based joint venture partner paid a consultancy fee by the ACT Government to produce the final proposal and plan for the Harcourt Hill development? Is this usual practice?

MR WOOD: Madam Speaker, rather than rely on memory in that instance I will check the records on what consultancies were used and what payments were made. Certainly, that Sydney based firm did have a heavy involvement in design because of their expertise.

Sport and Recreation Grants

MR BERRY: My question is directed to the Deputy Chief Minister in his capacity as Minister for Sport. Minister, could you advise the Assembly of progress which is being made towards the announcement of funding under the ACT sport and recreation grants program for 1995?

MR LAMONT: I thank Mr Berry for his question, Madam Speaker. I am currently considering the recommendations of the ACT Sport and Recreation Council. Sports grants, with the agreement of sport, traditionally have been paid on a calendar year basis. Early this year, at the behest of ACTSport, my predecessor requested that the grants evaluation process and announcements be brought forward to allow sports extra time for planning into the following year. I have worked with my council to ensure that this request is met. I am able to advise that I will be announcing details of funding for 1995 within the next two weeks. Madam Speaker, 141 organisations have sought assistance from this program, and the funding which I will announce will reflect the Government's commitment to assisting sport and recreation organisations in developing planning strategies for the future.

Sport and recreational activities are an integral part of our business and community life, and it is essential that those in charge of our sport and recreational organisations are fully equipped and trained for planning towards the year 2000 and beyond. In striving to make Canberra the sports capital of Australia, it is important that the Government encourage sport and recreation groups to develop self-help and self-sustaining organisations and programs which rely less on government handouts and more on providing innovative and cost-effective ways of encouraging local as well as visiting tourists' participation. The Government will be working in partnership with ACTSport and the Sport and Recreation Council to conduct a major planning and development seminar in 1995.

Madam Speaker, in real terms, the Government has increased funding to the grants program by almost 9 per cent. Special access programs for women, the disabled and active girls will continue into 1995. The volunteer involvement program initiated last year will continue, with the Government encouraging sport and recreational organisations into self-help and self-development projects. These three strategies signify the Government's ongoing commitment to the development of sport and recreation opportunities for Canberra citizens. They also emphasise the importance of cohesive partnerships as we plan for the future. The integration of well-developed programs and sensibly designed facilities will help to identify Canberra as Australia's true sporting capital, Madam Speaker.

Harcourt Hill Development

MR KAINE: I address a question to Mr Wood, Minister for the Environment, Land and Planning. Mr Wood, as I understand it, under the unconditional, irrevocable undertaking that you have given to the Commonwealth Bank you have underwritten any debts owing by Harcourt Hill Pty Ltd through to, I think, 1998. If at any time before then the Sydney based partner fails to deliver on its undertaking to complete the international hotel and golf course, which are integral to this development, at a point at which there are, in terms of dollar value, less assets than it would require to meet this undertaking, where is the money going to come from to pay the Commonwealth Bank? What recourse, if any, do you have against anybody under this contract?

MR WOOD: Madam Speaker, the Liberals no doubt will be disappointed to learn that the sales of Harcourt Hill are going quite well, thank you.

Mr Connolly: That is good news; they will not like that.

MR WOOD: Exactly. It is good news. They do not like this joint venture arrangement. They seem to want to go back to the old system whereby the ACT taxpayers got much less return than they ought from their investments. Mr Kaine asks a question. The program has been carefully worked out and we have entered into an agreement which ensures that the guarantee is fully covered. Already the sales are indicating that that is the case. Mr Kaine might try to beat up an anxiety. That commitment was carefully examined, and there is no problem with meeting that commitment. It will never arise. If it should arise, the assets are clearly there.

MR KAINE: I have a supplementary question, Madam Speaker. The Minister is evading the question. Minister, given the projected downturn in housing in the ACT that everybody is talking about today, if you have been listening, what if this company decides to opt out of its undertaking tomorrow and you have a commitment to the Commonwealth Bank for $25m? Where does the money come from?

Mr Lamont: I take a point of order, Madam Speaker. Question time is a process of seeking factual responses. The question is hypothetical.

MR KAINE: I am seeking a factual response, Minister.

MADAM SPEAKER: Order! Mr Kaine has not completed his question. Mr Kaine, complete your question without the "what if" bit.

MR KAINE: I thank you, Madam Speaker, for protecting me from this assault by the Minister. He obviously believes that Mr Wood cannot account for himself. My question is: If they opt out tomorrow and there are obligations - - -

Mr Lamont: Madam Speaker - - -

MADAM SPEAKER: Mr Kaine, the "if" bit is the hypothetical bit. That is the problem.

MR KAINE: This is not a hypothetical question at all.

Mr Humphries: I raise a point of order, Madam Speaker.

MR KAINE: We have a commitment under a contract, Madam Speaker.

MADAM SPEAKER: Who wants to take a point of order? Mr Humphries, I will listen to you.

Mr Humphries: Madam Speaker, Mr Kaine is clearly asking: What does the contract provide in these circumstances? That is a question of what the contract contains. Therefore it is not a hypothetical question.

MADAM SPEAKER: Thank you, Mr Humphries; but what I cautioned Mr - - -

Mr De Domenico: We want to know whether the Minister knows - - -

MADAM SPEAKER: Order! Just a minute, Mr De Domenico. What I am trying to say, Mr Humphries, is that if Mr Kaine could word it in exactly the way you did, without the "if" in it, it is not hypothetical. That is what I meant - without the "what if".

MR KAINE: It is not hypothetical. No matter how I word it, it is not hypothetical.

Mr Connolly: You have said "what if" twice. It is hypothetical.

MADAM SPEAKER: Mr Humphries had it right.

MR KAINE: We have an obligation under the contract, do we not, Mr Attorney-General?

MADAM SPEAKER: Order! Mr Kaine, please rephrase your supplementary question. Proceed.

MR KAINE: Madam Speaker, I think the intent of my question is quite clear. Where does the Government get the money from, other than from the taxpayer's pocket, to pay out this $25m commitment if the system fails - and your contract envisages that it might, otherwise you would not have such a guarantee in there?

MR WOOD: Madam Speaker, I think the Liberals are getting themselves into difficulties. The amount of asset there is clear. There is no question. Mr Kaine might come out to Harcourt Hill with me one day and see the amount of asset.

Mr Kaine: The asset that is there at the moment is our land. We already own it.

MADAM SPEAKER: Order!

MR WOOD: I will take you out there one day, Mr Kaine.

Residential Redevelopment - Turner-O'Connor Area

MS ELLIS: My question is also to the Minister for the Environment, Land and Planning. Could the Minister advise the Assembly on the current status of proposed medium density developments in the Turner-O'Connor area?

MR WOOD: Madam Speaker, there is some activity in the Turner area about redevelopment. The Planning Authority is aware of two proposals. One has been lodged for Condamine Street, across the road from the school. Those plans are available on the public register. I think both Mr Lamont and I have been quite strong in our statements that the plans that we have seen are a long way off meeting any of the requirements that we would put in place. The developer has been told to amend those plans if he wishes to have any consideration given to them.

There is a further development proposed by the Australian National University at David Street, and a couple of other streets in that vicinity - a development to host graduate students and visitors to that university. As yet, there has been no lodgment of those plans, although I understand that the ANU is taking those plans through the community and has had one or two local meetings. Again, those plans will need to meet the strongest requirements that we have in place.

Tuggeranong Hyperdome

MR CORNWELL: I was pleased to hear the Minister talking about investments a little earlier, when answering a question. Seeing that Ms Ellis has asked a question in relation to my electorate, I will return the compliment. The owners of the Tuggeranong Hyperdome have applied to the ACT Government for approval to expand the Tuggeranong shopping centre by an additional 16,000 square metres. Minister, do you intend to conduct a detailed study on the impact which this expansion will have on other retailers in the Tuggeranong Valley - not necessarily only in the Hyperdome but in the Tuggeranong Valley itself - many of whom, I understand, are struggling?

MR WOOD: Madam Speaker, I am not sure whether Leda Holdings has lodged an application yet. Certainly, they are considering such a proposal. They have spoken to me about it. My advice to them has been that there is a very long process involved for such a proposal. It involves quite significant changes in that area and a very large increase in retail space. At the same time, that proposal is pretty well known and there is no shortage of other people in the community expressing grave concern about it and the impact that it will have on retailing, mainly in the Tuggeranong area but perhaps more broadly.

This is a society that is becoming increasingly deregulated, getting away from the older days when the NCDC, for example, used to be quite directive about what could and could not go somewhere. The Government has not made a decision for or against the proposal at this stage; nor perhaps is it appropriate that we do so. It is probably the best course if

they run a proposal through the fairly extensive community process and see what result that brings. That would allow everybody to comment upon it and the various implications of that proposal. Additional to that, it may be necessary also to have a fairly careful look at the retail needs in Tuggeranong.

A little time ago I indicated that we would be opening up some local shopping centres. They will proceed because the community needs access to a corner store, so to speak, in order to go and get milk or emergency provisions. It is certainly the case that those corner stores, the local centres, do not deal in large-scale selling. People go to the large supermarkets for that. I did indicate when I made the announcement about those local centres, as I recall, that they would be upwards of 500 square metres or so. It has become apparent that that might be a little large. If a local shopping centre is to be viable without too much debt built into it, without too much overhead, it might be desirable to have them smaller with as little investment as possible.

MR CORNWELL: I have a supplementary question, Madam Speaker. Minister, I was interested to hear that you had had representations from Leda in relation to this. Has the Federal member for Canberra, Mrs Kelly, made representations to you in support of this development of an extra 16,000 square metres in the Hyperdome?

MR WOOD: The answer is yes. I have had, I suppose, informal conversations. Mrs Kelly has not come to me in a formal way; but, as I have met her around the place, she has expressed a point of view. I might say to Mr Cornwell that there have been quite a number of people expressing a view to me. It has raised quite a deal of debate in the area. If Mrs Kelly has seen me, or sent a message to me, quite a number of other people and groups also are expressing a view.

Unemployment

MR STEFANIAK: My question is directed to the Chief Minister. Chief Minister, you will be aware that the unemployment figures for the ACT show that we now no longer have the lowest jobless rate in Australia. You will also be aware that our trend rate of 7.6 per cent for October is the highest for 12 months and compares with decreases figures also show that we have the highest youth unemployment rate in Australia, and possibly one of the highest since self-government, at 40.6 per cent. Will you now admit that your so-called jobs budgets of the last three years have utterly failed?

MS FOLLETT: I thank Mr Stefaniak for the question, Madam Speaker. I would like, first of all, to correct an incorrect impression that Mr Stefaniak might have given. The general unemployment figures for October 1994, whilst they are very disappointing figures, and I am the first to admit that, are actually substantially better than they were in October 1993 - about 1.2 per cent better.

Madam Speaker, the strategy that the Government has adopted in looking at the question of unemployment has been a multifaceted strategy. We have in place programs that are designed to assist people who are particularly disadvantaged in the labour market. Those programs include things like ACT Jobskills, where we have devised a six-month program of on and off the job training for people who have been unemployed.

We have the Joblink program, which is under the management of the Chamber of Commerce, where young people, in particular, are matched to jobs in the private sector, and there is a mentoring process for ensuring that those job placements are successful. We have continued funding of programs like Involve, which is designed to give young people, especially, exposure to voluntary work as a way into the employment market. We also have a raft of other programs aimed at assisting, for instance, women who may be returning to the paid work force, Aboriginal and Torres Strait Islander people, and so on. So, we have in place all of those labour market programs that are designed to assist people.

On the other hand, we have also put in place an economic climate which is conducive to business. That has taken a number of forms - for instance, by ensuring that our taxes are in line with the taxes of other States and that there is not a disincentive to businesses to do business in Canberra. We have, for instance, offered support to businesses through the Business Services Centre, through our business assistance scheme, which has been funded in the budget and which offers financial support to businesses. We have also, for example, assisted businesses to be represented overseas, at trade fairs and so on, where it might be of help locally. Indeed, Madam Speaker, the action that we took this morning in putting forward a tax regime which will be of assistance to the casino in expanding its operations overseas is another example of the kind of action that the Government has taken.

Madam Speaker, all of those actions have been taken by the Territory Government. They, I believe, have, over time, assisted us to have the lowest unemployment rate in the country. This is the first month for many months that we are actually the second lowest, not the lowest. I think that that is very much to our credit. Nevertheless, Madam Speaker, we cannot solve the issue alone. We do have to look to the national scene for additional assistance, as does every other State and Territory in Australia. Issues like the Working Nation statement by the Federal Government, which is aimed particularly at assisting long-term unemployed people, will also have an impact here in the Territory.

The one issue that Mr Stefaniak has drawn attention to in particular is youth unemployment. That is a particular problem here in the Territory. It is a fact, Madam Speaker, that the statistics actually measure teenage unemployment - that is, people from 15 to 19 years of age who are looking for full-time work. In the Territory it is a fact that over 90 per cent of those 15- to 19-year-olds are either at school or in some kind of training or have jobs. For the remainder, the task of finding a job is extremely difficult. This is not a town that has enormous opportunities for totally unskilled and inexperienced people, and I am sure that members would be aware of that. What I have launched this week is a youth employment strategy that is aimed at assisting those young people, particularly those leaving school, into the work force. What we have done is to redefine some of the labour market programs and tailor them more specifically to meet the needs of school leavers. As members are indicating they are aware, we have also put together in a booklet all of the information that might be of assistance to those young people, and it will be distributed to all of them.

We have also established a help line aimed at offering immediate advice from one central point to those young people, whether they are looking for a job or looking for a place in the Institute of Technology or one of our universities. There is a large range of activities that the Government is engaged in that are aimed at assisting to bring down our unemployment figures. Madam Speaker, I will say to you that I do not pretend that the Territory Government can do it on its own. There are clearly other factors, national factors, even international factors, at work here, the same as there are for every other State and Territory in Australia.

MR STEFANIAK: I have a supplementary question, Madam Speaker. Firstly, might I correct the Chief Minister in relation to last year's figures? In fact, in October last year there was 6.9 per cent unemployment in the Territory. Now it is 7.6. Chief Minister, my supplementary question relates to our highest youth unemployment rate, at 40.6 per cent. Will you concede, as a result of that particularly high rate now, that something more than just your public relations exercise of the so-called youth employment strategy is needed to address the very real problem here of youth joblessness?

MS FOLLETT: No, I do not concede that, Madam Speaker. I think it is amazing to see the Liberals putting forward that kind of a scenario when, of course, they have no alternative. We saw what their alternative was in the last Federal election, when they had their youth wage - slave wages. That was their only option. If they believe that this is just window-dressing, they clearly have not been listening, or else they are blinded by their own ideology. Madam Speaker, I would also like to say that Mr Stefaniak has used the figures that he wants to use. What he used in purporting to correct me was, in fact, the original series of figures for unemployment, which are highly unreliable. If he looks at the trend series - - -

Mr De Domenico: You have used them. They have not been fiddled with.

Mrs Carnell: You use them when it suits you.

MADAM SPEAKER: Order!

MS FOLLETT: Madam Speaker, I use the trend series of employment figures because they are the more reliable figures. If he looks at those, he will see that the statement that I made about unemployment this October being lower than it was last October is quite correct.

Pre-Election Period Arrangements

MR MOORE: Madam Speaker, my question is also to the Chief Minister. It refers to a letter that the Chief Minister wrote to us today, where she discusses what we refer to as the caretaker period. She suggests that it should commence 36 days immediately before polling day, namely, 13 January. Chief Minister, in the arrangements that you attached you did not deal with paid advertising or information. Will you assure this house that there will not be any government paid advertising or information programs which include reference to any Minister or Government member during that caretaker period?

MS FOLLETT: Madam Speaker, I thank Mr Moore for the question. I am quite happy to take it on notice to the extent that I will check out what he said. My recollection is that the guidelines do canvass the issue of publications and advertising and the fact that, particularly during that caretaker period, they ought not to have a political nature to them; but I will check out what Mr Moore has asked and, if necessary, clarify the position. It is certainly one of the basic tenets of a caretaker period that Ministers or members do not take advantage of their position in the Government to make political points, and I accept that absolutely. In putting in place caretaker provisions, I accept that it is any responsible government's duty to ensure that that is the case.

MR MOORE: I have a supplementary question, just to clarify the point, Madam Speaker. There was some discussion in this house yesterday, Chief Minister, about Mr Connolly being involved in a consumer affairs advertisement. I am wondering whether you would consider that appropriate or inappropriate if it were shown during that caretaker period.

MS FOLLETT: Madam Speaker, that is an entirely theoretical question that Mr Moore has asked. I might advise that Ministers from time to time take part in all sorts of public promotions, including advertising - I have done it myself - in the public interest. I should say that I have not seen the advertisement that Mr Connolly features in; but I am sure that it is excellent in every way and, in fact, a genuine community service, Mr Moore. I do have to say that during the caretaker period - those 36 days before the election - in general terms, I would not consider that kind of advertising appropriate.

Cyclists - Speeding in Shopping Areas

MR STEVENSON: My question is to Mr Lamont. My office has been contacted by an elderly woman. She was good enough to take the trouble to contact us and ask us for something to be done about pushbike riders riding through public shopping areas, particularly when they do so at speed. I know that we do not want to stifle youthful exuberance or to do anything to restrict the riding of pushbikes, which has great benefits in a community; nevertheless, I think we are all aware of people who have had similar problems. I ask the Minister: What is being done about this matter?

MR LAMONT: I thank the member for his question. I congratulate Dennis on receiving his second letter for the year. The question that he raises, however, is an extremely important one. It is an important one because I, as well, have received a range of correspondence throughout - - -

Mr Stevenson: It was a phone call, David. You got the letter.

MR LAMONT: It was a phone call.

Mr Berry: It was a funny.

Mr Stevenson: I do not think it is very funny, Wayne.

MR LAMONT: Are we finished?

Mr Stevenson: It depends on what you are going to say.

MADAM SPEAKER: Order, Mr Stevenson!

MR LAMONT: Thank you, Madam Speaker. The situation is that cyclists are required to exercise caution in any built-up area. There is a provision in relation to riding within 20 metres of a shopfront, I am informed. The question has been canvassed to some extent in the small-wheeled transport strategy specifically - - -

Mr Moore: When you are riding little bikes.

Mr De Domenico: I do that all the time.

MR LAMONT: When you are riding little bikes, or littler bikes. It is of considerable concern, particularly to our older citizens who are unable to get out of the road or to protect themselves with the same type of agility as a younger person. I will provide for you to provide to your constituent, Mr Stevenson, a copy of the requirements. I will alert my colleague Mr Connolly particularly, with reference to the police. I think you were referring to Dickson.

Mr Stevenson: Particularly, yes.

MR LAMONT: We will alert them to take a specific look at Dickson again. I know that it has been looked at, as Mr Connolly indicates, because of previous matters that I have raised with him. It is an area they have specifically targeted. You will also note that the police have their pushbike patrol. One of the reasons for that is to assist them in providing advice to cyclists about how they should behave. The question goes wider. It is not, as I have said, just the question of cyclists. It is a question about all small-wheeled transport in those built-up areas. As you would be aware, I have provided for public comment a very comprehensive document outlining a range of strategies that we consulted with the public about.

I am the last one to suggest that there should be necessarily a prohibition on the use of small-wheeled transport and/or cycles in those built-up areas, but it is one of the options that is canvassed. It has received strong support, particularly from organisations and individuals associated with the seniors clubs, seniors organisations, in the ACT. Obviously, we have to take into account their protection as well as the rights of individual people to use in-line skates or skateboards, or to be able to cycle in those built-up areas.

There has been a suggestion - one that I am particularly attracted to - that in some areas like the Dickson shops there be a total prohibition. You would not be able to ride a bicycle, you would not be able to use in-line skates and you would not be able to use a skateboard within the shopping precinct. That is a fairly well-defined mall-type area. I would be reluctant to see that extended to, say, the city area, which is much more open.

There is a much more defined pedestrian path throughout that centre. We would need to look at the individual circumstances in those shopping centres. I will, as I have said, take up the matter with my own officers as well as making a formal request to the Minister for police to revisit the issue as far as Dickson shops are concerned.

Ms Follett: I ask that further questions be placed on the notice paper, Madam Speaker.

Farm Vehicles - Registration

MS FOLLETT: Madam Speaker, on 14 September 1994 Mr Moore asked me a question relating to the registration of farm vehicles in the ACT. I subsequently answered Mr Moore's question by letter, but I seek leave now to have that answer incorporated in *Hansard*.

Leave granted.

Answer incorporated at Appendix 8.

Assembly Members - Conflicts of Interest

MR CONNOLLY: Madam Speaker, on 8 November Mr Berry asked me a question concerning methadone dispensing. The answer is as follows: The Red Hill pharmacy does dispense methadone. Mrs Carnell has been approved to conduct a methadone program treatment centre at the Red Hill pharmacy under section 150 of the Drugs of Dependence Act. The date of approval was 23 August of this year. One client is registered to receive methadone from the pharmacy. The Commonwealth funds a supply of methadone for the pharmacy. I understand that it is free of charge. Charges by pharmacists are limited to no greater than 1.5 times the government charge, plus $1 per takeaway dose, under a condition of approval as a methadone program treatment centre - although I think Mrs Carnell made some comments about her practice. There is no limit to the number of clients to which a pharmacy may serve methadone; however, clients must be referred from the Department of Health. The department informally agreed with participating pharmacies at the commencement of this program in 1993 to limit ACT pharmacies to a maximum of 20 clients.

Harcourt Hill Development

MR WOOD: Madam Speaker, to fill out an earlier answer concerning Harcourt Hill, I have been advised that the ACT Government has not received any consultancy services from Cygnet - that is our joint venture partner - in relation to development at Harcourt Hill, nor paid for any consultancy services from Cygnet. I am advised further that they were required, however, to provide considerable background information as part of the process, because of their expertise and professional capacity, and that was done at their own expense.

ANSWERS TO QUESTIONS ON NOTICE

MR HUMPHRIES: Madam Speaker, I seek leave to ask a question under standing order 118A.

MADAM SPEAKER: Proceed, Mr Humphries.

MR HUMPHRIES: I did ask a question yesterday of the Attorney-General and Minister for Health concerning questions that are unanswered. I was promised an answer by close of business yesterday. I have not yet received it. I ask another Minister, the Minister for Industrial Relations, Sport, et cetera, Mr Lamont, when I can expect answers to questions Nos 1395, 1396, 1397 and 1398, which were asked on 15 September.

MR CONNOLLY: Madam Speaker, may I unsolicitedly give Mr Humphries some information? Those answers were signed off and, I understand, now have been lodged. The reason for the delay was that they were questions asked of me but they had to be answered by a central agency. Those questions often take a rather longer time to answer than questions that can be answered within the one Minister's portfolio. The answers have been signed off, and I understand from my office - - -

Mr Humphries: So, where are they?

MR CONNOLLY: I signed them off around lunchtime today and I asked that they be lodged in the system. I presume that they are somewhere in the system.

Mr Humphries: Is that also Mr Lamont's position?

MR LAMONT: My understanding is that I am in the same position, but I will verify that for you.

Mr Humphries: You have signed them off as well?

MR LAMONT: I understand that they have been finalised. I will verify that before we finish this afternoon.

PAPERS

MR BERRY (Manager of Government Business): Madam Speaker, I present, for the information of members, the following papers: The Treasurer's Quarterly Financial Statement for the period 1 July to 30 September 1994, and the Australian Capital Territory Aggregate Financial Statement for the period 1 July 1993 to 30 June 1994, together with the Auditor-General's report.

PUBLIC ACCOUNTS - STANDING COMMITTEE
Report on Review of Auditor-General's Reports Nos 8 and 9 of 1993 - Government Response

MS FOLLETT (Chief Minister and Treasurer): Madam Speaker, I seek leave of the Assembly to make a ministerial statement on the Government's response to the Standing Committee on Public Accounts report No. 10, which is entitled "Review of Auditor-General's Reports: No. 8, 1993 *Redundancies;* No. 9, 1993 *Overtime and Allowances".*

Leave granted.

MS FOLLETT: I thank members. Madam Speaker, the Auditor-General presented report No. 8, *Redundancies,* and report No. 9, *Overtime and Allowances,* to the Legislative Assembly in October and November 1993 respectively. Report No. 8 addressed the effectiveness of redundancies in reducing future costs to the ACT Government, and the appropriateness of payments made for redundancies. Report No. 9 examined the overall effectiveness of management in ensuring that overtime and allowances are paid only when necessary for the economic performance of an agency's functions, and the appropriateness of payments in terms of the various awards and determinations under which the payments of overtime and allowances are made.

The Chief Minister's Department met with the Standing Committee on Public Accounts on Monday, 7 March 1994, in relation to the Auditor-General's report No. 8, *Redundancies*. At this meeting three requests for further information were taken on notice. Responses to those questions were provided by letter on 15 March 1994. The committee sought comment from the Minister for the Environment, Land and Planning and the Minister for Urban Services on matters relating to the Auditor-General's report No. 9, *Overtime and Allowances*. The Minister for the Environment, Land and Planning responded to the committee by letter dated 14 February 1994. The Minister for Urban Services responded to the committee by letter dated 17 March 1994.

Following consideration of the Auditor-General's reports, the committee's report reviewing both redundancies and overtime and allowances was tabled in August 1994, and it provides a comprehensive coverage of the issues raised in the Auditor-General's reports. The Department of Public Administration and Treasury have noted the conclusions and recommendations made by the Public Accounts Committee, and, where required, action will be taken to put the recommendations into place.

The Government notes that the Auditor-General's report No. 8, *Redundancies*, found that the use of redundancies has been effective in reducing future costs to the ACT Government, that approval and payment processes in relation to the payment of voluntary redundancies have operated effectively, and that payments have been made in accordance with relevant awards and agreements. I table the Government's response to the Public Accounts Committee's report.

SMALL BUSINESS - DEVELOPMENT AND PRODUCTION
Discussion of Matter of Public Importance

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

The many benefits to be gained by removing the unwarranted taxes, red tape and other impositions and restrictions which act as penalties on small business development and production in the ACT.

MR STEVENSON (3.23): "You are putting so many hurdles in front of small business today that small business can barely jump over them." That was said to me earlier today when I spoke to one of the many small business people in Canberra who find it difficult to survive in the economic climate which we have helped to create. Let me talk about what it takes to have a simple carport built in the ACT.

Mr Wood: It is a good example.

MR STEVENSON: Mr Wood says that it is a good example. I am talking about just four posts and a roof beside someone's house. It takes between two-and-a-half and three months to get that approved. I phoned up about getting a carport. The fellow said that he could come out today and give me a quote. I could have done the deal today. If I had, I would need to wait two-and-a-half to three months before I got the carport up.

Let us look at what actually happens. The builder or the engineer draws the plans for the carport and seeks siting approval from DELP. For 21 days a green sign has to be put at the front of the house where the carport is proposed to be built, and then a further 21 days is allowed for any appeals. During this time the person needs to advise all adjoining neighbours and, when all this is done, needs to sign a statutory declaration stating compliance. I am certainly not saying that there should not be some communication with neighbours. This law has been law for only a year. One person I spoke to said that he had been building garages and carports for 28 years. In all that time he had never heard of anybody making a complaint. In the past year he sent out some 3,000 letters to neighbours of various places where he proposed to put up carports or garages, and there were three objections. Two of them were dismissed and one resulted in a resiting of a garage on the property. They moved it a bit. That is a valuable thing to have. However, what we have takes an inordinate time. It should not take two-and-a-half to three months to get a simple carport put up outside a house. If I said that you could have a carport put up for $320, you would say, "Boy; that is a cheap carport". It is actually not the cost of the carport; it is the cost of the approval of the building plans in the ACT. In Queanbeyan the cost is $60 - a vast difference.

We wonder why it is so difficult for small business in Canberra. It has been estimated recently that there are some 13,000 small businesses in Canberra. It is hard to tell exactly, but that is probably a reasonable figure. Let me look at one of the matters that I have mentioned in this Assembly before on a matter of public importance. There was a company involved in tipping household rubbish. When one of our many taxes was introduced in the ACT - tip fees on businesses only - the company was being crippled by tipping fees. They did something that was very good. They decided that, as 90 per cent of the stuff they were tipping was green, they would turn it into compost. They worked on that for a while and realised that it was a viable situation. They were turning out very nice compost. I have been out there and had my hands in it. They have a wonderful little set-up. They made an application for a site. That cost just under $4,000. That was 22 weeks ago - and there it sits. They made their application 22 weeks ago.

Various Ministers with responsibility in this particular area might comment that it is important that such applications go through various processes. I do not disagree with that; but what about getting out there and helping small businesses, particularly those that are doing something like composting? Why do we not set up a section so that, the moment someone comes up with a good idea, they can be put in touch with some capable people who will get the show on the road?

Mr Wood: More bureaucracy?

MR STEVENSON: No, Bill. It is what you set up when you want to avoid bureaucracy, when you want to avoid strangling people with red tape. I understand that there is value in rules and regulations, but you cannot tell me that for a business to have no result after a 22-week delay is a sensible or justifiable situation. It simply is not, however we may try to justify these things. I do not want to have a go at people, but we need to do something about this as more and more businesses go down the chute in the ACT and more and more of them are living on a shoestring. I raised an MPI about that particular case some two months ago, but still we do not have a result. The key is a result. It is nice that things are being done, but this particular group are confronted with never ending rules and regulations and their business, which is extremely valuable to the ACT, is not operating as it should. I am told that they are losing $500 a day because of the delay. That is amazing.

Many months ago I brought up the matter of an organisation in Melbourne that approached the ACT Government with a proposal to establish a business within the ACT. The business was involved in recycling paper, perhaps using methane gas from a tip. I believe that our tips may not be big enough to link up. I am not 100 per cent sure, but I have been told that that may be the case. A full and detailed submission was made to this Government. It cost quite a lot of money to get that submission done. It was very complete. I have seen it. I have read it. It is superb. It resulted in the Queensland Government offering land and $1m. It resulted in the Berwick Council offering land and money. In fact, the proposal is going ahead in Victoria. Unfortunately, we did not even send a letter of reply to that company in Victoria. Is this promoting small business in the ACT? I think not.

Let me read from a wonderful little newspaper called *Direct Democracy* that we put out. On the back it lists some taxes that have been introduced or that have gone up, many of them again and again. Let me read a few of them:

. Petrol tax introduced
. New 1 per cent tax on rental properties
. Bank account tax introduced
. Police service fees introduced
. Vehicle inspection fee introduced
. Business licence fees introduced
. Assembly costs of over $30m
. Business tip charges introduced
. Betterment tax increased
. Business franchise fees increased
. Cigarette/alcohol taxes up

You might wonder what cigarette and alcohol taxes have to do with small business. You try to run one and you will spend a lot of money on cigarettes and alcohol. The list goes on:

. Parking fees increased - - -

Ms Follett: What about petrol prices down?

MR STEVENSON: Petrol prices are down, we are told. The list goes on:

. Driver's licence fees up
. Payroll tax increased
. Electricity rates up
. Building charges rocket
. Business lease stamp-duty up
. Parking fines up
. Business start-up fees increased
. Business training costs increased
. Water rates up
. Fire and police information service charges introduced.

These are just the ones that concern small business, not ones that concern householders or others. Under this tremendous weight, businesses are trying to battle in a business environment made very difficult by the Federal Government. It has been said that if you want to get involved in a small business in the ACT you buy a large one and wait.

Yesterday I mentioned farm vehicle registration concessions. There used to be a concession in the ACT. I believe that one exists in every other State and Territory in Australia. It has been suggested to me that one of the reasons the concession was stopped here is that some farmers were taking advantage of it and using their registered farm vehicles for normal household use. But the truth of the matter - and I gave a couple

of examples - is that one person had a truck that travelled only 24,000 kilometres in 12 years and that you do not see many people taking their families out on a tractor these days. If there was a problem there, why not handle the problem and still allow a concession for genuine farm vehicles? Farmers, as small businesses in the ACT, are under tremendous pressure.

Unemployment in the ACT is extremely high, particularly among young people. As of May 1994, the unemployment rate for 15- to 19-year-olds was nearly 25 per cent. That is amazing. A total of 6.6 per cent of people are unemployed. I suggest that if you look at how these figures are worked out you will realise that the unemployment rate is a lot higher than that. Their calculation is called creative accounting. It is suggested that, if you are working in a family business, working from home and so on, you are not really unemployed. There are many situations like that. The figures are reduced anyway; but, even if they were not, we would have real problems because total unemployment in the ACT as of August this year was 10,600 people. That is a great number of people in a council size area.

There is another company in the ACT that was given the job of recycling confidential materials from the bunker, from the Federal Parliament. What do you do with all the paper? There are tonnes and tonnes of the stuff. Instead of just dumping it, they worked out a process whereby they could recycle it and get quality recycled paper, which I am informed is a problem. Some recycling processes leave you with paper that it is difficult to recycle because it does not bind well. Nevertheless, this company does the job. They sought assistance from the ACT. None was forthcoming. There has been some departmental involvement. I spoke at some length with the person at their site at Hume. Unfortunately, there were some rules and regulations that almost put the person out of business. Again, I am not saying that I disagree with certain rules and regulations. But I think we have gone over the hill; I think we have gone too far. I have mentioned in this Assembly that since Federation we have produced some three million laws, and we are introducing laws at the rate of thousands a year, with thousands of regulations under those laws.

We have reached the situation where it is tremendously stressful to try to run a business. You have to be very good at the business that you are running. You also have to be very good at accounting. Not everybody can afford an accountant. You have to be very good at personnel management and you have to be very good at trying to ward off government impositions and restrictions and trying to get around red tape, which takes an enormous amount of time. I spoke to a representative of the Business Council about a recent survey, and I was told that a lot of people in the ACT are positive about business potential but are quite apprehensive about the rigmarole you need to go through to get something off the ground and to keep it going and also about the amount of time you need to put in to achieve this. The solution I suggest is some genuine fast-tracking. Let us start rewarding departments for how many new businesses there are and how many businesses expand in some way. That would be a far better idea. I look forward to hearing positive suggestions from the Government and others on how to solve these problems.

MS FOLLETT (Chief Minister and Treasurer) (3.38): The subject of this MPI, Madam Speaker, is an old chestnut that is raised regularly. I think Mr De Domenico was the last one to raise it, but I do not think I have ever heard it raised with less substance and less detail than it was today by Mr Stevenson. It is a fact that the Government is acutely concerned with the need to minimise any genuine impediments facing small business and investment growth. One of the Government's priority tasks, a very early task, was to give the issue of the impact of taxes and charges and business costs as a reference to the Economic Priorities Advisory Committee. EPACT looked at these issues and they consulted with various industry and business bodies. The general conclusion reached by EPACT was that there were no major areas where ACT businesses were disadvantaged compared to other States, and very few examples of overregulation were uncovered.

I am sure that members would be interested to know that a reasonably recent survey conducted amongst members of the Metal Trades Industry Association indicated that State and local government charges and State taxes and fees represented only 2.9 per cent and 1.7 per cent respectively of total operating costs in 1992, while Federal taxes, excises and duties represented only 3.8 per cent of costs. I think this illustrates, Madam Speaker, that, whilst those government taxes, charges and fees are important, they are only a small component of the overall operating costs for business. We need to keep that matter well and truly in perspective. Furthermore, Madam Speaker, the recent McKinsey report on impediments to business investment in regional Australia concluded that taxes and charges levied by States and Territories were not significantly different across States. Only 5 per cent of businesses rated red tape as an impediment to business investment, but almost three-quarters of businesses said that lack of sales and demand was the biggest barrier to investment. Madam Speaker, as can be seen, the rhetoric of red tape is, I believe, continually being overstated.

The implication in the MPI that government taxes and charges and red tape are an impediment to small business growth is simply not borne out by the facts. One of those facts is that we have recorded strong growth in both the number of, and employment in, small businesses since 1988-89. Over that period the number of small businesses has grown by 26 per cent, compared to only 8 per cent for Australia. Employment grew by about 24 per cent, again compared to 8 per cent for Australia. Investor interest in non-residential property in the ACT has picked up in 1994, with increased sales and building activity. Figures on the value of private sector non-residential building activity commenced in 1993-94 signal an increasing trend in private sector interest in the ACT non-residential property market. A very significant example of this was the recent announcement of the sale for $100m of the four remaining buildings owned by White Industries in the Civic complex developed during the 1980s. The yield, rent and vacancy levels in the local property market reflect the stable nature of the Canberra market. This translates to an ongoing investor confidence in the market. This was supported only this morning by speakers at a Richard Ellis property breakfast who drew a positive picture of the Canberra property market based on stability and long-term investment opportunities and continuing high rent levels. As I have stated before, the ACT under this Government has not experienced the boom and bust syndrome of other capitals. This gives greater confidence to investors, to landlords and to tenants alike.

Over the past few years, Madam Speaker, bankruptcies in the ACT have been trending downwards. Since June 1990 bankruptcies in the ACT have decreased by 8 per cent, while for Australia they have increased by 32 per cent. Private sector labour costs in the ACT are the lowest of any State or Territory. A recent report from the ABS, that for 1991-92, showed that, compared to the ACT, private sector labour costs were some 18 per cent higher in New South Wales and 10 per cent higher for Australia overall. Mr Deputy Speaker, the outlook for the ACT economy continues to be firm. The ACT's GSP is expected to grow by 4.5 per cent in real terms in 1994-95. Employment is forecast to increase by 3 per cent in 1994-95, compared with 2.5 per cent in 1993-94.

Mr Deputy Speaker, despite these impressive figures, as the Government we continue to respond to areas that might make ACT businesses uncompetitive with their interstate counterparts. For example, we moved very quickly to align the payroll tax thresholds to those of New South Wales when they were changed earlier this year. Payroll tax is not a tax that a great many small businesses pay. Mr Stevenson's MPI refers in particular to small businesses, but the threshold for the payment of payroll tax is a payroll of over half a million dollars a year. That would give you at least 10, possibly 20, employees. Most businesses of that size in the ACT would probably be classed more as medium sized. The small businesses in the Territory, for the most part, do not pay payroll tax. In fact, the last figures that I looked at indicated that about 13 per cent of businesses in Canberra paid payroll tax. The vast majority of them do not. Nevertheless, as I say, we moved very quickly to align the threshold to that of New South Wales when that was changed earlier this year.

We have introduced also the code of practice for retail and commercial tenancies. I did not hear Mr Stevenson mention that, but it is a fact that the Government has recognised the need to look after the interests of small businesses as tenants. The retail and commercial tenancies code of practice is designed to ensure that they are not disadvantaged by ruthless landlords or by extremely large increases in their rents which cannot be justified. We have also developed an ACT government purchasing policy in consultation with business. We have done that in order to maximise the benefits to local and regional businesses that can flow from government purchasing. There are many other forms of business support that have been undertaken by the Government. The Business Services Centre just across the square outside is an example of that. It enjoys enormous patronage from local businesses and from people considering going into business or seeking to go into business. The work that it does, I believe, is of enormous assistance to small business people in the Territory.

As the Government, we will continue to liaise with business organisations to monitor the impact of any identified impediments. However, it is worth drawing to the attention of members the main conclusion of the McKinsey report - the importance of not red tape and taxes but, in fact, regional leadership in the development of small businesses. First and foremost are the commitment, the energy and the attitudes of the leaders of local businesses. A region's No. 1 lever for encouraging growth is its existing people and businesses. The extent to which businesses are outward looking, energetic and committed to growth will be critical to achieving investment growth.

Mr Deputy Speaker, I believe that the Government has ensured that ACT businesses are provided with the best possible environment within which to grow and to prosper. I reject the inherent criticism in Mr Stevenson's MPI that refers to unwarranted taxes, red tape and other impositions. I consider that small business in the Territory has done well and will continue to do well. The reason for that, of course, is that small business is extremely important to the economy of our Territory. It is a major employer. There is no doubt in my mind that small to medium business will be the engine of growth as we come out of the recession, so it ought to be supported. Making silly statements about unwarranted taxes, red tape and other impositions obscures what is actually happening and the assistance that is actually flowing to those businesses.

MR STEFANIAK (3.48): The Chief Minister says it; I hope that she believes it. I do not know that she necessarily understands it, though. Unfortunately, some of the greatest concerns of Canberra businesses are unwarranted taxes, red tape and other impositions and restrictions that act as penalties on them and as brakes to development and production in the ACT. Of course, Chief Minister, we are only a reasonably small cog in the national scale; but there are a number of things we can do that can assist business here, especially small business.

Mr Stevenson is not necessarily raising the hoary old chestnut again. It is, as you have indicated, a very important part of the ACT economy. The economy is based on small business and, if small business does not prosper, we do not prosper; it is as simple as that. It is where our future employment is going to come from. It is where our kids will be getting jobs. One only needs to go out to the suburban shopping centres to see the number of small businesses that have closed. One only needs to see the hardship caused to a family when a small business closes. One only needs to understand what small business goes through to understand that there is a need for reform, and there are a lot of things we can do here in the Territory to make things better. When I was out of this Assembly I acted for a number of small businesses that went broke. Sure, some of the reason for that might have been the economy; some of it might even have been their own fault. But a lot of impediments in their way were put there by government. That may not necessarily have made them go broke; but it certainly caused them to devote a lot of time, sometimes needlessly, to the red tape, when they could have been concentrating on their business.

The Chief Minister has mentioned the Economic Priorities Advisory Committee and referring matters to it. I think it is indicative of the state of small business in the Territory and of the problems it faces, and perhaps of the lack of real appreciation by this Government, that certain members of that committee are no longer there because they felt that it was a futile exercise. I sadly quote a letter of resignation from one of its members, George Snow, who resigned on 5 October 1993. After some preliminary comments in relation to his regret at doing so and his thanks to the chairman at the time, Professor Gruen, he said that it was a difficult decision for him because he had been committed to a consultation process between the private sector and the Government and he had been a member of various government committees for the past 10 years. These committees had sought to advise government on various aspects of economic and development policy. He stated:

... I believe there is a requirement for Government to deliver the appropriate level of services efficiently and effectively, thereby being within a fiscal framework that is conducive to economic expansion.

Prior to self-government the Business Council prepared a "*Budget Blueprint*" paper, which established the opportunity for the ACT city state to provide a fiscal environment distinctly different from elsewhere in Australia, which would be one characterised by moderate taxation and a disciplined expenditure and low debt. Sadly, this unique opportunity is now being squandered.

In budget figures available to me from 1988-89 to 1992-93, general rates have increased $25 million, an increase of 52%; land tax has gone up $15.6 million, an increase of 222%; payroll tax is up $31 million -

as Mr Stevenson mentioned, quite correctly -

an increase of 52 per cent; stamp duties on general insurance have doubled as has motor vehicle insurances and stamp duty on share transfers. Petrol franchise taxes have doubled and financial institutions duty has gone up 300%.

Mr Connolly: The Alliance did that one, Mr Stefaniak, you may recall.

MR STEFANIAK: I am coming to that, Mr Connolly. I do not think you have helped matters much. The letter goes on:

Although some of these revenue mechanisms have just been brought into line with the States, we have seen the evolution of the ACT Revenue Office extending payroll taxes into areas of fringe benefits tax and long service leave entitlements, contrary to the practice in New South Wales and Victoria. In other words, we are winding up a big administration to collect taxes with little discipline being applied to expenditure and with the latest budget figures forecasting an increase in debt of well over $200 million in the next four years.

He is critical, in part, of the Alliance Government, although he does actually praise that Government. He says:

Therefore, successive Governments in the ACT have avoided the difficult decisions in delivering responsible budgets and, in retrospect, the only expenditure reductions have only been those forced on us by the substantial reduction in Commonwealth funding. The ACT Government ... have simply avoided the major hard decisions in the reduction of expenditure, reduction of programs and the efficient and effective delivery of services that are required.

Mr Connolly: You tell us what the Liberals would slash.

MR STEFANIAK: The only glimmer of hope, Mr Connolly, in this bleak picture was a substantial commencement of the restructuring of the hospital service commenced by the Alliance Government. He continues:

Put simply, I believe the ACT Government is hostage to various interest groups in the community who will not allow it to make any meaningful reduction in expenditure levels and prefers to force on the community an increased revenue burden and long term debt.

Whilst written last year, that has continued to be the case this year. Mr Stevenson mentioned some problems a particular industry is facing - 22 weeks for its current application, but I understand that that goes back about 18 months. Complaints we get from business, including the business Mr Stevenson mentioned, amongst others, highlight a number of problems this Government has not cared about and has done nothing much about. It would not take too much to do something about them.

Business people constantly complain about a cumbersome regulation structure which necessitates multiple handling within multiple departments and agencies, resulting in the flow of information being completely disjointed. That is certainly the case in relation to Earthcare Industries, which Mr Stevenson mentioned, and it is the case in so many applications for good sensible ideas that will help ACT business. There is poor communication and a system that is not user friendly. Business, especially small business, feels that there is no encouragement to it, only hurdles. There is no understanding by the relevant government bodies of timeframes and of the fact that lengthy waiting times mean loss of money for business. The Government needs to streamline its system. Perhaps the leasing and planning regulations and legislation need to be simplified. That is a criticism too, as is overregulation of the planning legislation and slow and costly design and siting procedures. Mr Stevenson used the example of the carport, and Mr De Domenico raised the issue of a carport that took four months. I do not think that could possibly occur anywhere else in Australia. There is also criticism of the slow and costly procedures in the building section.

Innovative local businesses such as the Chameleon Icecreamery have experienced difficulties. I am glad to know that Mr Wood thinks there may have been some problems there and that he is going to investigate; if he does not, we certainly will in 1995. That is one of several local businesses that seem to be passed over in favour of multinationals and had red tape put in the way of their very sensible proposals. I wonder what answers this Government has. I wonder how much it really does appreciate what business is all about. Being a government of leftist persuasion, perhaps it does not really appreciate the very simple maxim that businesses, especially small businesses, need to operate effectively, because if they are operating effectively the economy in the area is doing well, employment will rise, and we will all be better off. Profit is not a dirty word. Profit equals investment and investment equals growth and growth equals jobs. Without profit, you do not have business.

There is another area where this Government in recent times has come to grief. Perhaps it is slowly dawning on the Government that it is pointless making the ACT more costly than surrounding areas in New South Wales. The Chief Minister, to her credit, indicated that the costs for small tour bus operators would be reduced. Seven-seater buses will cost the same to register as seven-seater buses in New South Wales and will not be classed as 60-seater Murrays-type coaches, saving them about $600 a year. However, there are some other areas of concern. I understand that if you have an enclosed ute which you use for a work vehicle - it might be only one tonne; it is basically the same as a car - there is an extra $150 or so to be paid on its registration. That does not apply across the border. Many people are avoiding ACT FID taxes by doing business in New South Wales because it is cheaper there. How many other areas are there where businesses pay less in New South Wales than they do in the ACT? It is only a short hop, step and jump across to Queanbeyan or over to Murrumbateman or Yass. You can run your business there, which is great for those little economies; but it is not crash hot for the ACT. Government needs to ensure that we are in line and competitive with New South Wales.

Madam Speaker, the Liberal Party realises the problems faced by business, especially small business. We realise that red tape is a concern for them and, for that reason, we are establishing, upon attaining government, a red tape task force, with members of the public sector and representatives of business looking at what regulations are necessary and what regulations are duplication or triplication, totally superfluous impediments to business. Getting rid of unnecessary regulations, I think, will be a very good start.

MADAM SPEAKER: Mr Stefaniak, your time has expired.

MR LAMONT (Minister for Urban Services, Minister for Housing and Community Services, Minister for Industrial Relations and Minister for Sport) (3.59): Madam Speaker, that was probably one of the more entertaining dissertations it has been my fortunate experience to hear from the other side. I have not had the opportunity to laugh as much about what allegedly has been said with some sincerity for the entire almost three years of this Assembly. It could be because Mr Stefaniak has only just rejoined us. He talked about what the Liberal Party will do upon gaining government. First of all, that will not be occurring, so I suppose that it is an empty threat. However, let us assume that it is not. For a moment, let us live in the Land of Nod. The Liberal Party, says Mr Stefaniak, will set up a task force, which means, quite frankly, that they have not considered the issue up until now. That is very simple. They have had no policy up until now in relation to these issues. I think what they have said this afternoon is a quite clear acknowledgment of that and a rather scathing indictment of the very shallow and superficial way in which they have treated this MPI.

Let me go on, Madam Speaker. When I look at the policies of the Liberal Party - - -

Mrs Carnell: You just said that we did not have any.

MR LAMONT: Mrs Carnell, that is why, as I was about to go on, it took me very little time to review those policies. When Mr Kaine was Chief Minister in the Alliance Government his party and the Alliance managed to butcher most of the business in the ACT. We talked earlier about unemployment figures. It would be interesting to know the unemployment figures that applied during your party's tenure of office,

while you were in this Assembly, Mr Stefaniak. But, at least when Mr Kaine was Chief Minister and when he was the Leader of the Opposition, Mr Kaine and the party he represented were prepared to put forward a range of policies that they believed the party should pursue when - heaven forbid - they gained government.

Mr Kaine: I am still here.

MR LAMONT: Yes, but do you know what has happened since, Mr Kaine? Not only has your leader taken your policies and thrown them out; she has not had the guts to stand up in this forum - or, might I add, any other - and put on the table what your party's policies now are. I say that that is because you do not have any. All you have, Mr Kaine - and I have great sympathy with you for this - is a carper. Every time a matter such as land taxes or rates is raised, what happens? "Off the top of my head, here is the policy statement" is the answer that has been given time and time again. What about business regulation? "Off the top of my head" is the answer you get.

At least when Mr Kaine was running the ship, not only Government members and the Independent members in this place but also the community could have a look at those policies. They could pick them to pieces where they saw fit; and they could compliment you where they agreed with them and they could understand what they meant. What is going to happen with this alleged alternative government? Mrs Carnell will wait, probably until the last week, probably until the last 20 minutes, when she will be able to do it off the top of her head again. We will get the Liberal Party policy on small business, government regulation, the public service and health. I am yet to hear what your policy is for the small business sector in the health area. You do not have one. Your last small business health program saw you closing down one of the largest organisations in the public sector health area in the ACT.

The $17m man is absent this afternoon, probably still licking his wounds from this morning. Let us have a look at the things he was going to do to assist small business. Again, it will be a very short exercise. On the one hand we have, as Mr Stevenson has pointed out, a raft of, in my view, quite proper business regulation - business regulation which is similar in most cases to that which applies in other States. We can argue about whether it is less or more. We can argue about whether it is applied in the right circumstances or not. I agree that we can have those arguments on matters of justice, equity, applicability and so forth. But the argument you cannot have, Mr Stevenson, is that we have a plethora of regulations that do not apply to business interstate.

I notice that we have in the Assembly this afternoon a person who has called for regulation of one of the largest small business areas in the ACT, that of retail tenancies. Here it is, Mr Stevenson. I have read about him in the newspaper over the last couple of weeks, bemoaning and chiacking the Government about what it does and how it operates the regulations; but, along with people in this chamber on that side of the house, he has called for further regulation of small business. I happen to believe that the retail tenancy code is an appropriate way to proceed; but I regard as absolute hypocrisy what I have heard this afternoon, particularly from Mr Stefaniak, about this terrible red tape.

It is that sort of regulation that allows for proper business relationships to be established within a free market system, as it is called. I suppose that, if we were to accept that definition in its totality, we would say, "We will cut all regulation. There will be no regulation of business at all. It can establish where it likes. It can conduct its business how it likes. It can serve up its product how it likes. It can charge what it likes. It can create monopolistic situations as it likes". The fit will get fitter and the poor or the disadvantaged or those who are smaller will disappear. I suppose that that is the law of the jungle; but in any society, whether you accept it or not, in this country there is an acceptance that you do need a proper base of regulation within business. Even with that proper base of regulation, we still find that there is an abuse of those systems, an abuse of trust, an abuse of power, an abuse of position, and an abuse of privilege.

Mr Cornwell: Yes, but we do not talk that much about the Labor Government.

MR LAMONT: Do not start me, Mr Cornwell. What happens is that, even with regulation, we see the abuse of those positions. What do you believe would happen in this society without proper regulation?

Mr Stefaniak: There is nothing wrong with proper regulation; it is overregulation.

MR LAMONT: Is it not marvellous that we get this sort of stupid interjection? This is the same person from the same party who did not believe that we should have the retail tenancy code.

Mr Stefaniak: I think that is great, David. We need that. I am talking about overregulation. What are you doing about overregulation?

MR LAMONT: Here it is: A new regulation put in to properly administer and control the relationships that exist in that business context is okay now, but what about this new overarching piece of regulation that has been put into the ACT for the benefit of those small businesses you were talking about? The way in which the debate has been conducted this afternoon by Mr Stefaniak shows a stark amount of hypocrisy on his part. I could go on for the next 45 minutes - I am sure that Mr Stevenson would give me an extension - in relation to the cooperation that exists in promoting and assisting small business particularly to establish in national and international markets out of this region, but I will do that at another time, Mr Stevenson.

MR KAINE (4.09): I sometimes am amazed at what happens in this place. Mr Stevenson has brought before the Assembly a matter of genuine public importance. It is not something that came up yesterday or today; it is a matter that has been on the agenda literally for years. What is the Government's response? The Chief Minister stood up there for 15 minutes and told us how great everything was. If people heard only the Chief Minister's response today, they would assume that the ACT economy was thriving and everybody was doing just great. I do not know where she lives. She never goes to talk to anybody, obviously. She must not even go down to the local shopping centre

in Downer to see what is happening there. You have only to walk around any shopping centre in this city or around any of the industrial areas in this Territory to see that things are not okay. You have only to stop and talk to a few small business people to know that things are not okay. So much for the Chief Minister. I do not know what sort of world she lives in, or where she lives; but the world that she was talking about bore no relationship whatsoever to reality.

Then we had Mr Lamont. What does Mr Lamont do? Mr Lamont attacks the Opposition. We are not in government. Hopefully, we will be, come February, and then we will put into place plans that are well developed to do something about the problems of business in this Territory. We have observed the performance over the last two or three years of Mr Lamont and Mr Connolly. Every idea we put forward, whether it is rates reform or whatever, the Government picks up and implements and says, "Look how good we are". Even if it does only a Clayton's review of rates, it says "Look how good we are. We have reviewed rates". If Mr Lamont, Mr Connolly and the Chief Minister think I am going to stand up here and outline in detail what the Liberal Party will do to assist small business next year, so that they can then conduct an election campaign for the next three months trying to knock off everything we say, they have rocks in their head.

Let us have a look at what their policies are. We did not hear from them about what their policies are; just criticism. There was very little substance in what either of them said, but there were one or two comments we cannot allow to pass. The Chief Minister talked about all the good stuff they are doing for business, and she gave an example. She said, "Even today, we tabled a Bill that gives the casino some tax relief". I would submit that the casino is one business in this town that does not need any. If we have surplus revenue that we can give away or dispose of, why do we not have a look at the small businesses that are struggling every day and give them some tax relief and let the casino take care of itself? I do not think the casino needs any support or any help in a financial sense from this Government, or from the taxpayers or small businesses of this Territory. It is the last thing they need. They are quite capable of carrying the costs of their business.

Let us look at what has happened. Mr Stefaniak talked about some of these things. This Government is much in favour of private enterprise, much in favour of small business. They pay lip-service to the concept of small business, as the Chief Minister says, being the engine of economic development. I have pulled out some statistics, with 1990-91 as the base year. That was the year when we had an Alliance Government, which these people are so scathing of. I then looked at the estimates for last year, 1993-94, and made a direct comparison. For payroll tax, in 1990-91 the estimated revenue was $68.6m; in 1993-94 it was $93.3m - a 34 per cent increase. What has been the movement of the CPI since 1990-91? About 15 per cent would be a generous estimate. But payroll tax has increased by 34 per cent. For financial institutions duty, in 1990-91 our estimate was $8m worth of revenue; in 1993-94 the estimate was $23.7m - a 300 per cent increase in financial institutions duty.

They come in here and tell us all the good stuff they are doing to help business! They have small business on its knees, and it is that sort of tax imposition that is part of it. The Chief Minister said, "Oh, no sweat, because our experts tell us that taxes, charges and fees at the Territory level account for only 3 per cent of the cost of running business". What absolute rubbish! She ignores the fact that it is not only the taxes, charges and fees the Government imposes; it is the whole impact of Government policy across everything business does that creates the burden. That total burden is, I submit, rather more than the 3 per cent the Chief Minister talked about.

I do not know where the Chief Minister and Mr Lamont live. Sitting in the visitors gallery is a gentleman many of us know. He went to a community council meeting in Tuggeranong the other night, which I go to regularly, and he made a very long speech about the problems of small business. The Chief Minister does not have to set up this spurious consultation process; all she has to do is go to a few community council meetings and community meetings of all kinds, where people like Mr Henry come along and say what the problems are. She does not need to go through this spurious consultation process; all she has to do is listen. She can take a walk through the suburbs and observe with her own eyes what is happening.

At that same meeting there was a local businessman from Wanniassa who made an impassioned plea that no more retail shopping space be opened up in Tuggeranong. He had good reason for that. His arguments were valid. But what do we hear today? The Minister is entertaining a proposal to add 16,000 square metres of space to the Tuggeranong Hyperdome.

Mr Cornwell: Supported by the member for Canberra.

MR KAINE: The member for Canberra, we were told, has actually put this proposition to the Minister and supported it. He says, "There is no proposal, but there has been an enormous amount of debate". With whom? Has he had any debate with the small businessmen and retailers in Tuggeranong? Obviously not. Mr Wood, I submit, has only to do what I suggested to the Chief Minister: Go down to the Calwell shopping centre, just around the corner from where he lives, and ask a few of the small businessmen in the Calwell shopping centre whether they want any more retail space on their doorstep. While he is there he might even have a little chat to them about all the difficulties they are having in keeping their heads above water.

Madam Speaker, it is absolutely appalling that, on a very serious, compelling subject that needs to be dealt with seriously, we get the Chief Minister telling us how great the world is - the rosy world she lives in - and Mr Lamont attacking the Opposition, not putting forward what the Government intends to do to fix the problem. In other words, as far as they are concerned, this is just an academic debate. It is not an academic debate for the 11,000 small business people out there. They are on their knees. I would like to hear, before the debate is over, one of the Ministers on that side of the house tell us what they are going to do about it. Seriously, I would like them to get away from it being an academic debate, take the issue as a real issue, and tell us what they are going to do about it. I have not heard anything productive from them yet.

MR WOOD (Minister for Education and Training, Minister for the Arts and Heritage and Minister for the Environment, Land and Planning) (4.18): Madam Speaker, I want to come in initially on the question of approaches to me by Ros Kelly. The Opposition seems to be suggesting that it is remarkably strange that Ros Kelly should be promoting something down in Tuggeranong. Mrs Ellis will tell you that the alternative name for the Tuggeranong Town Centre, well known around Canberra, is Kelly Town. From day one Ros Kelly has not stopped promoting that centre. She went out and convinced people to go there. The fact that the Social Security building is there is due to Ros Kelly. You seem to say that there is something surprising in the fact that she should now promote further development there. How strange it is! What a ridiculous attitude you have! Ros Kelly has never been anything but the most outspoken proponent for that town centre and for Tuggeranong in general. Now, suddenly, you are saying to me, "Gee, that is strange. Why is she doing that?". She has done it for 10 years or more.

It is remarkable that the Liberal Party, coming in on this debate in which Mr Stevenson says that we want less red tape, less regulation, is now saying, via Mr Kaine, "Throttle it; close it". How will you do it, Mr Kaine? Only by regulation. We have in place here processes that every leaseholder in this Territory, every proponent of an idea, would want to be able to use. Mr Kaine is saying that we have to stop this. That is a legitimate view. How would you stop it? By regulation. I would have to take some measure simply to say no, and I expect that I would have to fall back on some regulation or I would finish up in the ACT Supreme Court.

Mr Kaine: Just do not approve another 16,000 square metres at the Tuggeranong Hyperdome. It is as simple as that. You do not need any regulation to do that. You have the power, Minister, to do it.

MR WOOD: That is a very interesting proposal coming from Mr Kaine. I think you should go out there and sell that. Maybe you should go down to the Tuggeranong Town Centre and say, "I do not want any more expansion here". It is a legitimate view and it is one I am having to deal with. I am having to deal with this situation of the viability of shopping areas, and I have to decide. I will not indicate just what I will do at the moment, because it is a matter of consideration by me, by my department and maybe by the Government. But I am certainly surprised at the approach of the Liberals.

This debate Mr Stevenson has raised was one that we had in the Assembly. The specific point was one we debated in the Assembly some months ago when it was raised by Mr De Domenico, and it was over the question of garages. Mr Stevenson says that there have been three objections in 3,000 letters, or something like that. My experience is that it is a bit more than that. Again, there are differing opinions. This Assembly over nearly six years has said emphatically, day after day after day, that we have to give the community the chance to be involved in what happens in their neighbourhoods. Mr Stevenson accepts that, and he is as outspoken a person in defence of that as anybody. We do that, and that, I have to say, involves some regulation, some red tape, and it does take time. These are the things, as was said earlier in this debate, that we have to balance. We have to provide for the expeditious delivery of services.

I want to finish on the point that we are doing that within the Department of the Environment, Land and Planning. There has been a very comprehensive survey of their processes. They have gone out to their clients, the people Mr Stevenson spoke about in this debate, and said, "Where is it wrong? How can we deliver it better?". We will be responding soon to that process. Again, it will be a balance of how we can better respond to what you want while preserving the rights of the community, preserving that consultation, and ensuring that everything is done fairly. That is the balance we will establish, and I believe that we will be able to do that quite successfully.

MADAM SPEAKER: The time for the discussion has expired.

PUBLIC ACCOUNTS - STANDING COMMITTEE
Report on Review of Auditor-General's Report No. 4 of 1994

MR KAINE (4.23): Madam Speaker, I present report No. 16 of the Standing Committee on Public Accounts entitled "Review of Auditor-General's Report No. 4, 1994 - Gaming Machine Administration and Banking Arrangements". I move:

That the report be noted.

The Auditor-General's report dealt with two different matters. One related to gaming machine administration; the other related to the banking arrangements currently in place for the ACT Government. In connection with the banking arrangements, the Auditor-General found things generally to be in order, as he did, generally speaking, with the administration of gaming machines. However, he did make some recommendations on one or two aspects of gaming machine administration. The Public Accounts Committee followed those matters up. We have made, essentially, two recommendations which we would ask the Government to take up.

Question resolved in the affirmative.

PODIATRISTS BILL 1994

Debate resumed from 13 October 1994, on motion by Mr Connolly:

That this Bill be agreed to in principle.

MRS CARNELL (Leader of the Opposition) (4.24): Madam Speaker, the Opposition does not intend to oppose this Bill; in fact, we warmly welcome it, as it will provide for the control of the practice of podiatry and all matters relating to the profession within the ACT. As such, I will not spend too much of the Assembly's valuable time on going over what has already been said.

As the Minister for Health stated in his tabling speech, the Podiatrists Bill is the first of two new health profession registration Bills which will bring the ACT into line with other Australian jurisdictions which currently have statutory regulations for this occupational group and for psychologists as well. As the Minister will be aware, these two Bills have been on the table since Mr Humphries was Minister - I expect, since Mr Berry was Minister the first time, in fact. It has taken an extremely long time for them to come on for debate.

Mr Humphries: Mr Fadden was Minister when they first came up, actually.

MRS CARNELL: I think that Mr Fadden was, too. Unfortunately, it is only now, in the last few weeks of this Assembly, that the Government has finally managed to bring on for debate legislation to register these two other health professions that have not been registered until now. Possibly we should refer them to committees, as they are quite definite changes in the way that we do things. However, I am pleased to note that this Assembly has already dealt with, and successfully passed, other amendment Bills to bring us into line with mutual recognition requirements nationally.

The Podiatrists Bill 1994 provides for the establishment of a five-member board of podiatrists which will comprise a chairperson and three members who must be registered as podiatrists and appointed in accordance with the Health Professions Boards (Procedures) Act 1981. The remaining member will be a community representative - something that I very strongly support. All boards should have community representatives on them. Once the board is established, those podiatrists who are subsequently registered must be recorded on the register of podiatrists. The board will be required to publish the register annually, and members will be required to pay a fee upon registration. A fee will also be required if members wish to update their own details and inspect the register. Failure to change any personal details on the register could incur a fine by the board.

In terms of registration, the Podiatrists Board must consider all applications, and the Bill sets out all the provisions by which a person may be registered as a podiatrist in the Territory. Full registration will depend on a person's qualifications or training or registration in another jurisdiction, and it is on this basis that the board will consider potential podiatrists for full and unconditional registration or registration subject to conditions. Eligibility for full registration in the ACT will be subject to confirmation of qualifications which may have been acquired in another State or country or training which may have been undertaken in another State or country.

Conditions for registration will apply when the board believes that existing circumstances could, in some way, adversely affect the way in which the person delivers podiatry services in the Territory. Cancellation or withdrawal of registration by the board may also occur if a situation arises that warrants the refusal of continuing registration. This may include a criminal offence or inability on the part of the person practising to deliver the service competently to the community. Re-registration will be restricted until it is evident that the situation which warranted deregistration no longer exists and has diminished to the extent that harm could no longer be caused through practising.

A right of review is provided by the Bill, through the Administrative Appeals Tribunal, against decisions made by the board. Some decisions would also be subject to review, including decisions to impose conditions on registration; cancellation of full or interim registration; refusal to remove conditions; and the imposition of a fine. Finally, as there are currently no podiatrists registered under the ACT system, the Bill gives the Minister the discretion to make the first appointment to the board. Therefore, this first appointee must be providing podiatry services at the time and for three years preceding the commencement of the Act. They must be entitled to practise podiatry in another State or Territory.

Madam Speaker, this legislation is long overdue and should have been brought before the Assembly a long time ago. It shows, when there is not a pressing need, how long this sort of legislation can take. It is very unfortunate that legislation of this importance - because it is legislation to protect the community, as the Minister said in his tabling speech - has been delayed for so long. However, the main concern that I have in terms of financial implications is that, when the Government actually came to telling us what this legislation would cost, the comments were that the costs would be met from within existing resources. We would be very interested to know from the Minister exactly how much it will cost, and who is going to pay. Certainly, we know that the podiatrists are going to pay a registration fee, but it would have been nice for the Minister to have presented to the Assembly some costings. Obviously, the community's protection must come first, as it should have many years ago.

Certainly, the Opposition strongly supports this piece of legislation, as did Mr Humphries when he was Minister. It is unfortunate that it has taken this long. It is also unfortunate that other health professions, such as speech therapists and occupational therapists, will not be awarded the same sort of legislation and the community will not be given the protection that it deserves in regard to these two occupations, due to a Federal Government decision.

Debate interrupted.

ADJOURNMENT

MADAM SPEAKER: Order! It being 4.30 pm, I propose the question:

That the Assembly do now adjourn.

Mr Berry: Madam Speaker, I require that the question be put forthwith without debate.

Question resolved in the negative.

PODIATRISTS BILL 1994

Debate resumed.

MR CONNOLLY (Attorney-General and Minister for Health) (4.31), in reply: Madam Speaker, Mrs Carnell was a bit harsh in her criticism of Mr Humphries in her attack on the failure, years and years ago, of the Alliance Government to do anything about regulating podiatrists. This is something that Mr Berry promised at the last election that we would do, and we have done it. I am pleased that at the end of the day the Opposition does stand foot to foot with us on this significant step forward. The matter that I would like to point out in my closing remarks is a fairly significant provision which is relevant to a professional group such as this, but perhaps not to others such as psychiatrists, dentists or medical practitioners. There is a range of professional training courses and recognised academic qualifications for podiatry now, but that was not always the case. There are some persons who have been practising in Canberra for many years and who certainly know their profession very well. Everyone has total confidence in their ability to practise podiatry. They have practised successfully in the public or private sectors for many years. In fact, they came into podiatry - in some cases, not in Australia - when it was perhaps learnt more as a trade, where you undertook a form of apprenticeship as a podiatrist, rather than go to an academic institution and obtain a piece of paper.

While we would not provide for recognition of medical practitioners who do not have a medical degree but who have picked up a bit of training at some time in the past, for podiatrists, it is something which we think is appropriate; and there is a mechanism in this Bill that provides recognition for a person who has been practising for a period, provided they can satisfy the board that they have been doing so competently. I know that there is some concern amongst a very small number of people - and the health authorities know who they are - that there may be some attempt to shut them out of the system. I can assure the Assembly and those individuals - and I will make a copy of my speech available to them - that this unusual provision which you would not put in for other professional areas has been made here because we recognise the skill and competence of those people who have practised - in some cases, in Canberra, for about 10 years - very successfully, but without a formal piece of paper. Having said that I thought Mrs Carnell was a bit harsh on Mr Humphries, I would also have to say that I think Mrs Carnell is a bit harsh on her fellow Liberal Premiers throughout Australia when she says that we should be regulating some more areas. Mrs Carnell would be aware that there is at COAG a very strong deregulatory push from a lot of the conservative States; it is something that we, in the ACT, do not necessarily agree with. But there it is. Dental prosthetists have been mentioned. I thank members for their support.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

COMMUNITY SAFETY COMMITTEE
Status Report and Government Response

Debate resumed from 17 May 1994, on motion by Mr Connolly:

That the Assembly takes note of the papers.

MR HUMPHRIES (4.35): Madam Speaker, I do not wish to take a long time on this matter. I welcome the work that has been done by the ACT Community Safety Committee. I am not quite sure who is chairing this committee at the moment. I know that Mr Begg has retired from the directorship of Prime News.

Mr Connolly: He is still the chairman of this committee.

MR HUMPHRIES: According to the Attorney, he is still the chairman of this committee; and that is good. I know that Mr Meninga is about to retire from the position that he holds as well. He is still going to be here; that is good, too. I also notice that Ms Doobov has retired from the position that she held on the committee. It is a bit of a dead-end committee in a way, is it not? They are all dropping like flies. Nonetheless, Madam Speaker, it is appropriate that this process has occurred and that we now have a fairly comprehensive report. I agree with all that is in this report. It constitutes a valuable way of dealing with what has been insufficiently acknowledged by this Government to be a serious problem, and that is the relative inaccessibility of a central part of Canberra after dark.

There is no doubt in my mind that, for a variety of reasons, Civic has become an area which, in many respects, is less well developed and less well integrated into the great plan of Canberra than it ought to be. I consider Civic, particularly certain parts of Garema Place, to be badly run down and to be in urgent need of upgrade and renovation - not just in a physical sense but in a psychological sense. One of the consequences of that neglect is that we have a need for the report *Civic by Night*, because there is no doubt that at some times of the night Civic is perceived not to be a safe place to go, particularly if you are a woman. We need to acknowledge that these recommendations go some way towards dealing with those problems, and in particular with the symptoms of the problems; namely, at the moment the lack of constraint on people drinking in those areas, and in some cases the lack of appropriate police powers to deal with problems that emerge when that happens.

Madam Speaker, I just want to touch on a couple of recommendations in the report. We all want to make Civic an enjoyable place to go to; a place that is vibrant and interesting. I am not suggesting that we have a kind of place which you would go to only if you were not interested in having a good time; I am suggesting that we should make Civic a place of variation and variety, and where many things can happen. I do not think that it needs to be accompanied by a general feeling that we are unsafe when we go there.

Madam Speaker, the committee recommended, first of all, that there be the placement of signs around Civic to make the community aware that Civic is an alcohol-free area. This, in turn, is based on the provision in the Liquor Act which makes it an offence to consume alcohol within 50 metres of a shop, licensed premises or bus interchange. That effectively makes Civic an alcohol-free area, and it is only appropriate to erect signs to make that clear.

Another matter that I want to comment on is the rather extraordinary way in which the Government has welcomed this recommendation, which is based on a change in the law which this Government strongly resisted. Members may recall that the Liquor Act was amended in November 1991, against the objection of the Follett Government, to create the concept of dry areas. This Government fiercely resisted it. On 25 November 1991 Mr Connolly, in effect, said that existing police powers could deal with the problems of people drinking in public places. He said:

It is perfectly appropriate for the police, under their ordinary operational procedures, to deal with persons so committing an offence. You do not need a dry areas law to provide for that. The police in their ordinary duties of foot patrolling can deal with them. If a person is acting unlawfully and breaching the law now, he ought to be dealt with under the law. If a person is consuming a cold stubbie but is in no other way committing anti-social or offensive behaviour or threatening a person physically or verbally, if that person is sitting there quietly consuming the cold stubbie that I would consume on my nature strip, having mowed the lawn, why do we need to make that a criminal offence? We should focus on the objectionable behaviour, not on the mere fact of consuming alcohol.

He went on to oppose the Bill as a whole, not just that section relating to bus interchanges or bus stops. The Minister has changed heart from being Terry Connolly the civil libertarian to Terry Connolly the man on whose door is knocking a very serious social problem, namely, the problem of loutish behaviour in some parts of Canberra, particularly Civic at night.

I also note that dry areas legislation, where there is a capacity to gazette such areas on a random basis, has been extensively used by this Government to deal with problems such as those that occur at the annual Summernats event. Dry areas have been declared along the northern stretches of Northbourne Avenue to ensure that there are no problems caused by people drinking or no problems of the kind that we saw a couple of years ago when people were tearing down traffic lights and things of that kind. We are now seeing very extensive use of and reliance by this Government on a power that was not necessary a few years ago. It is a rather extraordinary change of heart - one, however, which I welcome. Madam Speaker, another important recommendation is the recommendation giving additional powers to police to confiscate alcohol and to impose on-the-spot fines for street fighting, urinating in public, and using foul language. These matters were considered by the Community Law Reform Committee of the Territory. This recommendation is welcomed by the Opposition. It is pleasing to see the Government acknowledging that it is just possible that existing police powers in this area are not adequate to deal with what is a serious problem.

Madam Speaker, the other matter I want to comment on is the hoary old issue of a pubcard. It was recommended quite strongly by the committee that there be a proof of age card, that it be at an affordable price, that it be voluntary, et cetera. This recommendation has been picked up by the Government, but once again a matter must be raised. We have been promised the pubcard for more than three years. I can recall locking horns with Mr Connolly on the radio well before the 1992 election about the need for a pubcard. He told the people of the Territory that, yes, one was imminent. Three years later it has not arrived. I note that 20-odd Bills were introduced today. None of them was the Bill which would be necessary to facilitate the so-called legal protections which the Minister feels are appropriate to accompany the introduction of a pubcard. I can assume only that either we will be receiving this Bill in the last sitting fortnight of the year, at which point, of course, it will be very difficult to debate that law the following week and make it part of the Territory's laws, or we are not going to see it at all and we are going to yet another election where this promise remains unfulfilled. In general terms, it is important that we acknowledge the importance of these provisions. They must be pursued, not merely given lip-service to by this Government.

The other matter I want to make particular comment about is the code which has been put forward by the Government, which has been subscribed to, I understand, by most, if not all, Civic licensees and which is designed to reduce violence and to promote responsible drinking amongst patrons. That is a very important development; it has the full support of the Opposition; and we warmly welcome an approach which adopts a voluntary code. We are prepared to consider other measures where that code does not have the effect of achieving the ends which it is designed to achieve. It is a very good first step, and I trust that this code will prove to be, at least for the majority of licensees in Civic, an important development in making responsible drinking and serving policies a reality. Madam Speaker, I welcome this report but believe that we need to pay a little more attention to the activity of making it happen rather than merely paying lip-service to these principles.

MS SZUTY (4.45): I, too, wish to speak very briefly to the *Civic by Night* status report. At the outset, I believe that it is important to commend the work done by the ACT Community Safety Committee in compiling the report; in particular, I believe that the prominent role played by the chair of the committee, Ken Begg, should be applauded and recognised by this Assembly. The *Civic by Night* report comprehensively addresses its terms of reference, which were, in part, to review and report on problems concerning the community, including alcohol related crime and anti-social behaviour in the Civic area.

In its report, the committee makes eight recommendations, three of which relate to short-term strategies to address specific problems, and five of which relate to medium- to long-term strategies to address the underlying causes. In considering the Government's response, it is pleasing to see that the Government supports all of the recommendations of the report. Madam Speaker, in addition to the recommendations in the report, the ACT Community Safety Committee in late 1993, as a result of a preliminary safety audit, was able to make five simple but achievable recommendations to the Government which were intended to go some way to countering the perception that Civic is unsafe and to reducing the potential for crime caused by poor environmental design.

The report notes that many of these immediate measures have been implemented by the Government. I believe that it would be appropriate in the course of this debate for the Government to indicate to the Assembly which of these measures have been implemented at this time.

Madam Speaker, in turning to the recommendations of the report and the Government's response, it is appropriate to note that both the report and the Government's response were tabled in the Assembly nearly six months ago, on 17 May this year. The first three recommendations were intended as short-term strategies and, as such, could reasonably be expected to have been implemented by now or, at the very least, to be well on the way to implementation. I can see no evidence of this. It should have been easy to implement the first recommendation of the committee, for the placement of signs in Civic to make the community aware that Civic is an alcohol-free area. However, I must say that, so far, I am not aware of any such dry areas signage in Civic. Perhaps the Minister could inform the Assembly during this debate as to the progress which has been made on the committee's first three recommendations. The ACT Community Safety Committee also made five recommendations on medium- to long-term strategies to address the underlying causes, and I would appreciate gaining an understanding of the Government's progress on these recommendations as well.

Madam Speaker, the work done by the ACT Community Safety Committee in compiling its *Civic by Night* report in such a timely fashion is to be commended. The Government's support of the report's recommendations is also pleasing. However, the implementation of the recommendations seems to me to be characterised by a lack of urgency - a comment that Mr Humphries also made. I urge the Government to progress its implementation of the recommendations of the ACT Community Safety Committee so that Civic does become a safer place for all Canberrans as soon as possible.

MR CONNOLLY (Attorney-General and Minister for Health) (4.48), in reply: Madam Speaker, I thank members for their support for this strategy. The *Civic by Night* report emphasises only part of the Government's overall crime prevention strategy, which has gone from being something of a novel idea when it was first being mooted some years ago to now clearly occupying the middle ground of politics, where it has support from Opposition, Independents and Government. I must say that I find that very pleasing, because about four years ago, when I first started advocating these crime prevention strategies, they were seen as somewhat unusual and somewhat out of the mainstream of the law and order debates. It is pleasing to see that they are now so generally supported.

As we said at the Estimates Committee, we are confident that we will have the pubcard proposal up by the Christmas period. Obviously, I will have to get the legislation in by the next sitting period. I will try to get it to Mr Humphries even before that, as soon as I can, so that he and the Independents can have a little look at it before we sit again. I am not sure that I can courier a copy to Mr Moore, wherever he will be; but I will get one to his office as soon as I can. The issue of signage is well taken. I will pursue where the officers who are responsible for that have got to. Obviously, we would like to have that signage up for the summer period, when activity in Civic does tend to step up a little.

Question resolved in the affirmative.

COUNTRY TOWN POLICING - TRIAL COMMUNITY POLICING PROGRAM
Paper

Debate resumed from 12 October 1994, on motion by Mr Connolly:

That the Assembly takes note of the paper.

MS SZUTY (4.49): Madam Speaker, this is another initiative of the Government which I welcome. The Minister said in his tabling speech:

The concept involves the stationing of an experienced police officer in the specific area or suburb to allow them to dedicate their resources to that particular community.

I have a strong belief that it is to the benefit of all Canberrans to live in cohesive communities with a strong sense of local identity. While there is, to some degree, what I call a sense of community in a number of neighbourhoods in Canberra, unfortunately, it is by no means always the case. I believe that it is appropriate that, whenever possible, government policies should seek to foster and develop this sense of community.

This is the additional context in which I welcome the country town policing program. I believe that this program has the potential to deliver, in addition to the benefits identified in the booklet "Country Town Policing", the strengthening of the sense of community within those areas or suburbs where police officers are stationed. On this ground alone, I see the concept of country town policing having significant merit. I would suggest to the Attorney-General that perhaps an additional criterion be included when the trial is evaluated, namely, the degree to which the sense of community has been enhanced in both Kaleen and Campbell and Ainslie during the 12 months of the trial.

Turning to the concept of country town policing, as outlined in the booklet, I found the most telling argument for this approach a quote from a country police officer, namely:

In the country we police people; in the city we police crimes.

The Chief Police Officer for the ACT, Peter Dawson, said in the preface to the booklet:

The concept of "Country Town Policing" was conceived as the best and most cost-effective means of meeting the community's expectation for the provision of a police service additional to that of the traditional services of "response" and "investigation". While the traditional services are fundamental to policing, they are clearly ineffective in satisfying the pressing community need for a reduction in crime and improving public safety.

The concept is not new. In my view, the best in policing can be experienced in hundreds of small country towns throughout Australia where the country town "copper" and the townsfolk work together to maintain a peaceful community.

Madam Speaker, I found the background to the report particularly informative and interesting. The fact that the bulk of police resources is currently dedicated to single complaint, rapid response, reactive mobilisation is one of which, I suppose, we are all aware, without necessarily understanding the consequences. It means that police resources are largely deployed to deal with the results of crime rather than crime prevention.

It was also of great interest to me to note the social service nature of policing, and again I quote from the booklet:

... researchers discovered a large gap between the crime fighting rhetoric of police managers and the actual work of police. Although law enforcement is part of the police role, it is an over-emphasised part. Most of policing really involves work of a social service nature only subtly connected to law enforcement.

Madam Speaker, this exercise is a trial designed to test the hypothesis that a tripartite policing structure is operationally and administratively viable; country town policing is complementary to traditional policing; and country town policing will reduce the demand for police services. In relation to the third hypothesis, I would sound a note of caution, as I believe that it may well take more than 12 months for community perceptions of the police and policing to change sufficiently for any reduction in the demand for police services to be measurable.

Madam Speaker, I would also like to commend constables David Rugendyke and Michael Ward for volunteering to undertake this venture. I wish them well in this innovative program. Their efforts will be fundamental to the success of the program. Madam Speaker, I would also like the Minister to address what happens after the trial is completed. I would certainly hope that country town policing does not stop in Kaleen and Campbell and Ainslie while the success of the program is evaluated. I would also hope that, if the success of the program is apparent before the year is up, further "country towns" will be identified and policed according to the model as rapidly as possible.

Madam Speaker, the country town policing program is innovative and addresses a very real need in the community. I trust that it will prove to be successful and be implemented throughout Canberra very soon after the trial is completed, according to the identified needs of particular local communities. I believe that the program has the capacity to help the Australian Federal Police to meet these two policing principles enunciated by Sir Robert Peel many years ago:

The power of police to fulfil their duties is dependent upon public approval and on their ability to secure and maintain public respect.

The police should strive to maintain at all times a relationship with the public that gives reality to the tradition that the police are the public and the public are the police.

Madam Speaker, I wish the trial community policing program well, and I look forward to country town policing coming to my own local community.

MR HUMPHRIES (4.55), by leave: Madam Speaker, I would like briefly to contribute some words of support for this program. There is a very strong case for rethinking the way in which some of our policing operations are conducted. There was a time when, to all intents and purposes, Canberra was a country town. I am sure that at that time it was very easy for police to know what was going on, to keep a tab on it and to be able to deal with problems in a preventive, pre-emptive fashion. As we are frequently told, Canberra no longer is a small country town but is a large rural city, and we need to rethink the way that we do things. Perhaps the loss of personal contact which has accompanied that process needs to be redressed by the measure likeliest to ensure that people do know who their local copper is and that the coppers know who their local people are. Obviously, you cannot do that over an area as large as Belconnen or Tuggeranong, or whatever.

"Country town police" is a slightly strange expression. I know that one of the TV stations, which runs a program called *Blue Heelers*, said, when this idea was put forward, that the ACT Government was picking up an idea that was inherent in a show like *Blue Heelers*. Perhaps we could call these country town cops the blue heelers of Canberra. Whatever the phrase, I think the program is a good one. It deserves support. I was in Ainslie a few weeks ago and I saw Constable Ward scooting around the suburb on his little motor scooter or motorbike, and he appeared to be doing the job very well.

The only small concern I have, Madam Speaker - and it is not a criticism by any stretch of the imagination - is how country town policing will affect the operational integrity of the rest of the AFP. Clearly, with 70-odd suburbs in Canberra, if country town policing became the norm and became a feature of all urban areas of the ACT, there would be a major challenge to the resources of the ACT. I would not imagine that it would be possible to have someone doing a country town kind of beat around Wanniassa, say, during the morning, and then going off in the afternoon to be part of the dog squad or investigating major crime or whatever it might be. There would have to be some kind of allocation that was more or less quarantined from the other operations of the AFP. I hope that, at the end of the day, the measure does not cost other operations of the police.

I look forward to the Minister being able to expand on the progress with the trial, and indicating how the trial will be evaluated. In due course, if it is successful, as I sincerely hope that it is, he can come back and explain how we can deal with this. We can extend the idea and make it add to, rather than detract from, the work of the Australian Federal Police.

MR CONNOLLY (Attorney-General and Minister for Health) (4.58), in reply: I thank members for their support. The Australian Federal Police in Canberra are establishing a reputation for extremely innovative approaches to urban crime prevention. The country town policing initiative; the diversionary conferencing scheme, which many members are familiar with; what we are doing with victims' rights - the package that came in this morning; and the matter that we just debated - the safer Civic project as part of the Community Safety Committee exercise; are all part of an innovative approach to law and justice, which has been a hallmark of this Labor Government. Unfortunately, politicians on both sides of the fence in Australia, and even more sickeningly in the United States -

many of us have seen these snippets of ads in the recent congressional campaigns - seem to be determined to outdo one another on being tough on crime. Whether you are Labor, Liberal, Democrat or Republican, you try to say, "We are tougher on crime than anybody else is".

Mr Humphries: Are there any Democrats left?

MR CONNOLLY: There are a few Democrats left, Mr Humphries. I note that Anne Richards in Texas, in her advertising, was saying, "Anne Richards increased the prison budget by 40 per cent in the last term of office and increased the education budget by only 3 per cent". Apparently, that was seen as a proud boast to attract Democrat voters to vote for the Democrat.

Mr De Domenico: She lost, did she not?

MR CONNOLLY: She did, presumably because the Republican was promising even more on crime, to get even tougher on crime, and education would have even less of a perspective. We have seen politicians chasing their tails and getting tougher on crime, in the United States particularly, and the place is far less safe than it was 20 or so years ago. The approach of this Government, rather than getting tough on crime, is to get smart on crime. We look at innovative solutions; this is one of them.

Last night I had the privilege of attending a function here in Canberra as part of a national conference on anti-terrorism. Attending that, and sitting at the table between Peter Dawson and me, was a very senior officer of the London Metropolitan Police. He is now in charge of their protection unit. He had previously been the chief police officer of Westminster. He was very interested in what we are doing in Canberra. It is interesting that this paper was essentially Peter Dawson's work. This is a concept that Peter Dawson has been driving very hard. We are very fortunate to have in this Territory a Chief Police Officer who is a man of vision and who actually sees a real role for community policing; rather than rhetoric, as there is in some parts of Australia where community policing seems to involve television ads and stickers and that sort of thing, without any real change of attitude. It is fascinating that Peter Dawson, in the preface to this paper, quoted Sir Robert Peel on the origins of policing. We had a member of the London Metropolitan Police, Sir Robert Peel's successor, in Canberra, looking with great interest at what is being done here. I think we can say that in this regard the Australian Federal Police are working on ideas that are at the absolute forefront of innovative community policing. I thank members for their support. Obviously, this is an idea that we want to keep going for a long period of time. As we were discussing at the Estimates Committee, clearly, there would be a resource problem to put it across Canberra tomorrow. As Mr Dawson explained, to keep one officer in a rapid response mobile patrol type of environment requires eight officers, by the time you operate your shifts and all the rest of it. If we can get a crime prevention strategy in place and get a community policing strategy in place, for every one officer that you can take off general duties you can get eight community police officers; you can get eight country town police officers. There is scope for redeploying resources within the AFP and having a greater reliance on this country town policing model.

Question resolved in the affirmative.

LABOUR MINISTERS COUNCIL MEETING
Paper

Debate resumed from 15 June 1994, on motion by Mr Lamont:

That the Assembly takes note of the paper.

MR DE DOMENICO (5.02): Madam Speaker, I read with interest again the statement made by the Minister on the meeting held on 20 May, and I have to say that there is very little in the statement the Minister made that I - - -

Mr Lamont: Could disagree with.

MR DE DOMENICO: There is little I could disagree with. I agree with Mr Lamont. I have since then attended a conference of Liberal Party Ministers and Shadow Ministers for Industrial Relations. Perhaps I was in a similar situation to Mr Lamont because - - -

Mr Kaine: Are you tabling a report?

MR DE DOMENICO: No. I am just trying to think of the way Mr Lamont would feel. Unlike his meeting, it was interesting that there were only two non-Ministers. They were the industrial relations spokespeople for Queensland and the ACT. All the others were Ministers.

Mr Lamont: Listen, mate; that will continue, so get used to it.

MR DE DOMENICO: Minister, I am not going to comment on that. We will let the people of the ACT decide that on 18 February. Do not put any bets on it now. As I said, in terms of what the Minister had to say, there was very little one could disagree with. He did say that there seemed to be unanimity on most of the issues discussed at the conference that he attended, and I can tell him that there was absolute unanimity at the conference that I attended as well.

Without wishing to start playing politics on the Minister's statement, I must admit that I was quite interested in seeing him say that the most contentious item which was discussed was the legislative frameworks established by the Commonwealth and by the States to promote decentralisation of wage bargaining processes. I thought hard and long about whether that is what is happening here in the ACT. Whilst not wanting to get into an argument about semantics with the Minister or anybody else, I dare say that perhaps we can go a little bit further than we have in making sure that we do promote decentralisation of wage bargaining processes.

Mr Lamont: You want to abolish them altogether.

MR DE DOMENICO: I can get on to that in a minute, Minister. I am glad that you interjected. He said that there was unanimity in the Labour Ministers Council that highly centralised wage fixing is no longer appropriate. Once again I find very little to disagree with. I believe very strongly that highly centralised wage fixing is no longer appropriate either. One wonders whether the ACT Government is practising what it is preaching. I am sure that people will recall that during the first round of estimates the Government was saying how wonderful the centralised wage fixing process was - or the centralised coordinating group, I think it was called. So, once again, I am saying, "Yes, Minister, I agree". Highly centralised wage fixing is no longer appropriate and I am glad to see that there was unanimous agreement to that.

I am pleased to say that most of the Ministers that I spoke to also agreed that wage increases had to be linked to improvements in productivity and efficiency. We heard yesterday that the Minister has signed three agreements, I think, with the majority of public sector employees here in the ACT, which he says are based on productivity and efficiency. I would be very interested today to have a look at those three agreements, as I am sure would other members of the Assembly. I hope that the Minister is right when he says that they are based on improvements in productivity and efficiency as well.

One thing that came out loud and clear at the conference that the Minister went to - it was reiterated at the conference I went to - was that it is not true that governments of non-Labor persuasion are aiming at removing from workers award safety nets and the protection of trade unions. At the conference I went to the words that came out loud and clear were "flexibility and choice". By that I mean that there was a strong - - -

Mr Berry: Flexibility and choice?

MR DE DOMENICO: Mr Berry might laugh. You would not know anything about flexibility and choice, Mr Berry. That means, for example, that if individual employment contracts were what workers individually wanted, and if they wanted to be protected by a safety net and that safety net was to be the minimum award, it is the worker's individual choice to be able to go along and obtain such an individual employment contract with his employer. If the workers wanted to group together and form their own little group, with or without union involvement, and then negotiate individual employment contracts, that was also something that was happening very successfully in all States - including Queensland, I must say. That is what flexibility and choice means.

Mr Berry, there is a classic example of what flexibility and choice means at IOF. The IOF experience here in the ACT was, I think, the first of its kind registered in Australia. It was highly praised all over the place. That is what we mean by flexibility and choice. I am delighted with this sort of statement. There was flexibility and choice and unanimity on removing the right to join or not to join a trade union, which, I think, is a very basic right of all Australians. So, as I said, once again, it is very difficult to disagree with some of the statements made by the Ministers, Mr Lamont included.

There is one thing on which I disagree with the Minister. He said on page 5 of his statement:

In the non-Labor States, which have used the rhetoric of 'deregulation of the labour market' to cloak an attack on the wages and conditions of workers and on the roles of trades unions, the performance has ranged from poor to pathetic.

I invite the Minister to read the employment statistics today. A State which he believes has had a poor and pathetic performance has an unemployment rate of 7.5 per cent. That is Western Australia. That, in fact, is lower than the ACT, Minister. When you make statements about performances in other areas being poor and pathetic, that belies the facts of the matter. I agree with the Minister when he says that "successful change requires a climate of security and confidence". There is no doubt about that. He continued:

To create fear and uncertainty will mean resistance and antagonism to any move away from existing arrangements.

I agree. But, when we say that, we need to look at what happens from time to time in the ACT. I have brought to the notice of this house from time to time how people from time to time are forced into joining unions, or attempts are made to force them into joining unions. I can say that a Carnell Liberal government will be doing very quickly here in the ACT as much as we can to make sure that no-one should be forced to join an association or a union, or anything else, if they do not want to, as Mr Moore's amendment to the anti-discrimination law quite rightly says. If we have to change laws to make sure that happens, we will. I think it gets down to a basic right of every individual.

Mr Lamont: Are you going to start with the doctors?

MR DE DOMENICO: I will start wherever we need to start, Mr Lamont, because - - -

Mr Lamont: The doctors.

MR DE DOMENICO: That is your view. I might have a different view. If you want to know my view, I would be having discussions immediately with the Transport Workers Union and the CFMEU. I really would.

Mr Lamont: You would. That is where you would start?

MR DE DOMENICO: Yes, that is where I would start.

Mr Lamont: So, you would leave the doctors and their colleges alone?

MR DE DOMENICO: Yes, I would.

Mr Lamont: That is typical.

MR DE DOMENICO: I will tell you why I would leave that alone, Mr Lamont, because - - -

Mr Lamont: Absolutely typical! I am really pleased that this is on the record.

MR DE DOMENICO: It is on the record. I am aware of the fact that there was a TLC election of recent times in the ACT. I would start with the CFMEU and the TWU. I would make sure that organisations like that would not use people in the ACT as their scapegoats and as their pawns in order to attract more members and to have more delegates join up to vote at a TLC election. That, I believe, is something that no-one on this side of the house, anyway, and, I am sure, on the cross benches, would adhere to.

I also notice that a further meeting of Labour Ministers had been proposed, as Mr Lamont said, for September. I dare say that the Minister did go to that one, and I look forward to his report to this Assembly as to what happened in September. I was very interested also in the Commonwealth's considered response to the Industry Commission report about occupational health and safety and workers compensation. I would be very interested in what the ACT response was, if there was one. Perhaps he would make a copy of that available to members of the Assembly who are interested in reading it.

Other matters discussed at the council included the introduction of a supported wage system for workers with disabilities. I think that is a wonderful innovation that ought to be supported very loudly by all members of this Assembly. Another matter was the industrial relations implications, particularly the introduction of a training wage, of the recent Commonwealth Government white paper, Working Nation. When I read that particular statement from the Minister, I recalled the reaction of various people in the Labor Party when Mr Howard and the Liberal Party mentioned a training wage some two years ago, just before the last Federal election. Everybody was talking about workers being dragged out, kids working like slaves in mines, and all sorts of things. I now note that the worm has turned. Mr Lamont is suggesting that there was unanimous support for that sort of innovation, the introduction of a training wage. Perhaps we might disagree as to where training wages are pitched and the process by which they are put in place, but I am grateful that there are examples of unanimous support for that sort of concept. I note also and commend the Minister's comments about a modern and nationally consistent scheme of occupational licensing of plumbers and gasfitters. I recall that we debated a Bill of a similar nature in the last session.

Finally, Madam Speaker, once again, I note that there has been some talk of a national scheme for workers compensation. I am all for talking about mutual recognition in most areas, but we have to be very careful here in the ACT. The Minister, I am sure, because of his involvement in this area of workers compensation, is aware, as I am, that the ACT is different from all other jurisdictions in terms of industrial mix and employment make-up. I would be looking very carefully before I would be signing anything or agreeing to anything about a national workers compensation scheme in the ACT.

MR LAMONT (Minister for Urban Services, Minister for Housing and Community Services, Minister for Industrial Relations and Minister for Sport) (5.13), in reply: Mr De Domenico, by his comments, calls for somewhat of a rebuttal. He referred to the turning of the worm. Mr De Domenico has not changed course at all. That was somewhat of a misnomer in his own case. The difference between our position and the position adopted by the Liberal Party on things like a training wage and a range of other issues that he concentrated on is not just a matter of grading. It goes to more fundamental issues.

I found it quite interesting that Mr De Domenico has come partially clean at least as to his agenda, and the Liberal Party's agenda, on industrial relations. First of all, while bemoaning and abusing the CFMEU and the Transport Workers Union, he said, "They have an arrangement in some places which makes it compulsory or a requirement that people join that organisation". He was asked, "Why do you not start with some of the professions?". Let us have a look at some of the specialist medical positions. Unless you can show that you are or can be a member of a particular college, you do not get admitted. You do not get referrals, you do not get accepted, and so forth. That is, at least, the allegation. What you have said is quite clearly - - -

Mr De Domenico: If that is true, we would look into that too, Mr Lamont.

MR LAMONT: You are not interested in looking at that.

Mr De Domenico: No; I did not say that at all.

MR LAMONT: Read your transcript.

Mr De Domenico: I will.

MR LAMONT: I think that highlights again the sort of attitude that permeates most of the Liberal Party's industrial relations policy. I would suggest that there is a difference in the Liberal Party as far as IR policy is concerned. Mr Kaine, when he was Chief Minister, had a conciliatory, generally cooperative approach in attempting to resolve differences with the trade union movement.

Mr Kaine: I was the country's best Industrial Relations Minister.

Mr De Domenico: Did you have a stamp on your press release paper saying that?

Mr Kaine: No; but Mr Lamont, who was secretary of the TWU, thought I was.

MR LAMONT: I did think you were pretty good, Mr Kaine. To be able to get so much out of a Chief Minister was pretty spectacular, mate, and, if you were prepared to do it, I was prepared to take it.

Mr Kaine: I am a reasonable man.

MR LAMONT: That is exactly what I said, walking away. Mr Kaine, you were an eminently reasonable man. I must admit that you did have a reasonable approach. You did not have the ideology that obviously your colleague a bit further down the table here today has. That ideology is not one built on knowledge; it is not one built on experience; it is not one built on involvement. It is one built on dogma; it is one built on, "I have read John Howard revisited", or - who was the bloke you sacked before Downer was elected?

Mr Wood: Hewson.

MR LAMONT: That is the one.

Mr Wood: It is a bit hard to remember.

MR LAMONT: Yes. It is built on the sort of rationale that went through with - what was the name of that document they put out?

Mrs Grassby: The Things That Matter. The Things That Batter.

MR LAMONT: No; the one before that one. There was another one.

Mr Wood: Lose the fight?

MR LAMONT: That is it - "frightpack". The rabid liberalist right-wing ideology of "frightpack" is something that your colleague Mr De Domenico still aspires to. All you need do to understand that is to listen to the tripe that he has gone on with this afternoon. Not even you, Mr Kaine, would be prepared to continue with that. They have just acknowledged that. Mr Stefaniak has just agreed that he also continues to subscribe to the "frightpack" sort of mentality on industrial relations. What we are talking about here, Mr Kaine, is you having a very tough job ahead of you. Not only do you have to tell your leader about economics, teach her about public administration, and show her the way; you now have to take on board an education process for your industrial relations spokesman. It is not good enough that he continues to espouse the sort of rabid ideological position that he has this afternoon, as outlined in "frightpack".

Mr Kaine: Will you knock it off?

Mr De Domenico: Yes. Righto.

MR LAMONT: That is very good. He continues, I suggest, to try to dress it up in the sort of namby-pamby way that Mr - who was the bloke you brought down here to give you some advice just recently?

Mr Wood: Bronwyn Bishop?

MR LAMONT: No, after Bronwyn. He is a tall bloke, short back and sides - Alexander Downer. He will shortly go the same way as his predecessors. What you have tried to do is to take the sort of "frightpack" - - -

Mr De Domenico: No; that was my 12-year-old son. He is a tall bloke.

Mr Berry: He is a tall bloke?

Mr De Domenico: He is five-foot-two. He is a big bloke.

MR LAMONT: I thank Mr De Domenico for agreeing with me on that matter.

Mr De Domenico: No; I am having a joke with Mr Berry.

MR LAMONT: What you have done is take that sort of rabid right-wing "frightpack" ideology and dress it up in the sort of namby-pamby, warm and cuddly, somewhat fuzzy rhetoric in The Things That Matter. I find it incredible that we have had here, in response to a well-thought-out, well-prepared and properly presented ministerial statement on the outcome of that conference, the sort of stuff that Mr De Domenico has gone on with. I am pleased that he took the opportunity to respond. I am pleased because it is the only time, inside the chamber, at least, that you have come even close to commenting on what your policy position is on anything. It is the first time that you have stood up in this chamber and tried - - -

Mr De Domenico: It is not, you know.

MR LAMONT: Yes, it is.

Mr De Domenico: No, it is not.

MR LAMONT: Yes, it is; and it is enlightening because, as I say, it is a continuation of your Fightback, "frightpack", Hewson-type, right-wing ideological position dressed up in your Alexander Downerisms. But people see through it. The slash and burn approach that you adopt in industrial relations comes through every time.

I would provide one little bit of advice to Mrs Carnell. It is very hard to give advice to Mrs Carnell, but I will provide her with one piece of advice in the lead-up to the next election. I am sorry, Chief Minister; I have to do it. If she is serious in running into the next election with a spokesperson on industrial relations, she should give the job to Mr Kaine. Give it to Mr Kaine because at least he can carry off the warm and fuzzy, touchy-feely sort of "We are all in this together" type of argument. Mr Kaine can at least carry that off. With the elder statesperson's type of approach to industrial relations that he has been able to exhibit, at least he can fool most of the people. Mr De Domenico, I am afraid - - -

Ms Ellis: He fooled you.

MR LAMONT: He fooled me - for the first meeting, anyway. The issues which were covered by the ministerial statement are, indeed, significant issues, and they do demonstrate, quite clearly, a significant divergence between what the Liberal Party proposes and the Labor Party strategy for industrial relations. The cooperative approach has seen in the last 24 hours the registration before the Industrial Relations Commission of probably the largest single public sector enterprise agreement. It has already achieved significant reform, and it will allow further significant reform to be achieved over the life of the agreement. That is something that would be rather novel to those opposite, in terms of their trying to proceed to achieve such an agreement. It is not because the unions would not be prepared to negotiate; they would be.

Mr Stefaniak: I thought you just said that he did it.

Mr De Domenico: No, they would not talk to me.

MR LAMONT: When you said that he would, that is my argument. My argument is that if you put Mr Kaine back into industrial relations you could probably get those sorts of discussions. You could get some outcomes, some of which may be similar to yesterday's. They would not be similar with De Domenico in charge of industrial relations - or bovver boy Bill. With him it is not a problem - lock them up; hit them with the move-on powers. This gives us the opportunity to delineate quite clearly between the sort of "frightpack", wet and charming Alexander Downer-type rhetoric of Mr De Domenico and the substance that we have been able to deliver; the substance that we will continue to be able to deliver; the change that we can cooperatively aspire to; the change that you will never, in your wildest dreams, be able to achieve until you jettison the sort of nonsense that Mr De Domenico was going on with this afternoon.

Question resolved in the affirmative.

QUARTERLY FINANCIAL STATEMENT AND TREASURER'S ADVANCE
Papers

Debate resumed from 24 August 1994, on motion by Ms Follett:

That the Assembly takes note of the papers.

MR KAINE (5.23): Madam Speaker, it will be a bit of a change to get back to something substantive, instead of the airy-fairy stuff we have been listening to. The subject of the debate is some documents tabled some time ago by the Chief Minister in connection with the budget for the financial year 1993-94. I have no particular comment to make about the content of those documents, but I would like to say something about the continuing difficulty of getting information that matches.

Each year for four years the Assembly, through its Estimates Committee, gradually brought the budget and the reporting statements that flowed from it into an increasingly improved format. It was informative, and the Treasury was helpful and did its best to produce information you could compare to see what was happening from one year to the next. I thought that for the first four years we were doing very well. The Estimates Committee would go through every year and suggest ways in which the information could be improved, the Treasury would pick that up, and the next year we got a little better. Something happened in 1993-94, and the budget papers changed their format. We know why they did. We knew that that was the first year of a transition to a new basis of accounting and reporting, which had been agreed at a national level. The 1994-95 budget is different again, and we are going through a period of change. I do not have any particular objection to that, but the problem is that we have totally lost the comparability of data. Those of us who went through the Estimates Committee process over the last few days are well aware that a lot of information we previously had simply was not available this year. That, to me, is a retrograde step.

By way of example, I will do a short comparison. The Treasurer's quarterly financial statement for the quarter ended 30 June 1994 gives a comprehensive breakdown of expenditure, not only for the quarter but cumulatively for the year. The bottom line shows that total expenditure for last year was $1,310m. It is straightforward, it is explained in detail, and you can see where the money went. If you look at the document that was tabled today by the Chief Minister, which is the aggregate financial statement with an audit opinion for all of last year, that figure coincides: Summary of expenditure for the year, $1,310m. So far so good. We are doing fine.

Then I have a document the Chief Minister tabled a few weeks ago called "Report on the 1993-94 Budget Outcomes". There are no explanatory notes setting out the basis on which these figures have been compiled, how they relate to those, or whether they do. When somebody who is not aware of what all that paperwork is about picks this up and turns to page 10 or page 12 or page 14, they get some figures that do not coincide with those at all. This document tells us that our outlays by purpose in total for last fiscal year were $1,214m. That is a considerable difference. There is nothing here to explain why we have $1,214m in this book and $1,310m in other more informative documents. I would suggest that anybody who picked up this document and thought they were going to get a comprehensive statement about last year's budget would be sadly disappointed. First of all, it appears in a different format. I think I know why it is in a different format, but somebody who picked this up would wonder why there is no program information in here and why the figures differ from the figures in those other documents.

Over the next three or four years, the Estimates Committee and the Assembly are obviously going to have to go through the same exercise we went through for the first four years of the life of this Assembly and try to get the information in a format that is comparable, that is comprehensive, that is consistent. With a break from last year to this year, I do not quite know how we are going to do that. I suppose that what I am asking is that the Treasurer and the Treasury take the matter on board and see whether they can come up with a crosswalk from fiscal accounting to the other form of accounting, so that those of us who are not very well informed on accounting and reporting and the like can at least follow what is happening from one year to the next.

As to the particular documents tabled by the Chief Minister, they serve the purpose for which they were intended and they are consistent with documents we have received in previous years. I just ask that, when we get quarterly statements from now on, they tie back to the budget and to other documents in the same fashion.

MS FOLLETT (Chief Minister and Treasurer) (5.29), in reply: I take Mr Kaine's point that, as we move from one system of financial reporting to another, it can lead to some confusion. During this transition period it is probably the case that it is going to be quite difficult at times to make the reconciliation between the two systems. I believe that in the budget papers the two systems were reconciled and it was possible to make the translation between one system and another. In the future, as I am sure Mr Kaine is aware, the system will probably be changing again as we move more and more towards accrual accounting. Even when we have that accrual accounting, we will still have the Government finance statistics format as well. So, we are never going to have just a single way of showing all of the financial information the Government produces and it will always be necessary to try to reconcile the two.

I would like to make a couple of points about the figures Mr Kaine has referred to. On the outlays figure, that does not relate directly to cash expenditure. The expenditure in the traditional presentation includes transactions which are simply transfers between funds. So, it is not strictly related to cash expenditure. In the introduction to the new document the reasons were put forward, but I can appreciate that it was not as clear as it might have been. The points generally made by Mr Kaine are points well taken. There has been a consistent improvement in the presentation of financial information over the years. We still have a way to go. We still have some elements of change ahead of us, and I think it will be quite a challenge to ensure that the financial documentation continues to be useful and to be a real tool for accountability as far as government expenditure goes. Members can be confident that that is our aim. It is my view that budget information and financial information ought to be transparent. We do not often achieve that, and I appreciate that, for members, it can be quite a challenge. This becomes clear during the Estimates Committee process, but usually during that process there are people on hand to explain what it all means and how it has all been derived. Going through documents on your own, even for the well informed, can be quite a challenge. So, it is a point well taken.

Question resolved in the affirmative.

ADJOURNMENT

Motion (by Mr Berry) agreed to:

That the Assembly do now adjourn.

Assembly adjourned at 5.32 pm until Tuesday, 29 November 1994, at 2.30 pm

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ANSWERS TO QUESTIONS

MINISTER FOR HEALTH
LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 1394

Minister for Health - Interstate and Overseas Travel

MR HUMPHRIES - Asked the Minister for Health on notice on 15 September 1994.

In relation to trips taken by you at Government expense between 13 April 1994 and 15 September 1994:

What was the destination, duration and purpose of each visit.

What staff members, by name and position, accompanied you on each occasion.
What was the cost of each visit by (a) member.
yourself and (b) each accompanying staff
Did any family members accompany you at Government expense on any of these trips; if so, (a) who, (b) on which trip/s and (c) at what cost.

Can you provide similar details for your predecessor during the period 1 September 1992 to 12 April 1994.

MR CONNOLLY - The answer to the Members question is as follows:

As the Minister for Health, in the period 13 April 1994 to 15 September 1994 I have made one trip, details of which are as follows:
(1 a) DESTINATION: (1 b) DURATION: (lc) PURPOSE:
ACCOMPANYING STAFF:
COST OF VISIT:
Minister
Jo Baker
Sydney
20 to 21 June 1994
Health Ministers Meeting

Jo Baker - Senior Adviser
$ 636.40
$ 557.05
(4) ACCOMPANYING FAMILY: Nil
(5) PREVIOUS MINISTERS TRAVEL: The Chief Ministers Department has provided the following details of trips undertaken by my predecessor Mr Wayne Berry MLA, for the period 1 September 1992 to 12 April 1994.

1. (1 a) DESTINATION: Adelaide
(lb) DURATION: 22 to 24 October 1992
(1c) PURPOSE: Australian Health Ministers Conference
(2) ACCOMPANYING STAFF: Sue Robinson - Senior Private Secretary

(3) COST OF VISIT:

Minister $1375.00
Sue Robinson $1158.70
(4) ACCOMPANYING FAMILY: Nil

2. (la) DESTINATION: Melbourne
(1 b) DURATION: 6 to 8 July 1993
(lc) PURPOSE: Health Ministers Conference
(2) ACCOMPANYING STAFF: Sue Robinson - Senior Private Secretary

(3) COST OF VISIT:

Minister $1040.80
Sue Robinson $ 862.45
(4) ACCOMPANYING FAMILY: Nil
3. (la) DESTINATION: Sydney
(lb) DURATION: 30 November 1993 to 1 December 1993
(lc) PURPOSE: Health Ministers Conference
(2) ACCOMPANYING STAFF: Sue Robinson - Senior Private Secretary

(3) COST OF VISIT:

Minister $ 300.00
Sue Robinson $ 306.20
(4) ACCOMPANYING FAMILY:

4108

4.
(la) DESTINATION:
(lb) DURATION:
(lc) PURPOSE:
(2) ACCOMPANYING STAFF:

(3) COST OF VISIT:
Minister
Paul Ingwersen
(4) ACCOMPANYING FAMILY:
Perth
20 to 25 March 1994
Health and Community Services
Ministerial Council
Paul Ingwersen - Private Secretary
$2504.40
$2043.05

4109

MINISTER FOR INDUSTRIAL RELATIONS
LEGISLATIVE ASSEMBLY

QUESTION NO 1395

Minister for Industrial Relations - Interstate and Overseas Travel

MR HUMPHRIES - Asked the Minister for Industrial Relations on notice on 15 September 1994.
In relation to trips taken by you at Government expense between 13 April 1994 and 15 September 1994:

(1) What was the destination, duration and purpose of each visit.
(2)
(3)
What staff members, by name and position, accompanied you on each occasion.
What was the cost of each visit by (a) yourself and (b) each accompanying staff member.
Did any family members accompany you at Government expense on any of these trips; if so, (a) who, (b) on which trip/s and (c) at what cost.
(5) Can you provide similar details for your predecessor during the period 1 September 1992 to 12 April 1994.

MR LAMONT - The answer to the Members question is as follows:

As the Minister for Industrial Relations, in the period 13 April 1994 to 15 September 1994 I have made one trip, details of which are as follows:
(la) DESTINATION:
(lb) DURATION:
(lc) PURPOSE:
ACCOMPANYING STAFF:
(3) COST OF VISIT:
Minister $ 615.40
Greg Elks $ 598.55
(4) ACCOMPANYING FAMILY: Nil

(5) PREVIOUS MINISTERS TRAVEL: The Chief Ministers Department has provided the following details of trips undertaken by my predecessor Mr Wayne Berry MLA, for the period 1 September 1992 to 12 April 1994.
Sydney
19 - 20 May 1994
Labour Ministers Council Meeting
Mr Greg Elks - Senior Adviser

4110

(1 a) DESTINATION: Brisbane
(1 b) DURATION: 29 to 30 April 1993
(lc) PURPOSE: Commonwealth and State Labour
Ministers Conference
(2) ACCOMPANYING STAFF: Sue Robinson - Senior Private Secretary

(3) COST OF VISIT:

Minister $ 915.60
Sue Robinson $ 796.55

(4) ACCOMPANYING FAMILY: Nil

4111

MINISTER FOR SPORT
LEGISLATIVE ASSEMBLY

QUESTION NO 1396

Minister for Sport - Interstate and Overseas Travel

MR HUMPHRIES - Asked the Minister for Sport on notice on 15 September 1994.

In relation to trips taken by you at Government expense between 13 April 1994 and 15 September 1994:

(1) What was the destination, duration and purpose of each visit.

(2) What staff members, by name and position, accompanied you on each occasion.

(3) What was the cost of each visit by (a) yourself and (b) each accompanying staff member.

(4) Did any family members accompany you at Government expense on any of these trips; if so, (a) who, (b) on which trip/s and (c) at what cost.

(5) Can you provide similar details for your predecessor during the period 1 September 1992 to 12 April 1994.

MR LAMONT - The answer to the Members question is as follows:

As the Minister for Sport, in the period 13 April 1994 to 15 September 1994 I have made three trips, details of which are as follows:

1. (la) DESTINATION: Sydney
(lb) DURATION: 28 to 29 July 1994
(lc) PURPOSE: Sport and Recreation Ministers Conference
(2) ACCOMPANYING STAFF: Greg Ellis - Senior Adviser

(3) COST OF VISIT:

Minister $ 636.30
Greg Ellis $ 621.25
(4) ACCOMPANYING FAMILY: Nil

4112

2. (la) DESTINATION: Darwin
(lb) DURATION: 30 July to 2 August 1994
(lc) PURPOSE: NT TAB and ACT TAB meeting
(2) ACCOMPANYING STAFF: Greg Ellis - Senior Adviser

(3) COST OF VISIT:

Minister. $2375.35
Greg Ellis $2448.15
(4) ACCOMPANYING FAMILY: Nil

3. (la) DESTINATION: Sydney
(lb) DURATION: 14 to 15 August 1994
(lc) PURPOSE: Attend the NSW Bookmakers Society Dinner.
(2) ACCOMPANYING STAFF: Nil

(3) COST OF VISIT:
Minister $ 618.00
(4) ACCOMPANYING FAMILY: Nil

(5) PREVIOUS MINISTERS TRAVEL: The Chief Ministers Department has provided the following details of trips undertaken by my predecessor Mr Wayne Berry MLA, for the period 1 September 1992 to 12 April 1994.

1. (la) DESTINATION: Sydney
(lb) DURATION: 20 to 21 November 1992
(lc) PURPOSE: Represent the Chief Minister at the
World Youth Soccer Championship
Draw Ceremony.
(2) ACCOMPANYING STAFF: Sue Robinson - Senior Private Secretary

(3) COST OF VISIT:
Minister $ 300.00
Sue Robinson $ 167.00
(4) ACCOMPANYING FAMILY: Wife
COST OF VISIT: Nil

4113

2. (la) DESTINATION: Adelaide
(lb) DURATION: 4 to 5 March 1993
(lc) PURPOSE: Racing Ministers Conference
(2) ACCOMPANYING STAFF: Sue Robinson - Senior Private Secretary

(3) COST OF VISIT:

Minister $1010.00
Sue Robinson $ 940.60
(4) ACCOMPANYING FAMILY: Nil

3. (la) DESTINATION: Melbourne
(lb) DURATION: 9 to 10 September 1993
(lc) PURPOSE: Sports Ministers Conference
(2) ACCOMPANYING STAFF: Sue Robinson - Senior Private Secretary

(3) COST OF VISIT:

Minister $ 740.40
Sue Robinson $ 623.40
(4) ACCOMPANYING FAMILY: Nil
4. (1 a) DESTINATION: Adelaide
(lb) DURATION: 11 to 12 November 1993
(lc) PURPOSE: Racing Business Meeting re: telephone betting
(2) ACCOMPANYING STAFF: Sue Robinson - Senior Private Secretary

(3) COST OF VISIT:

Minister $ 976.40
Sue Robinson $ 851.35
(4) ACCOMPANYING FAMILY: Nil

4114

5. (la) DESTINATION: Sydney
(lb) DURATION: 9 to 10 February 1994
(lc) PURPOSE: Racing Ministers Conference

(2) ACCOMPANYING STAFF: Sue Robinson - Senior Private Secretary

(3) COST OF VISIT:

Minister $ 300.00
Sue Robinson $ 311.45

(4) ACCOMPANYING FAMILY: Nil

4115

MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY

QUESTION NO 1397

Minister for Housing and Community Services -
Interstate and Overseas Travel

MR HUMPHRIES - Asked the Minister for Housing and Community Services on notice on 15 September 1994.

In relation to trips taken by you at Government expense between 13 April 1994 and 15 September 1994:

(1) What was the destination, duration and purpose of each visit.

(2) What staff members, by name and position, accompanied you on each occasion.

(3) What was the cost of each visit by (a) yourself and (b) each accompanying staff member.

(4) Did any family members accompany you at Government expense on any of these trips; if so, (a) who, (b) on which trip/s and (c) at what cost.

(5) Can you provide similar details for your predecessor during the period 1 September 1992 to 12 April 1994.

MR LAMONT - The answer to the Members question is as follows:

As the Minister for Housing and Community Services, in the period 13 April 1994 to 15 September 1994 I have made two trips, details of which are as follows:

1. (1 a) DESTINATION: Sydney
(1 b) DURATION: 20 to 21 June 1994
(lc) PURPOSE: Health and Community Services Ministerial Council Extraordinary Meeting
(2) ACCOMPANYING STAFF: Greg Ellis - Senior Adviser

(3) COST OF VISIT:

Minister $ 636.40
Greg Ellis $ 582.55
(4) ACCOMPANYING FAMILY: Nil

4116

2. (la) DESTINATION: Sydney
(lb) DURATION: 20 to 21 July 1994
(lc) PURPOSE: Housing Ministers Conference
(2) ACCOMPANYING STAFF: Greg Ellis - Senior Adviser

(3) COST OF VISIT:

Minister $ 636.30
Greg Ellis $ 582.45
(4) ACCOMPANYING FAMILY: Nil
(5) PREVIOUS MINISTERS TRAVEL: The Chief Ministers Department has provided the following details of trips undertaken by my predecessor Mr Terry Connolly MLA, for the period 1 September 1992 to 12 April 1994.
1. (la) DESTINATION: Sydney
(lb) DURATION: 2 December 1992
(lc) PURPOSE: Attend Disability Directions Forum
ACCOMPANYING STAFF: Nil
COST OF VISIT:
Minister
(4) ACCOMPANYING FAMILY: Nil
2. (1 a) DESTINATION: (lb) DURATION: (lc) PURPOSE:
(2) ACCOMPANYING STAFF:

(3) COST OF VISIT:
Minister
(4) ACCOMPANYING FAMILY: Nil
41
17
$ 276.00
Melbourne
30 June 1993
Council of Social Welfare Ministers
Meeting
$ 386.

3. (1 a) DESTINATION: Perth
(1 b) DURATION: 20 to 22 March 1994
(lc) PURPOSE: Ministerial Council of Social Welfare Ministers
(2) ACCOMPANYING STAFF: Jo Baker - Senior Adviser

(3) COST OF VISIT:

Minister $1903.40
Jo Baker $1989.75

(4) ACCOMPANYING FAMILY: Nil _

4. (la) DESTINATION: Adelaide
(1 b) DURATION: 6 to 8 April 1994
(lc) PURPOSE: Housing Ministers Conference
(2) ACCOMPANYING STAFF: Jo Baker - Senior Adviser

(3) COST OF VISIT:

Minister $1304.90
Jo Baker $1264.65
ACCOMPANYING FAMILY: Nil

4118

MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY

QUESTION NO 1398

Minister for Urban Services - Interstate and Overseas Travel

MR HUMPHRIES - Asked the Minister for Urban Services on notice on 15 September 1994.

In relation to trips taken by you at Government expense between 13 April 1994 and 15 September 1994:

(1) What was the destination, duration and purpose of each visit.

(2) What staff members, by name and position, accompanied you on each occasion.

(3) What was the cost of each visit by (a) yourself and (b) each accompanying staff member.

(4) Did any family members accompany you at Government expense on any of these trips; if so, (a) who, (b) on which trip/s and (c) at what cost.

(5) Can you provide similar details for your predecessor during the period 1 September 1992 to 12 April 1994.

MR LAMONT - The answer to the Members question is as follows:

1. In my official capacity as Minister for Urban Services , I did not travel in the period 13 April 1994 to 15 September 1994.

5. PREVIOUS MINISTERS TRAVEL: The Chief Ministers Department has provided the following details of trips undertaken by my predecessor Mr Terry Connolly MLA, for the period 1 September 1992 to 12 April 1994.

1. (la) DESTINATION: Cooma
(lb) DURATION: 3 September 1992
(lc) PURPOSE: Visit to the Snowy Mountains Scheme
(2) ACCOMPANYING STAFF: Jo Baker - Senior Adviser
Terry Kempnich - Private Secretary
(3) COST OF VISIT:
Minister Nil
Jo Baker Nil
Terry Kempnich Nil
(4) ACCOMPANYING FAMILY: Nil

4119

2. (1 a) DESTINATION: Brisbane
(lb) DURATION: 29 to 30 October 1992
(lc) PURPOSE: Transport Ministers Meeting
(2) ACCOMPANYING STAFF: Terry Kempnich - Private Secretary

(3) COST OF VISIT:

Minister $1002.00
Terry Kempnich $ 751.85
(4) ACCOMPANYING FAMILY: Nil

3. (la) DESTINATION: Bega
(lb) DURATION: 30 April 1993
(lc) PURPOSE: Meetings in the Bega district
(2) ACCOMPANYING STAFF: Jo Baker - Senior Adviser

(3) COST OF VISIT:

Minister Nil
Jo Baker $ 29.00
(4) ACCOMPANYING FAMILY: Nil

4. (la) DESTINATION; Adelaide
(lb) DURATION: 21 to 23 July 1993
(lc) PURPOSE: Council of Capital City Lord Mayors Meeting
(2) ACCOMPANYING STAFF: Chris Grady - Media Adviser

(3) COST OF VISIT:

Minister $1276.40
Chris Grady $ 970.00
(4) ACCOMPANYING FAMILY: Nil

4120

5. (la) DESTINATION: Brisbane
(lb) DURATION: 9 to 10 December 1993
(lc) PURPOSE: Visit Waste Management Plants
(2) ACCOMPANYING STAFF: Craig Simmons - Private Secretary

(3) COST OF VISIT:

Minister $ 940.30
Craig Simmons $ 812.35
(4) ACCOMPANYING FAMILY:
6.
(la) DESTINATION:
(1 b) DURATION:
(lc) PURPOSE:
(2) ACCOMPANYING STAFF:

(3) COST OF VISIT:
Sydney 8 February 1994 Open ACT Electricity and Water (ACTEW) stand at the World Trade Fair
Craig Simmons - Private Secretary
Minister $ 131.10
Craig Simmons $ 160.10

(4) ACCOMPANYING FAMILY: Nil

7. (la) DESTINATION: Melbourne
(1 b) DURATION: 10 to 12 February 1994
(lc) PURPOSE: Meeting of Transport Ministers
(2) ACCOMPANYING STAFF: Chris Grady - Media Adviser

(3) COST OF VISIT:

Minister $1040.40
Chris Grady $ 786.75
(4) ACCOMPANYING FAMILY:

4121

ATTORNEY GENERAL
LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 1401

Attorney-General - Interstate and Overseas Travel

MR HUMPHRIES - Asked the Attorney General on notice on 15 September 1994.

In relation to trips taken by you at Government expense between 1 September 1992 and 15 September 1994:
(1) What was the destination, duration and purpose of each visit.
(2) What staff members, by name and position, accompanied you on each occasion.
(3) What was the cost of each visit by (a) yourself and (b) each accompanying staff member.

(4) Did any family members accompany you at Government expense on any of these trips; if so, (a) who, (b) on which trip/s and (c) at what cost.

MR CONNOLLY - The answer to the Members question is as follows:

As the Attorney General, in the period between 1 September 1992 and 15 September 1994 I have made twelve trips, details of which are as follows:

1. (1 a) DESTINATION: Melbourne
(lb) DURATION: 18 to 21 November 1992
(lc) PURPOSE: National Crime Authority and Australian Police Ministers Meeting
(2) ACCOMPANYING STAFF: Jo Baker - Senior Adviser

(3) COST OF VISIT:

Attorney General $ 986.00
Jo Baker $ 759.70
(4) ACCOMPANYING FAMILY: Nil

4122

2. (la) DESTINATION: Adelaide
(lb) DURATION: 29 January to 5 February 1993
(lc) PURPOSE: Standing Committee of Attorneys General Meeting
(2) ACCOMPANYING STAFF: Jo Baker - Senior Adviser

(3) COST OF VISIT:

Attorney General $1218.00
Jo Baker $ 846.70
(4) ACCOMPANYING FAMILY: Nil

3 (la) DESTINATION: Sydney -
(la) DURATION: 13 to 14 May 1993
(lb) PURPOSE: Standing Committee of Consumer Affairs Meeting
(2) ACCOMPANYING STAFF: Jo Baker - Senior Adviser

(3) COST OF VISIT:

Attorney General $ 431.10
Jo Baker $ 332.95
(4) ACCOMPANYING FAMILY: _ ._

4. (la) DESTINATION: Darwin
(lb) DURATION: 23 - 25 June 1993
(lc) PURPOSE: Standing Committee of Attorneys General, Ministerial Council on Corporations Law Meeting and Censorship Meeting
(2) ACCOMPANYING STAFF: Jo Baker - Senior Adviser

(3) COST OF VISIT:

Attorney General $2281.00
Jo Baker $1919.00
(4) ACCOMPANYING FAMILY: Nil

4123

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5. (1 a) DESTINATION: Goulburn
(1 b) DURATION: 15 July 1993
(lc) PURPOSE: Visit to Goulburn Corrective Centre
(2) ACCOMPANYING STAFF: Ms Jo Baker - Senior Adviser
Mr Chris Grady - Media Adviser
(3) COST OF VISIT:
Attorney General Nil
Jo Baker $ 29.00
Chris Grady $ 29.00
(4) ACCOMPANYING STAFF: Nil

6. (la) DESTINATION: Sydney
(1 b) DURATION: 29 to 31 July 1993
(lc) PURPOSE: Standing Committee of Consumer Affairs Ministers
(2) ACCOMPANYING STAFF: Mr Craig Simmons - Assistant Private Secretary

(3) COST OF VISIT:
Attorney General $ 731.00
Craig Simmons $ 675.00
(4) ACCOMPANYING FAMILY: Nil
7. (la) DESTINATION: Melbourne
(1 b) DURATION: 6 August 1993
(lc) PURPOSE: Intergovernment Committee Meeting of National Crime Authority
(2) ACCOMPANYING STAFF: Nil
(3) COST OF VISIT:
Attorney General $ 440.40
(4) ACCOMPANYING FAMILY: Nil

4124

8. (1 a) DESTINATION: Sydney
(lb) DURATION: 3 to 4 November 1993
(lc) PURPOSE: Standing Committee of Attorneys General Meeting
(2) ACCOMPANYING STAFF: Ms Jo Baker - Senior Adviser

(3) COST OF VISIT:
Attorney General $ 300.00
Jo Baker $ 549.85
(4) ACCOMPANYING FAMILY: Nil

9. (1 a) DESTINATION: Sydney
(1 b) DURATION: 24 to 27 May 1994
(lc) PURPOSE: Ministerial Council of the Administration of Justice Meeting
(2) ACCOMPANYING STAFF: Ms Jo Baker - Senior Adviser

(3) COST OF VISIT:
Attorney General $ 900.00
Jo Baker $ 963.20
(4) ACCOMPANYING FAMILY: Nil

10. (la) DESTINATION: Brisbane
(lb) DURATION: 20 to 21 July 1994
(lc) PURPOSE: Standing Committee of Consumer Affairs Meeting
(2) ACCOMPANYING STAFF: Jo Baker - Senior Adviser

(3) COST OF VISIT:
Attorney General $ 984.00
Jo Baker $ 757.55
(4) ACCOMPANYING FAMILY:

4125

11. (1 a) DESTINATION: Brisbane
(1 b) DURATION: 28 to 29 July 1994
(lc) PURPOSE: Standing Committee of Attorneys General, Ministerial Council on Corporations Censorship Meeting
(2) ACCOMPANYING STAFF: Jo Baker - Senior Adviser
Martin Hehir - Adviser
(3) COST OF VISIT:
Attorney General $ 984.00
Jo Baker $ 933.95
Martin Hehir $ 917.90

(4) ACCOMPANYING FAMILY: Nil

12. (1 a) DESTINATION: Adelaide
(lb) DURATION: 25 to 27 August 1994
(lc) PURPOSE: 8th International Symposium on Victimology
(2) ACCOMPANYING STAFF: Jo Baker - Senior Adviser

(3) COST OF VISIT:

Attorney General $1392.00
Jo Baker $1574.90
(Ms Baker departed Canberra on 21 August 1994 to attend the Symposium for the full week of its duration.)

(4) ACCOMPANYING FAMILY: Nil

4126

MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 1413

Housing Trust - Braddon Flats Steering Committee

MR CORNWELL - Asked the Minister for Housing and Community Services -

(1) Is there a Committee entitled Allawah, Bega and Currong Flats Enhancement Project for Improving the Safety, Security and Quality of Life Joint Tenant/Housing Trust Steering Committee and if so, what does it do.

(2) How many members are on the Committee and how many are (a) tenants and (b) ACT Housing Trust officers.

(3) How often does the Committee meet and are meetings open to all tenants of these flat complexes.

(4) If meetings are not open to all tenants, why not.

MR LAMONT - The answer to the Members question is as follows

(1) No. There is, however, a committee with the title "Allawah, Bega, Currong Joint Tenant/ACT Housing Trust Steering Committee for Improving the Safety, Security and Quality of Life". The Steering Committee considers, recommends and oversees the implementation of proposals for improving the amenity, safety, security and quality of life at the Allawah, Bega and Currong flat complexes. The Committees terms of reference are available to members of the public. They can be obtained by contacting Ms Lea Huber, Project Officer, on 207-1598.

(2) There are ten Committee members, comprising an independent Chairperson, four tenants, four Housing Trust officers and the Project Coordinator, who is also a Housing Trust officer and participates in an ex officio capacity as secretary to the Committee.

(3) The Committee meets once every fortnight and is open to all tenants of these flat complexes.
(4) Not applicable.

4127

MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 1423

Housing Trust - Braddon Flats Community Guardian Service

MR CORNWELL - Asked the Minister for Housing and Community Services - In relation to the guardian service provided at the ABC flats.

(1) When was the tender for provision of a "guardian" service for the ABC Flats let.

(2) What period of time does the initial contract cover and has an option to extend that time been offered to the company; if so, for what period.

(3) What directions have been given to "guardians" in order to perform their duties.

(4) Are "guardians" armed; if not, how are "guardians" directed to handle a violent or potentially violent situation.

(5) How many tenders were received for provision of a guardian service for the Flats; how many of these were from local companies; was the contract given to a local company and if not, why not.

(6) How much money has been allocated for the provision of the guardian service in the period of the original contract.

MR LAMONT - The answer to the Members question is as follows -

(1) The contract for the Community Guardian Service commenced on 31 July 1994.

(2) The initial contract period is for three months. An extension of three months has been offered to allow sufficient time for the joint Tenant/ACT Housing Trust Steering Committee for the project to review the performance of the Guardian Service and to make recommendations about its long-term future.

(3) The "guardians" follow directions in accordance with the Metropolitan Security Services (MSS) Security Officers Manual (January 1982). In addition, MSS provide their staff with ongoing competency training. The Community Guardian Officers prior to the commencement of the service undertook an additional two-day training course covering such issues as noise control, Australian Federal Police Bicycle Squad role and responsibilities, Conflict Resolution Training, Domestic Violence and ACT Housing Trust maintenance and tenancy responsibilities.

(4) No. The "guardians" have been trained in passive self defence and have been directed to approach any potentially violent situation cautiously, for example:

- if possible, alert the central control room that they are attending a potentially violent situation and report back to the control room within 15 minutes of the situation being notified (if no response has been received, a mobile back-up service will be. directed to attend immediately);

- attempt to resolve the situation through mediation;

- if unsuccessful, contact the police;

- if necessary, retreat from the situation until police arrive; and

- if unable to retreat, use reasonable force to protect yourself or others.

(5) Five tenders were received, all of which were from locally based companies. The contract was awarded to MSS. MSS is an international company that has been established in Canberra since 1957.

(6) Twenty-nine thousand two hundred and twenty-four dollars, ($29,224) has been allocated for the initial contract period.

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MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 1425

Housing Trust - Domestic Violence Victims

MR CORNWELL - Asked the Minister for Housing and Community Services In relation to people seeking safe housing following domestic violence situations:

(1) Are ACT Housing Trust flats and/or houses held vacant and ready to accept "DVOS" at short notice; if so, how many of each type of housing.

(2) Is there an arrangement between the states and territories which enables quick transfer and housing of victims of domestic violence; if so, what are the details of that agreement.

(3) In (a)1993, (b)1994 to 30 June, how many domestic violence victims, by family or single person, were housed in the ACT after fleeing from other (c) states, by name or (d) territories, by name.

(4) In (a) 1993, (b) 1994 to 30 June, how many Canberra families or single persons were relocated to other (c) states, by name or (d) territories, by name, as domestic violence victims under this agreement.

(5) Recently, (a) was a group of four families relocated into the ACT in the same week from one state due to incarceration of the male parent in each case; (b) were they all relocated to the one area and (c) if so why.

MR LAMONT - The answer to the Members question is as follows
(1) No, the ACT Housing Trust does not hold houses or flats vacant in anticipation of requests for accommodation by victims of domestic violence.

Nevertheless, the Housing Trust has established procedures which help people who are homeless and in crisis to access housing in a timely manner. Priority housing is available for people who are eligible for Housing Trust accommodation. The Commissioner for Housing may, at her discretion, waive the guidelines in crisis situations.

The Supported Accommodation Assistance Program, which is jointly funded by the Commonwealth and ACT Governments, funds community organisations to provide accommodation and support to women and women with children who are homeless. The criteria for access to SAAPfunded services is to be homeless and in crisis. Many of these people are also victims of domestic violence.

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Seven SAAP-funded services rent 13 houses and 22 flats (including 4 bedsitters) from the Housing Trust. Advice from these services is that current resources are insufficient to meet demand. There is often a waiting list.

(2) No.

(3) The Housing Trust does not maintain a record of such victims of domestic violence where they have been provided with accommodation through the normal allocation process. It would be difficult to provide statistics of the victims of domestic violence who have been provided accommodation through priority housing allocation.

In SAAP services, client confidentiality is maintained in the interest of personal safety. SAAP services are therefore not required to give details of the cause for a client being homeless and in crisis or details of their previous accommodation.

(4) There is no such agreement between the ACT and other States or Territories of Australia. The Housing Trust does not maintain a record of such matters.

(5) The Housing Trust is unaware of the case in question. The Housing Trust would require further information to help it provide an answer.

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MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 1428

Car Parks - Parking of Buildings

Mr Cornwell - asked the Minister for the Environment, Land and Planning

1. For how long was/has a house been parked off Brown Street, Yarralumla, in a waterfront carpark?

2. Is it intended to move the building and if so, when?

3. What permission is required to park buildings in carparks and for how long are they permitted to remain there?

4. What security exists to protect such properties from vandalism and who is liable in the extent of damage?

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

1. The Australian Sports Commission, which leases the carpark, has advised that the house section was placed in the carpark on 11 July, and remained there until early October. The Commission was under the impression that the carpark was a public facility, and had not been aware it could have prevented the placing of the house section in the carpark.

2. The section of house which had been in the carpark off Brown Street was moved to the verge of Novar Street opposite Bailey Place in early October. It was moved from this location on 24 October. There is a number of houses from Yarralumla being relocated in sections, which is proceeding at present. It is understood that they are being removed to Michelago.

3. Permission from City Parks Administration is required to store buildings in transit in carparks which are within road reserves or in parkland. The length oz stay is limited to the minimum necessary to relocate the building. City Parks Administration exercises its discretion in these matters.

4. Security for the houses is the responsibility of the owner, who is also responsible for damage caused to them. Damage arising from the buildings is also the responsibility of the owner, who 1s required to take cut public liability insurance to cover claims arising from such damage.

MINISTER FOR URBAN SERVICES

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 1431

Vacant Building - Griffith

Mr Cornwell - asked the Minister for Urban Services:

(1) What is the disposition of the building at Block 2 Section 43 Griffth.

(2) What was its previous use and for how long has the building been vacant.

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

(1) The building is currently vacant. It was transferred to the Department of Urban Services as a surplus property on 1 September 1994.

(2) The building was orginally constructed as an ambulance station. It was used for several years by ACT Health as office accommodation and has been vacant since July 1993. It is likely that it will be re-occupied as offce accommodation shortly.

4133

MINISTER FOR HOUSING AND COMMUNITY SERVICES
LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 1432

Vacant Land - Kingston

MR CORNWELL - Asked the Minister for Housing and Community Services -

(1) What is the disposition of Block 1 Section 27 Kingston and will the trees and hedges be retained on any redevelopment.

MR LAMONT - The answer to the Members question is as follows -

(1) The block was recently offered for sale by tender. Separate tenders were invited for the following two sale proposals: (a) outright sale; and (b) sale with the requirement that the developer sells 26 dwellings back to the Trust.

The Trust is currently assessing tenders which closed on 17 October.

The Draft Development Conditions state that generally, all existing trees on the site are to be retained. In particular, the developer is encouraged to retain the mature trees at the north west corner of the site and a stand located to the centre o f the site.

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MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 1439

Starlight Drive-In Site - Redevelopment

Mr Moore - asked the minister for the Environment, Land and Planning -

(1) When was the lease owned by M and M Bulum (Starlight Drive-In, Block 5 Section 61) granted and when was it varied to residential.

(2) Were plans submitted within nine months; if not and no building took place, why didnt Government enforce the lease.

(3) Why are there currently no plans registered with the Department for this site.

(4) Are there any plans to build medium density housing on this site in the future.

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

(1) The lease for the Drive-In was originally granted to Canberra Enterprises Pty Ltd on 16 November 1956. The lease was purchased by IM Holdings and M and M Bulum on 22 May 1987.

The lease was renegotiated and on 9 September 1988 a new 99 year lease was granted. The lease allowed a tourist accommodation centre with a maximum of 150 bedroom units, 60 bungalows and 50 caravan sites, a restaurant and a drive-in to operate until September 1990. This was later extended until 30 June 1991.

On 24 February 1992 the lessee applied for a further variation to increase the number of units from 150 to 180 and to replace the words "bedroom units" with "serviced apartments". The new lease was granted 1 September 1992. The serviced apartments are for tourist accommodation.

(2) No plans were lodged for approval. There is no requirement in the lease or the legislation for the lessee to provide plans within 9 months. However, there is a condition of lease to commence and complete building within 12 and 36 months respectively.

Courts have in the past not supported compliance action by the Department in the circumstances where negotiations to resolve or vary a lease condition are in progress. Since March 1993, the lessee has been having discussions with the Department with a view to including residential uses in the

lease purpose clause. This was in the context of a proposed variation to the Territory Plan for North Watson. It would be unreasonable to take action while these negotiations are continuing.

(3) No Design and Siting approvals or lease variation resulting from the Territory Plan variation of 14 March 1994 has been approved. A Design and Siting application was lodged on 26 September 1994.

(4) The Territory Plan variation of 14 March 1994 permitted both tourist facilities and residential development. A Design and Siting application incorporating both tourist accommodation and medium density housing was received on 26 September 1994.

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MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 1448

Urban Services Portfolio - Diesel Fuel Purchase

MR HUMPHRIES - asked the Minister for Urban Services:

In relation to the Purchase Reference Number 500034-1 for the ACT Emergency Management Group detailed in Gazette number 38, dated 28 September 1994, for $6367.32 for diesel purchased from Southern Petroleum, Sydney,

(1) Was this diesel purchased from a firm outside of the ACT and if so, why.

(2) Why was payment made to Southern Petroleum in Sydney rather than locally.

(3) Was any of the fuel purchased using off road exemption certificates issued by the New South Wales Revenue Office.

(4) What quantity of fuel was purchased.

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

(1) The diesel was purchased from Southern Petroleum, an ACT company based at Fyshwick. The purchase was made under ACT Government period contract C94003.

(2) Southern Petroleum is a distributor for The Shell Company of Australia Ltd. Shells Accounts Section is based at their Sydney Head Office.

(3) No.

(4) A total of 10,696 litres in three delivery lots of 3,508 litres, 3,508 litres and 3,680 litres to three ACT Fire Brigade Stations.

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MINISTER FOR URBAN SERVICES

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 1451

Vacant Office Space - Civic

Mr Humphries - asked the Minister for Urban Services:

(1) What amount of space either rented or owned by the Government, its departments or agencies, in Ethos House, GIO House, FAI Insurance House or Akuna House is vacant.

(2) Why is this space vacant.

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

(1) There is no rented or owned vacant space in Ethos House, FAI Insurance House or Akuna House.
(2) Not applicable (see answer to question 1).

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CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY
LEGISLATIVE ASSEMBLY QUESTION

Question No. 1467

"Gazette" - Private Advertisements

Mr Stevenson - Asked the Chief Minister upon notice on 8 November 1994:

In relation to Gazette No. 35, dated Wednesday 7 September 1994 which has an advertisement on the front page for a building company -

(1) Is it the policy to accept private advertisements in the Gazette.

(2) Might this not be inappropriate for such a publication, particularly as it might be seen by some to amount to some form of government approval.

(3) Will advertisements be accepted from any business at all.

(4) If not, what are the selection criteria.

(5) Is this practice followed by any other Territory or State government.

MS FOLLETT - The answer to the Members question is as follows:

(1) It is the ACT Governments policy to accept private advertisements in the Gazette.

(2) A disclaimer is clearly printed under General Information which states that products and services advertised in this publication are not necessarily endorsed by the ACT Government.

(3) Advertisements will be accepted from all businesses subject to the advertising material being approved.

(4) For advertisements to be approved the advertising material must be appropriate and not conflict with any Government policies, programs or activities.

(5) The practice of allowing advertising in the Gazette is followed by the Commonwealth Government and some other State Governments.

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APPENDIX 1:

(Incorporated in Hansard on 10 November 1994 at page 4016)

LEGISLATIVE ASSEMBLY FOR
THE AUSTRALIAN CAPITAL TERRITORY

PRESENTATION SPEECH FOR THE INTRODUCTION OF

THE MOTOR OMNIBUS SERVICES (AMENDMENT) BILL 1994

To be delivered by:
David Lamont MLA
Deputy Chief Minister and
Minister for Urban Services

4141

MADAM SPEAKER, THIS BILL AMENDS THE MOTOR OMNIBUS SERVICES ACT 1955 TO PROVIDE FOR TWO KEY THINGS. THE FIRST IS TO SUPPORT THE INTRODUCTION OF AUTOMATED TICKETING FOR ACTION. THE SECOND IS TO PROVIDE FOR A RANGE OF ON THE SPOT FINES

FOR CERTAIN OFFENCES.

ACTIONS AUTOMATED TICKETING SYSTEM WHICH IS

TO BE INTRODUCED BY MARCH 1995 WILL PROVIDE ALL PASSENGERS PAYING CASH WITH A TICKET/RECEIPT AND ENSURE THE VALIDITY OF TICKETS PURCHASED AT AGENCIES AND INTERCHANGES.
Motor Omnibus Services (Amendments) Bill 1994 2

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ACTIONS CURRENT CASH FARE SYSTEM DOES NOT REQUIRE A PASSENGER ONBOARD A BUS TO BE IN POSSESSION OF A VALID TICKET.

THE ASSEMBLY WILL BE AWARE THAT SOME OTHER PUBLIC TRANSPORT OPERATORS IN OTHER STATES HAVE INTRODUCED AUTOMATED TICKETING.

THE BILL THEREFORE AMENDS THE MOTOR OMNIBUS SERVICES ACT 1955 TO INCLUDE A REQUIREMENT THAT EVERY PASSENGER HOLD A VALID TICKET FOR EACH JOURNEY AND EMPOWERS INSPECTORS TO INSPECT TICKETS ON A BUS AND ASSESS THE VALIDITY OF THAT TICKET. THE AMENDMENTS ALSO EMPOWER THE

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MINISTER TO DETERMINE WHAT CONSTITUTES A VALID TICKET. THE BILL ALSO PROVIDES FOR AMENDMENTS TO THE CURRENT REGULATIONS SETTING OUT THE BASIS FOR THE VALIDITY OF THE TICKET.

A VALID TICKET WILL BE ONE THAT HAS EITHER BEEN PURCHASED ON THAT BUS FOR THAT JOURNEY, OR ONE THAT HAS BEEN PROCESSED AND ACCEPTED BY THE VALIDATOR ON THE BUS. THE VALIDITY OF THE PROCESSED TICKET WILL BE DETERMINED BY THE MESSAGE CONTAINED ON THE MAGNETIC STRIP ON THE TICKET.

Motor Omnibus Services (Amendments) Bill 1994

4144

AS I NOTED EARLIER, THE BILL ALSO PROVIDES FOR THE INTRODUCTION OF ON-THE-SPOT INFRINGEMENT NOTICES. OTHER STATE .TRANSPORT AUTHORITIES HAVE MANAGEMENT NOTICE SYSTEMS AND PENALTIES FOR TRANSIT OFFENCES.

THE OFFENCES THAT WILL BE INCLUDED IN THE ONTHE-SPOT INFRINGEMENT NOTICE SYSTEM INCLUDE SUCH THINGS AS FAILING TO VALIDATE A TICKET, PURCHASES A TICKET, PRODUCE A TICKET OR CONCESSION CARD FOR INSPECTION AND DRINKING INTOXICATING LIQUOR OR SMOKING ON A BUS.

Motor Omnibus Services (Amendments) Bill 1994 $

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THE OFFENCES FOR ON-THE-SPOT FINES ARE SET OUT IN THE REGULATIONS AND INFRINGEMENT NOTICES WILL BE ISSUED BY ACTION INSPECTORS AND POLICE.

THE ON THE SPOT FINE SCHEME WILL GIVE PEOPLE AN OPPORTUNITY TO PAY A FINE RATHER THAN FACE COURT PROCEEDINGS IN RESPECT OF MINOR OFFENCES. MORE SERIOUS OFFENCES, OR THOSE INVOLVING A DEGREE OF JUDGEMENT AS TO WHETHER AN OFFENCE HAS BEEN COMMITTED, EG OFFENSIVE BEHAVIOUR, ARE NOT PART OF THE SCHEME. THESE OFFENCES WILL CONTINUE TO BE DEALT WITH BY THE COURTS.

THE DETAILS OF THE INFRINGEMENT NOTICE FORMAT AND PROCESS OF ADMINISTRATION HAVE BEEN

DEVELOPED IN CONJUNCTION WITH THE ATTORNEY GENERALS DEPARTMENT AND ARE CONSISTENT WITH A.C.T. LEGISLATION ON INFRINGEMENT NOTICES.

THE BILL ALSO PROVIDES FOR CERTAIN REGULATIONS

DEALING WITH OFFENDERS TO BE TRANSFERRED FROM

THE REGULATIONS TO THE PRINCIPAL ACT.

THE PACKAGE AMENDMENTS IN THIS BILL BRINGS THE

A.C.T. IN TO LINE WITH OTHER STATES AND WILL ASSIST

IN THE PREVENTION OF FARE EVASION.

IN CONCLUSION, MADAM SPEAKER, I COMMEND THE

MOTOR OMNIBUS SERVICES AMENDMENTS BILL 1994 TO

THE ASSEMBLY.

Motor Omnibus Services (Amendments) Bill 1994

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APPENDIX 2:
(Incorporated in Hansard on 10 November 1994 at page 4016)

LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY

PRESENTATION SPEECH

B**ETTING (TOTALIZATOR ADMINISTRATION) AMENDMENT BILL 1994**

Circulated by Authority of the Minister for Sport
Mr David Lamont, MLA

4148

Madam Speaker, the Betting (Totalizator Administration) Amendment Bill 1994 amends the Be tting (To taliza for A dminis tra tion) A c t 1964 to provide the mechanism for setting deductions from ACTTAB turnover, by disallowable instrument.

The Betting (Totalizator Administration) Act 19 64 requires ACTTAB to pay a determined deduction level on all bets accepted, (i.e. turnover), to the Territory, declared race clubs and the Racecourse Development Fund.

Currently the level of payment to the Territory and the Racecourse Development Fund is enshrined within the Principal Act.

The amount payable to the declared race clubs is set by the Minister. A determination in respect of the level of payment to declared race clubs is a disallowable instrument for the purposes of section 10 of the Subordinate Laws Act 1989.

The Betting (Totalizator.- Administration) Amendment Bill 1994 replaces the set levels of deduction paid to the Territory and the Racecourse Development Fund with levels determined by the Minister. The Bill provides that such determinations of the Minister are disallowable instruments.

4149

Following the extensive restructure of the racing and gaming operations within Victoria and the subsequent listing of TABCORP Holdings Limited, (the privatised Victorian TAB) it is conceivable that TABCORP may move to adjust the level commission deducted from its totalizator pools as a competitive strategy to increase turnover.

Rather than a permanent reduction in the level of commission, TABCORP may use a strategy of reducing the deduction rate to promote a specific-bet type or particular race meeting to encourage increased turnover.

Such a strategy would enable TABCORP and other participants of the SuperTAB linked pools to provide a flexible and competitive alternative to the racing products offered by the NSW TAB and Queensland TAB.

The Government and ACTTAB must be in a position to have the flexibility to participate in such moves otherwise valuable opportunities to obtain a competitive edge and increase turnover will be lost.

If the legislative base does not provide the strategic flexibility to participate in these initiatives, ACTTAB would be forced to withdraw from the linked pool when variations to SuperTAB deduction rates occur

If a permanent reduction in commission rates was proposed, it would be a commercial decision of ACTTAB and the Government to determine if ACTTAB would remain in the linked pool arrangement.

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Clearly,. it is the wish of this Government and, I would hope the wish of this Assembly, to provide ACTTAB with the flexibility to maximise its business opportunities and ensure its continued participation in the SuperTAB linked pool.

As the determination of levels of taxation and in turn, levels of Government revenue, are the responsibilities of the Treasurer, a formal arrangement involving the ACT Treasury, ACTTAB and the Bureau of Sport, Recreation and Racing is being developed to ensure that levels of income to the Government, ACTTAB and the Racing Industry are adequately considered in any decision to alter deduction rates.

The formal arrangement will ensure that the levels of return to the racing clubs will be protected by at least maintaining the relativities of dividend splitting.

Any decision to change the deduction rates will be determined by a disallowable instrument, and Members can be assured that the whole process will be transparent to this Assembly and the people of Canberra.

Madam Speaker, the introduction of the Betting (Totalizator Administration) Amendment Bill 1994 will provide the necessary flexibility to allow ACTTAB to further promote its services, and the racing product, in an entrepreneurial and professional manner.

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APPENDIX 3:
(Incorporated in Hansard on 10 November 1994 at page 4022)

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

BUSINESS NAMES (AMENDMENT) BILL 1994

PRESENTATION SPEECH
Circulated by the authority of the Attorney General

Terry Connolly MLA

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PRESENTATION SPEECH

BUSINESS NAMES (AMENDMENT) BILL 1994

THE BUSINESS NAMES ACT 1963 SETS OUT REQUIREMENTS RELATING TO THE REGISTRATION OF BUSINESS NAMES IN THE TERRITORY. IT IS AN OFFENCE UNDER THE ACT IF A PERSON CARRIES ON BUSINESS UNDER A BUSINESS NAME WITHOUT THAT NAME FIRST BEING REGISTERED. REGISTRATION IS UNDERTAKEN BY THE REGISTRAR-GENERAL WHO IS APPOINTED UNDER THE REGISTRAR-GENERAL ACT 1993.

THE BUSINESS NAMES ACT ENABLES THE MINISTER TO DETERMINE FEES FOR THE PURPOSES OF THE ACT. DURING THE COURSE OF PREPARING DETERMINATIONS OF FEES FOR THE 1994/95 FINANCIAL YEAR DOUBT AROSE AS TO THE ADEQUACY OF THE FEE-DETERMINING POWER.

THE BUSINESS NAMES (AMENDMENT) BILL 1994 IS INTENDED TO REMOVE ANY DOUBT AS TO THIS POWER. IT ALSO REMOVES ANY DOUBT AS TO THE VALIDITY OF PRIOR DETERMINATIONS BY THE INCLUSION OF A SUITABLE SAVING PROVISION. TO DO OTHERWISE WOULD BE TO THREATEN THE GOVERNMENTS POLICY OF COST RECOVERY IN THE SERVICES PROVIDED BY THE REGISTRAR-GENERAL.

THE OPPORTUNITY HAS BEEN TAKEN AT THIS TIME TO REMOVE GENDER-SPECIFIC LANGUAGE FROM THE ACT AND TO MAKE CERTAIN OTHER TECHNICAL CHANGES TO REFLECT CURRENT DRAFTING PRACTICE.

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APPENDIX 4:

(Incorporated in Hansard on 10 November 1994 at page 4022)

AUSTRALIAN CAPITAL TERRITORY

DISCRIMINATION (AMENDMENT) BILL (NO. 3) 1994

PRESENTATION SPEECH

Circulated by authority of
Terry Connolly
Attorney General

4154

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MADAM SPEAKER, THE DISCRIMINATION (AMENDMENT) BILL (NO. 3) 1994 MAKES A TECHNICAL AMENDMENT TO THE DISCRIMINATION ACT. THE AMENDMENT PREVENTS DISCLOSURE OF MATTERS RAISED IN CONCILIATION IN SUBSEQUENT PROCEEDINGS UNDER THE DISCRIMINATION ACT.

THE DISCRIMINATION ACT PROVIDES A PROCESS FOR THE RESOLUTION OF COMPLAINTS OF DISCRIMINATION. UNDER THE ACT, THE DISCRIMINATION COMMISSIONER RECEIVES AND INVESTIGATES COMPLAINTS, CONCILIATES WHERE APPROPRIATE, AND HOLDS PUBLIC HEARINGS. FULL APPEAL RIGHTS FROM THE COMMISSIONERS DECISIONS ARE AVAILABLE TO THE ADMINISTRATIVE APPEALS TRIBUNAL.

TO ENSURE THE FLEXIBILITY OF PROCEDURES, THE TERMS OF THE ACT LEAVE A WIDE DISCRETION FOR THE COMMISSIONER TO DETERMINE PROCEDURE. IN PRACTICE, INVESTIGATION PRIOR TO HEARINGS AND ALL CONCILIATION IS CARRIED OUT BY THE COMMISSIONERS DELEGATES IN THE A.C.T. HUMAN RIGHTS OFFICE.

THE COMMISSIONER HAS ENDORSED THE VIEW THAT EFFECTIVE CONCILIATION REQUIRES ASSURANCES OF CONFIDENTIALITY TO ENGAGE THE CONFIDENCE OF PARTIES AND TO ENSURE OPENNESS AND FRANKNESS IN CONCILIATION DISCUSSIONS. AS A RESULT, THE COMMISSIONERS DELEGATES GIVE UNDERTAKINGS TO PARTIES THAT CONCILIATION CONFERENCES ARE CONDUCTED ON A WITHOUT-PREJUDICE BASIS AND ANYTHING SAID IN CONCILIATION COULD NOT BE USED IN LATER PROCEEDINGS SHOULD CONCILIATION FAIL.

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AS MEMBERS WILL APPRECIATE, MOST CASES ARE SETTLED AT THE LEVEL OF AN INVESTIGATION OR IN CONCILIATION. RELATIVELY FEW CASES GO ON TO FORMAL HEARING OR TO REVIEW BY THE ADMINISTRATIVE APPEALS TRIBUNAL. SOME CASES HAVE NOW GONE TO HEARING AND THE QUESTION OF DISCLOSURE OF CONCILIATION DISCUSSIONS HAS BEEN RAISED. IT IS CONSIDERED THAT THIS QUESTION SHOULD NOW BE CLARIFIED IN THE LEGISLATION TO ENSURE THAT STAFF CAN RELIABLY GIVE THE NECESSARY ASSURANCES TO PARTIES.

THE AMENDMENT IS BASED ON SIMILAR PROVISIONS IN OTHER AUSTRALIAN ANTI-DISCRIMINATION LAWS. UNDER THE AMENDMENT, ANYTHING SAID OR DONE IN CONCILIATION PROCEEDINGS IS NOT ADMISSIBLE IN SUBSEQUENT PROCEEDINGS UNDER THE DISCRIMINATION ACT OR IN A REVIEW OF THE DISCRIMINATION COMMISSIONERS DECISIONS BY THE ADMINISTRATIVE APPEALS TRIBUNAL.

THIS PROVISION DOES NOT AFFECT THE QUALITY OF ADMINISTRATIVE APPEALS TRIBUNAL REVIEW. CONCILIATION IS NOT SUBJECT TO SUCH REVIEW AS IT DOES NOT INVOLVE ANY DECISION-MAKING BY THE COMMISSIONER.

EFFECTIVE CONCILIATION IS CRUCIAL TO THE OPERATION OF THE DISCRIMINATION ACT. THIS AMENDMENT WILL ENSURE THAT PARTIES WILL CONTINUE TO ENTER THE PROCESS WITHOUT FEAR THAT THEIR CASE MAY BE PREJUDICED BY WHAT THEY SAY IN CONCILIATION. IT ENCOURAGES PARTIES TO ENGAGE IN INFORMAL

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DISPUTE RESOLUTION PROCESSES WITHOUT RECOURSE TO MORE FORMAL PROCEEDINGS.

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APPENDIX 5:

(Incorporated in Hansard on 10 November 1994 at page 4023)

AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY

TENANCY TRIBUNAL (AMENDMENT) BILL 1994

PRESENTATION SPEECH
Circulated by the authority of

TERRY CONNOLLY MLA
ATTORNEY-GENERAL

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MADAM SPEAKER, I TABLE THE TENANCY TRIBUNAL (AMENDMENT) BILL 1994.

WHEN THE TENANCY TRIBUNAL BILL WAS DEBATED ON 21 SEPTEMBER 1994, VARIOUS AMENDMENTS WERE MOVED IN SEPARATE BLOCKS.

THE FIRST GROUP OF GOVERNMENT AMENDMENTS WERE TAKEN TOGETHER AND ACCEPTED BY ALL MEMBERS OF THE ASSEMBLY. THE SECOND GROUP OF GOVERNMENT AMENDMENTS ADDRESSED THE ISSUE OF RETROSPECTIVITY IN RELATION TO RENT REVIEW CLAUSES. THESE AMENDMENTS WERE TAKEN TOGETHER AND PASSED BY THE ASSEMBLY AFTER A DIVISION.

BOTH SETS OF AMENDMENTS PURPORTED TO INSERT A NEW PARAGRAPH (1)(C) INTO CLAUSE 6 OF THE TENANCY TRIBUNAL BILL. THE LATER AMENDMENTS WERE MEANT TO REPLACE THE EARLIER AMENDMENT. IN ACCORDANCE WITH USUAL DRAFTING PROCEDURE, THE SECOND SET OF AMENDMENTS DID NOT AMEND THE FIRST SET OF AMENDMENTS BUT RATHER AMENDED THE BILL. THIS MEANT THAT THE ASSEMBLY PASSED BOTH SETS OF AMENDMENTS TO THE BILL. THE SECOND SET OF AMENDMENTS DEALT SPECIFICALLY WITH ONE POINT - RESTRICTING THE BAN ON RENT REVIEW CLAUSES TO LEASES ENTERED INTO AFTER 1 JANUARY 1994.

IN CASES SUCH AS THESE, THERE IS POWER GIVEN UNDER STANDING ORDER 191 TO ALLOW FORMAL OR TECHNICAL AMENDMENTS TO A BILL BEFORE PRINTING. THE POWER MAY HAVE BEEN USED TO SUBSTITUTE THE SECOND SET OF AMENDMENTS FOR THE FIRST. HOWEVER, IT WAS NOT INVOKED IN THIS CASE. CONSEQUENTLY, THE ACT WAS PRINTED WITH THE FIRST AMENDMENT AS PARAGRAPH 6(1)(c) AND THE SECOND AMENDMENT RENUMBERED PARAGRAPH 6(1)(d).

THE RESULT HAS BEEN THAT THE REFERENCES TO SECTION 6(1)(c) IN THE PRINTED ACT DO NOT GIVE EFFECT TO THE ASSEMBLYS INTENTION AND ARE INCONSISTENT. THE BILL THAT I HAVE JUST TABLED WILL AMEND THE TENANCY TRIBUNAL ACT 1994, AS

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PRINTED, TO ENSURE THAT IT GIVES EFFECT TO THE ORIGINAL INTENTION OF THE ASSEMBLY.

MADAM SPEAKER I COMMEND THIS BILL TO THE ASSEMBLY.

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APPENDIX 6:
(Incorporated in Hansard on 10 November 1994 at page 4034)

AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY

PSYCHOLOGISTS BILL 1994

PRESENTATION SPEECH

Presented by
Minister for Health
Terry Connolly MLA

4161

MADAM SPEAKER, THE PSYCHOLOGISTS BILL 1994 WILL INTRODUCE REGISTRATION FOR PSYCHOLOGISTS AND IT MANS PROVISIONS FOR THE CONTROL OF THE PRACTICE OF PSYCHOLOGY AND RELATED MATTERS IN RESPECT OF THE PROFESSION WITHIN THE TERRITORY.

THIS IS THE SECOND OF TWO NEW HEALTH PROFESSIONS REGISTRATION BILLS BEING INTRODUCED IN THE A.C.T. AND WILL BRING THE TERRITORY INTO LINE WITH OTHER AUSTRALIAN JURISDICTIONS WHICH CURRENTLY HAVE STATUTORY REGULATION FOR THIS OCCUPATIONAL GROUP.

IT ALSO FULFILS IN PART THE TERRITORYS COMMITMENT TO INTRODUCE A UNIFORM APPROACH TO THE REGULATION OF HEALTH OCCUPATIONS ACROSS ALL STATES AND TERRITORIES IN THE INTERESTS OF PUBLIC HEALTH AND SAFETY.

THE PSYCHOLOGISTS BILL 1994 PROVIDES FOR THE ESTABLISHMENT OF A REGULATORY BODY WHICH WILL BE KNOWN AS THE PSYCHOLOGISTS BOARD AND WHICH WILL COMPRISE OF A CHAIRPERSON AND FIVE OTHER MEMBERS FROM THE PROFESSION, AND ONE COMMUNITY REPRESENTATIVE, ALL OF WHOM WILL BE APPOINTED BY THE MINISTER IN ACCORDANCE WITH THE PROVISIONS OF THE HEALTH PROFESSIONS BOARDS (PROCEDURES) ACT 1981.

THE BILL ALSO DEVELOPS AN ASSOCIATED REGISTRATION SYSTEM WHICH PROVIDES FOR A REQUIREMENT FOR THE BOARD TO KEEP A REGISTER OF PSYCHOLOGISTS, WHICH MAY BE KEPT BY ELECTRONIC MEANS.

THE BILL INCLUDES PROVISIONS WHICH ALLOW FOR ALTERATIONS TO BE MADE TO THE REGISTER, TO ALLOW FOR THE AMENDMENT OF INCORRECT PARTICULARS, FOR THE ADDITION OF NEW OR OTHER RELEVANT INFORMATION OR TO ALTER PARTICULARS REGARDING REGISTRATION STATUS FOLLOWING ANY DISCIPLINARY ACTION.

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THE BILL INTRODUCES NATIONALLY AGREED UNIFORM EDUCATIONAL STANDARDS FOR FULL OR UNCONDITIONAL REGISTRATION. IT ALSO DETAILS THE NECESSARY ADMINISTRATIVE ARRANGEMENTS FOR REGISTERING PSYCHOLOGISTS.

IN ORDER TO BE ELIGIBLE FOR UNCONDTIONAL REGISTRATION A PERSON MUST:

• BE A GRADUATE OF A COURSE OF EDUCATION AND TRAINING IN PSYCHOLOGY FROM AN AUSTRALIAN INSTITUTION WHICH IS ACCREDITED BY THE BOARD OR APPROVED BY A REGISTRATION AUTHORITY OF A STATE OR ANOTHER TERRITORY; AND

• HAVE HAD TWO YEARS OF SUPERVISED EXPERIENCE IN AN AREA OF PSYCHOLOGY, TO THE SATISFACTION OF THE BOARD.

A PERSON IS ALSO ENTITLED TO -UNCONDITIONAL REGISTRATION IF HE OR SHE:

• IS A GRADUATE OF A COURSE OF EDUCATION OR TRAINING IN PSYCHOLOGY IN A PLACE OUTSIDE AUSTRALIA WHICH IS SUBSTANTIALLY EQUIVALENT TO AN AUSTRALIAN COURSE;

• HAS HAD TWO YEARS OF SUPERVISED PRACTISE IN PSYCHOLOGY; AND

• IF REQUIRED BY THE BOARD, HAS GAINED FURTHER EXPERIENCE IN THE PRACTISE OF PSYCHOLOGY IN AUSTRALIA IN A MANNER SPECIFIED BY THE BOARD BUT FOR A PERIOD NOT EXCEEDING TWELVE MONTHS.

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REGISTRATION WITH CONDITIONS MAY BE GRANTED AT THE DISCRETION OF THE BOARD IN CERTAIN CIRCUMSTANCES. UNDER THESE PROVISIONS THE BOARD MAY IMPOSE SUCH CONDITIONS ON THE REGISTRATION OF A PERSON THAT IT CONSIDERS ARE NECESSARY.

THE NEW REGISTRATION ARRANGEMENTS WILL DISTINGUISH INITIAL REGISTRATION PROTOCOLS FROM SUBSEQUENT STREAMLINED MUTUAL RECOGNITION PROCEDURES. PERSONAL APPEARANCE BEFORE THE BOARD OR A PERSON NOMINATED BY THE BOARD MAY BE REQUIRED FOR THE PURPOSES FOR OBTAININGINITIAL REGISTRATION ONLY.

THE BILL ALSO MANS PROVISIONS TO ENSURE THAT WHERE A PERSONS REGISTRATION IS SUBJECT TO ANY CONDITION OR RESTRICTION ANOTHER JURISDICTION, THE PERSONS REGISTRATION IN THE TERRITORY WILL BE SIMILARLY AFFECTED.

THE BILL PROVIDES FOR DISCIPLINARY SANCTIONS WHICH MAY BE IMPOSED BY THE PSYCHOLOGISTS BOARD ON A PERSONS REGISTRATION. THESE POWERS ARE CONSISTENT WITH THOSE OF OTHER HEALTH PROFESSIONAL REGISTRATION BOARDS, AND THE BOARD HAS THE POWER TO IMPOSE ANY OF THOSE SANCTIONS EITHER SINGULARLY OR IN COMBINATION.

AGAIN, IN THE INTERESTS OF CONSISTENCY WITH OTHER HEALTH PROFESSIONS REGISTRATION LEGISLATION, THE BILL REQUIRES THAT THE PSYCHOLOGISTS BOARD HOLD AN INQUIRY BEFORE CANCELLING OR SUSPENDING A PERSONS REGISTRATION OR, BEFORE IMPOSING ANY SANCTIONS ON A PERSONS REGISTRATION.

THE BOARD IS ALSO REQUIRED TO NOTIFY THE AFFECTED PERSON OF ANY DECISION OF THE BOARD ON MATTERS RELATING TO REGISTRATION OR DISCIPLINARY ACTION AND ADVISE THE PERSON OF A RIGHT OF APPEAL TO THE ADMINISTRATIVE APPEALS TRIBUNAL FOR A REVIEW OF THOSE DECISIONS.

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IN ADDITION TO THE REGISTRATION AND DISCIPLINARY PROVISIONS THE BILL MAKES CERTAIN PROVISIONS COVERING THE CONDUCT OF BUSINESS AND THE PRACTISE OF PSYCHOLOGY.

THESE PROVISIONS PROHIBIT A PERSON WHO IS NOT A REGISTERED PSYCHOLOGIST FROM PROVIDING A PSYCHOLOGY SERVICE FOR FEE OR REWARD; USING A TITLE OR NAME WHICH IMPLIES THAT THE PERSON IS QUALIFIED TO PRACTISE PSYCHOLOGY; OR HOLDING HIMSELF OR HERSELF OUT IN ANY MANNER TO BE QUALIFIED OR AUTHORISED TO PRACTISE PSYCHOLOGY.

THE BILL PROHIBITS A BODY CORPORATE FROM PROVIDING OR OFFERING TO PROVIDE A PSYCHOLOGY SERVICE EXCEPT THROUGH A REGISTERED PSYCHOLOGIST.

UNDER THESE PROVISIONS A REGISTERED PSYCHOLOGIST IS ENTITLED TO RECOVER FEES OR REMUNERATION FOR A PSYCHOLOGY SERVICE; THE BOARD CAN REVIEW FEES FOR A PSYCHOLOGY SERVICE; AND AN EXECUTOR OR EXECUTRIX OR TRUSTEE OF A DECEASED PSYCHOLOGIST IS ABLE TO ADMINISTER THE ESTATE OF A DECEASED PSYCHOLOGIST.

THE MISCELLANEOUS PROVISIONS INCLUDED IN THE BILL PROVIDE FOR A NUMBER OF ADMINISTRATIVE MATTERS ASSOCIATED WITH THE FUNCTIONS OF THE BOARD. THESE ARE CONSISTENT WITH THOSE IN OTHER HEALTH PROFESSIONS REGISTRATION LEGISLATION AND INCLUDE:

AN ENTITLEMENT FOR A PERSON TO INSPECT AN ENTRY IN THE REGISTER OR OBTAIN A COPY OF AN ENTRY IN THE REGISTER IF THE PERSON PAYS THE DETERMINED FEE;

• A REQUIREMENT FOR THE BOARD, IF REQUESTED TO DO SO, TO FURNISH A CERTIFIED COPY OF AN ENTRY IN THE REGISTER TO ANOTHER REGISTRATION AUTHORITY WITHOUT PAYMENT;

• A REQUIREMENT FOR THE BOARD TO PUBLISH EACH YEAR ANOTICE IN THE GAZETTE CONTAINING THE NAMES OF AND PROFESSIONAL ADDRESSES OF ALL PSYCHOLOGISTS REGISTERED UNDER THE ACT;

• PROVISIONS RELATING TO THE CONDUCT OF DIRECTORS, SERVANTS AND AGENTS IN PROCEEDINGS FOR AN OFFENCE UNDER THE ACT;

• PROVISIONS FOR THE MINISTER BY NOTICE IN WRITING TO DETERMINE FEES FOR THE PURPOSES OF THE ACT; AND,

• PROVISIONS FOR THE EXECUTIVE TO MAKE REGULATIONS FOR THE PURPOSES OF THE ACT.

PENALTIES HAVE BEEN INCLUDED IN THE BILL. THEY RELATE TO THE FAILURE OF A PERSON TO RETURN A CERTIFICATE OF REGISTRATION WHEN REQUESTED TO DO SO BY THE BOARD; FAILURE OF THE PERSON TO NOTIFY THE BOARD OF A CHANGE OF ADDRESS; AND FOR OFFENCES RELATING TO PRACTISING PSYCHOLOGY BY EITHER A PERSON OR BODY CORPORATE. THESE PENALTIES ARE SET AT A LEVEL CONSISTENT WITH EQUIVALENT PENALTIES FOR SIMILAR OFFENCES IN OTHER A.C.T. LEGISLATION.

THE TRANSITIONAL ARRANGEMENTS IN THE BILL INCLUDE PROVISIONS WHICH RELATE TO PERSONS WHO HOLD QUALIFICATIONS IN PSYCHOLOGY WHICH DO NOT ENTITLE THEM TO REGISTRATION UNDER THIS ACT, BUT WHICH WOULD HAVE ENTITLED THE PERSON TO PRACTISE AS A PSYCHOLOGIST AT THE TIME THE QUALIFICATIONS WERE GAINED.

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PERSONS WHO FALL INTO THIS CATEGORY, PROVIDED THEY HAVE PRACTISED PSYCHOLOGY FOR FOUR YEARS IN THE TEN YEARS PRECEDING THIS LEGISLATION MAY SEEK REGISTRATION UNDER THE TRANSITIONAL PROVISIONS, HOWEVER, SUCH APPLICATIONS SHOULD BE MADE WITHIN SIX MONTHS OF THE COMMENCEMENT OF THIS ACT:

THE BOARD WILL ABLE TO IMPOSE ANY CONDITIONS IT CONSIDERS APPROPRIATE ON THE REGISTRATION OF THESE APPLICANTS. THERE ARE ALSO PROVISIONS INCLUDED WHICH ENABLE THE APPLICANT TO LODGE AND APPEAL WITH THE ADMINISTRATIVE APPEALS TRIBUNAL FOR A REVIEW OF THE BOARDS DECISION TO REFUSE REGISTRATION OR IMPOSE CONDITIONS ON REGISTRATION UNDER THESE PROVISIONS.

FINALLY, THE TRANSITIONAL ARRANGEMENTS ALSO MAKE PROVISION FOR THE MINISTER TO REMOVE FROM OFFICE A PERSON WHO HAS BEEN APPOINTED AS ONE OF THE FIRST PROFESSIONAL MEMBERS TO THE BOARD IF THE PERSON FAILS TO GAIN REGISTRATION WITH BOARD WITHIN SIX MONTHS OF THE COMMENCEMENT OF THE ACT.

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APPENDIX 7:

(Incorporated in Hansard on 10 November 1994 at page 4034)

AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY

HEALTH LEGISLATION (CONSEQUENTIAL AMENDMENTS) BILL 1994

PRESENTATION SPEECH

Presented by
Minister for Health
Term Connolly MLA

4168

MADAM SPEAKER, THE HEALTH LEGISLATION (CONSEQUENTIAL AMENDMENTS) BILL 1994 AMENDS THE HEALTH PROFESSIONS BOARDS (PROCEDURES) ACT 1981, THE HEALTH PROFESSIONS BOARDS (ELECTIONS) ACT 1980 AND THE HEALTH COMPLAINTS ACT 1993 TO MAKE CHANGES CONSEQUENTIAL TO THE AMENDMENTS MADE TO LEGISLATION REGULATING MEDICAL PRACTITIONERS, NURSES, CHIROPRACTORS AND OSTEOPATHS, VETERINARY SURGEONS, PHARMACISTS, PHYSIOTHERAPISTS, OPTOMETRISTS AND DENTISTS, AND THE INTRODUCTION OF LEGISLATION REGULATING PODIATRISTS AND PSYCHOLOGISTS.

AMENDMENTS TO HEALTH PROFESSIONS REGISTRATION LEGISLATION WERE MADE IN ORDER TO FULFIL THE TERRITORYS COMMITMENT TO INTRODUCE A UNIFORM APPROACH TO THE REGULATION OF HEALTH OCCUPATIONS ACROSS ALL STATES AND TERRITORIES AND WHICH WERE AGREED TO BY AUSTRALIAN HEALTH MINISTERS.

SPECIFICALLY THE HEALTH LEGISLATION (CONSEQUENTIAL AMENDMENTS) BILL 1994 INCLUDES THE PODIATRISTS BOARD AND PSYCHOLOGISTS BOARD AS BOARDS UNDER THE HEALTH PROFESSIONS BOARDS (PROCEDURES) ACT 1981 AND UNDER THE HEALTH COMPLAINTS ACT 1993.

THIS WILL MEAN THAT THESE BOARDS WILL BE INCLUDED IN THE PROVISIONS OF HEALTH PROFESSIONS BOARDS (PROCEDURES) ACT 1981 IN RELATION TO THE STATUS AND MEMBERSHIP OF BOARDS, MEETINGS OF BOARDS, PROCEEDINGS BEFORE BOARDS AND OTHER MISCELLANEOUS PROVISIONS IN THAT ACT. IT WILL ALSO MEAN THAT ANY INQUIRIES INTO THE CONDUCT OF A REGISTERED PODIATRIST OR PSYCHOLOGIST CONDUCTED BY THE RELEVANT BOARD WILL BE REQUIRED TO BE CARRIED OUT IN ACCORDANCE WITH PART IV OF THE HEALTH PROFESSIONS BOARDS (PROCEDURES) ACT 1981.

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THE INCLUSION THE PODIATRISTS BOARD AND PSYCHOLOGISTS BOARD UNDER THE HEALTH COMPLAINTS ACT 1993 WILL ENSURE THAT THESE BOARDS ARE COVERED BY PROCEDURES ASSOCIATED WITH CONSUMER COMPLAINTS AS PROVIDED BY PART VII OF THE HEALTH COMPLAINTS ACT 1993 WHICH DESCRIBES THE RELATIONSHIP BETWEEN THE COMMISSIONER FOR COMPLAINTS AND THE HEALTH PROFESSIONS BOARDS.

AMENDMENTS ARE ALSO MADE TO THE HEALTH PROFESSION BOARDS (PROCEDURES) ACT 1981 AND THE HEALTH PROFESSIONS BOARDS ELECTIONS ACT 1980 TO REFLECT THE CHANGES IN CITATION FOR THE MEDICAL PRACTITIONERS A CT 1930, THE CHIROPRA CTORS AND OSTEOPATHS ACT 1983, THE VETERINARY SURGEONS ACT 1965, THE DENTISTS ACT 193I AND THE PHYSIOTHERAPISTS ACT 1977.

AS A CONSEQUENCE OF THE RENUMBERING PROVISIONS IN EACH OF THE OF THE VARIOUS HEALTH PROFESSIONS AMENDING ACTS, THE REFERENCES TO SECTIONS IN THE HEALTH PROFESSIONS BOARDS (PROCEDURES) ACT 1981 AND THE HEALTH PROFESSIONS BOARDS (ELECTIONS) ACT 1980 ARE NOW INCORRECT. THE HEALTH LEGISLATION (CONSEQUENTIAL AMENDMENTS) BILL 1994 MAKES THE NECESSARY AMENDMENTS TO CORRECT THESE REFERENCES.

FINALLY, FURTHER AMENDMENTS ARE MADE TO HEALTH PROFESSIONS BOARDS (PROCEDURES) ACT 1981 AND THE HEALTH PROFESSIONS BOARDS (ELECTIONS) ACT 1980 TO RENDER THE LANGUAGE GENDER NEUTRAL.

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APPENDIX 8:

(Incorporated in Hansard on 10 November 1994 at page 4066)

CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY

LEGISLATIVE ASSEMBLY QUESTION WITHOUT NOTICE TAKEN ON NOTICE

14 SEPTEMBER 1994

MR MOORE

I noticed that you reacted with speed and efficiency to resolve the grievance of tourist bus operators (inaudible) complained of the high cost of registering their vehicles in the ACT compared with NSW. Can you explain why you failed to respond to the exact same argument which I presented to you several months ago which applied to the registration of farm vehicles in the ACT?

MY ANSWER IS:

The resolution of the grievance of tourist bus operators in the ACT was possible as their grievance related to the application of the annual licence fee to operate in the industry and the applicability of a single Third Party Insurance premium which covered buses of all sizes.

The Government did not alter registration rates.

In the 1993-94 Budget, the Government refocused concession expenditure to provide the greatest assistance to those with the greatest need. As part of that process, registration concessions for primary producers were abolished, since concessional registration is not provided to any other type of business in the ACT.

The amended concessions program enabled additional assistance to be provided to other groups, including improved winter electricity concessions for social security recipients.

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