1 **Meeting of House**

The House met pursuant to adjournment. The Speaker (Hon Peter Lewis) took the Chair and read prayers.

2 **Messages from the Governor**

The following Messages from the Governor were received and read:

**Assent to Bills**

Message No 17

The Governor informs the House of Assembly that, in the name and on behalf of Her Majesty the Queen, the following Acts were assented to during the third Session of the 50th Parliament, viz.:

- No 12 of 2004 - An Act to amend the Consent to Medical Treatment and Palliative Care Act 1995.

Government House, 25 May 2004

M Jackson-Nelson, GOVERNOR

**Podiatry Practice Bill - Recommending**

Message No 18

The Governor recommends to the House of Assembly the appropriation of such amounts of money as may be required for the purposes mentioned in the Podiatry Practice Bill 2004.

Government House, 25 May 2004

M Jackson-Nelson, GOVERNOR

3 **Papers**

The following Papers were tabled:

- By the Premier (Hon M D Rann) – Tandanya, National Aboriginal Cultural Institute – Report 2002-2003

- By the Treasurer (Hon K O Foley) – Electricity Industry Superannuation Scheme – Report 2002-2003

- By the Minister for Police (Hon K O Foley) – Australian Crime Commission – Report 2002-2003

- By the Attorney-General (Hon M J Atkinson) – Summary Offences Act 1953 –
  - Section 83B – Dangerous Area Declarations
  - Section 74B – Road Block Establishment Authorisations

- Regulations under the following Act –
  - Victims of Crime – Victims Compensation
  - Rules of Court –
    - Magistrates Court – Scale of Costs
By the Minister for Consumer Affairs (Hon M J Atkinson) –
Regulations under the following Acts –
Liquor Licensing – Goolwa
Travel Agents – Travel Agent Exemptions

By the Minister for Health (Hon L Stevens) –
Medical Board of South Australia – Report 2002-2003
North Western Adelaide Health Service – Report 2002-2003

By the Minister for Transport (Hon P L White) –
Regulations under the following Acts –
Motor Vehicles – Provisional Licence Exemption

By the Minister for Urban Development and Planning (Hon P L White) –
Development Act – Development Plan Amendment Reports – Interim Operation –
City of Burnside - Local Heritage Places Number 2 Plan Amendment
City of Campbelltown – Tranmere & Poets Corner – Character Policy Areas Plan Amendment
City of Unley Development Plan – Hillsley Avenue, Everard Park Plan Amendment
Hills Face Zone (Interim Operation) Plan Amendment
Port Pirie Regional Council - Heritage Plan Amendment
Town of Gawler - Residential 1 Zone - Orderly Development Plan Amendment

By the Minister for Industrial Relations (Hon M J Wright) –
Regulations under the following Acts –
Industrial and Employee Relations – Chief Executive
Workers Rehabilitation and Compensation – Scales of Charges

By the Minister for Agriculture, Food and Fisheries (Hon R J McEwen) –

4 Suspension of Standing Orders
Hon R G Kerin, without notice, moved – That Standing Orders be so far suspended as to enable
him to move a motion, without notice, forthwith, and that the time allotted for the debate be
one hour in lieu of question time.
Question put and passed, without a negative voice, there being present an absolute majority of
the whole number of Members of the House.

Censure of the Minister for Health – Motion re
Hon R G Kerin then moved – That this House severely censures the Minister for Health for
failing to issue public warnings of serious safety issues in public hospitals; failing to
immediately provide the Board of Mount Gambier Hospital with the Report, which highlighted
serious risks to patient safety; and inappropriate management of public hospitals, which has
adversely affected patient treatment.
Debate ensued.

Suspension of Standing Orders
The Minister for Infrastructure (Hon P F Conlon), without notice, moved - That Standing Orders
be so far suspended as to enable the time allotted for this motion to be extended by 20
minutes.
Question put and passed, without a negative voice, there being present an absolute majority of
the whole number of Members of the House.

Censure of the Minister for Health – Motion re
Debate (interrupted by the foregoing) resumed.
Question put.
House divided (No 1):

<table>
<thead>
<tr>
<th>Ayes, 20</th>
<th>Noes, 25</th>
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<td>Mr Brindal</td>
<td>Hon M J Atkinson</td>
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<td>Mr Brokenshire</td>
<td>Ms Bedford</td>
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<td>Hon D C Brown</td>
<td>Ms Breuer</td>
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<td>Mr Williams</td>
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<td>Hon R G Kerin (Teller)</td>
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<td>Ms Thompson</td>
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<td>Hon M J Wright</td>
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<td>Hon L Stevens (Teller)</td>
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</tbody>
</table>

So it passed in the negative.

5 Grievance debate
On motion of the Speaker, the House noted grievances.

6 Message from the Legislative Council
The following Message from the Legislative Council was received and read:

Health and Community Services Complaints Bill Message No 60

MR SPEAKER - The Legislative Council has agreed to the Bill returned herewith, titled an Act to provide for the making and resolution of complaints against health or community service providers; to make provisions in respect of the rights and responsibilities of health or community service users and providers; and for other purposes, with the amendments indicated by the annexed Schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly.

Legislative Council, 24 May 2004 R R Roberts, PRESIDENT

Schedule of amendments made by the Legislative Council

No. 1. Page 5, lines 22 and 23 (clause 4) - Leave out the definition of "close relative".

No. 2. Page 5 (clause 4) - After line 23 insert the following:

"Commissioner" means the Health and Community Services Complaints Commissioner appointed under Part 2 (and includes a person acting in that office from time to time);”

No. 3. Page 5 (clause 4) - After line 27 insert the following:

(ba) a service for the care or protection of any child who has been abused or neglected, or allegedly abused or neglected, and includes any service that relates to the notification of any case of child abuse or neglect (or alleged child abuse or neglect), or the investigation of a case where a child may be in need of care or protection, or any subsequent action taken by a service provider arising from any such investigation; or
No. 4. Page 6, line 21 (clause 4) - Leave out "Part 2" and substitute:
this Act

No. 5. Page 7, lines 9 to 11 (clause 4) - Leave out the definition of "HCS Ombudsman".

No. 6. Page 8, lines 10 to 12 (clause 4) - Leave out paragraph (k) and insert:
(k) the process of writing, or the content of, a health status report;

No. 7. Page 8, line 20 (clause 4) - Leave out "nursing home" and insert:
aged care facility

No. 8. Page 8 (clause 4) - After line 26 insert the following:
"health status report" means a report prepared by a person, agency or body on
the physical, mental or emotional health of a person where the purpose for
preparing the report is not for the purpose of providing a health service within the
meaning of paragraphs (a) to (j) (inclusive) of the definition of "health service";

No. 9. Page 9 (clause 4) - After line 1 insert the following:
"public authority" means—
(a) a government agency; or
(b) a body included within the ambit of this definition by the regulations;

No. 10. Page 9, lines 2 to 8 (clause 4) - Leave out the definition of "putative spouse".

No. 11. Page 9, lines 24 to 28 (clause 4) - Leave out the definition of "same sex partner".

No. 12. Page 9, line 29 (clause 4) - Leave out the definition of "spouse".

No. 13. Page 9 - After line 34 insert new clause as follows:
Application of Act
4A. (1) Subject to this section, this Act applies to or in relation to a health or
community service provided—
(a) by a public authority, whether or not the service is provided
for fee or reward; or
(b) by a person or body, other than a public authority, who or
that provides that service for a fee or other form of reward
that is charged or payable at normal commercial rates.

(2) This Act does not apply to or in relation to a health or community
service provided by, or delivered through, a volunteer.

No. 14. Page 10, line 1 (Heading) - Leave out heading and insert:
Part 2—Health and Community Services Complaints Commissioner

No. 15. Page 10, lines 4 and 5 (clause 5) - Leave out subclause (1) and insert:
(1) There is to be a Health and Community Services Complaints Commissioner.

No. 16. Page 10, line 6 (clause 5) to Page 48, line 16 (clause 85) - Leave out "HCS
Ombudsman" or "HCS Ombudsman’s" wherever occurring and insert
"Commissioner" or "Commissioner’s".

No. 17. Page 11, line 22 (clause 9) - After "health" insert:
or community

No. 18. Page 12, line 20 (clause 9) - Leave out "by the Minister or".

No. 19. Page 13, lines 3 to 11 (clause 12) - Leave out subclauses (1) and (2) and insert:
(1) The Commissioner may establish such committees as the Commissioner thinks fit to assist the Commissioner in the performance of his or her functions under this Act.

No. 20. Page 13, line 15 (clause 12) - Leave out "the Minister or the HCS Ombudsman" and insert:
the Commissioner

No. 21. Page 13 (clause 13) - After line 26 insert the following:
(5) Nothing in this section prevents the Commissioner, or a member of the Commissioner’s staff, acting as a conciliator under this Act.

No. 22. Page 14 - After line 22 insert new clause as follows:
16A. Other reports

(1) The Commissioner may, at any time, prepare a report to the Minister on any matter arising out of the exercise of the Commissioner’s functions under this Act.

(2) Subject to subsection (3), the Minister must, within 2 weeks after receiving a report under this section, have copies of the report laid before both Houses of Parliament.

(3) If the Minister cannot comply with subsection (2) because Parliament is not sitting, the Minister must deliver copies of the report to the President and the Speaker and the President and the Speaker must then—

(a) immediately cause the report to be published; and

(b) lay the report before their respective Houses at the earliest opportunity.

(4) A report will, when published under subsection (3)(a), be taken for the purposes of any other Act or law to be a report of the Parliament published under the authority of the Legislative Council and the House of Assembly.

No. 23. Page 15, lines 27 and 28 (clause 21) - Leave out ", needs and wishes" and insert:
and any requirements that are reasonably necessary to ensure that he or she receives such services

No. 24. Page 17 (clause 23) - After line 14 insert the following:
(ea) a Member of Parliament; or

No. 25. Page 17, lines 21 and 22 (clause 23) - Leave out all words in these lines after "died—"
in line 21 and insert:

a person who can demonstrate to the Commissioner that he or she had an enduring relationship with the deceased person, or a personal representative of the deceased person

No. 26. Page 19, line 22 (clause 26) - Leave out "two years" and insert:
one year

No. 27. Page 21, line 10 (clause 29) - Leave out "HCS Ombudsman may, in such manner as the HCS Ombudsman" and insert:

Commissioner may, in such manner as the Commissioner

No. 28. Page 22 (clause 29) - After line 7 insert the following:
(13) For the purposes of conducting any inquiry or informal mediation under this section, the Commissioner may obtain the assistance of a professional mentor.

(14) The Commissioner may discuss any matter relevant to making a determination under section 28 or with respect to the operation of this section with a professional mentor.

No. 29. Page 27, line 24 (clause 39) - After "conciliation" insert:
under this Part

No. 30. Page 30 (clause 44) - After line 3 insert the following:
(3) The Commissioner may, at any time, decide to attempt to deal with a complaint by conciliation.

(4) The Commissioner may, in attempting conciliation under subsection (3), act personally or through a member of his or her staff.

(5) The Commissioner may, if satisfied that the subject of a complaint has been properly resolved by conciliation under subsection (3), determine that the complaint should not be further investigated under this Part.

(6) Anything said or done during conciliation under subsection (3), other than something that reveals a significant issue of public safety, interest or importance, is not to be disclosed in any other proceedings (whether under this or any other Act or law) except by consent of all parties to the conciliation.

No. 31. Page 33 (clause 54) - After line 17 insert the following:
(2a) If the service provider is a registered service provider, the Commissioner must provide a copy of the notice to the relevant registration authority.

No. 32. Page 33, lines 18 to 26 (clause 54) - Leave out subclauses (3) and (4) and insert:
(3) The Commissioner must then allow the service provider and, if relevant, a registration authority, at least 28 days to make representations in relation to the matter.

(3a) A service provider may, in making representations under subsection (3), advise the Commissioner of what action (if any) the service provider has taken, or intends to take, in response to the matters raised in the notice.

(4) After receipt of representations under subsection (3), or after the expiration of the period allowed under that subsection, the Commissioner may publish a report or reports in relation to the matter in such manner as the Commissioner thinks fit.

No. 33. Page 33, line 28 (clause 54) - After "community service provider" insert:
and then allow the service provider at least 14 days to make representations in relation to the content of the report

No. 34. Page 33 (clause 54) - After line 28 insert the following:
(5a) A report under this section may include such material, comments, commentary, opinions or recommendations as the Commissioner considers appropriate.

(5b) The Commissioner may provide copies of a report to such persons as the Commissioner thinks fit.

(5c) The Commissioner must provide a copy of a report to any complainant and service provider that has been a party to the relevant proceedings.
No. 35. Page 44, lines 1 to 25 (clause 75) - Leave out the clause.

No. 36. Page 44 - After line 25 insert new clause as follows:

Returns by registration authorities

75A. (1) A registration authority must, from time to time as determined by the Commissioner, lodge with the Commissioner a return that sets out the prescribed particulars concerning—

(a) specified classes of complaints received by the registration authority during a period determined by the Commissioner; and

(b) action taken during that period in response to, or as a result of the receipt of, those complaints, or similar complaints received during a preceding period.

(2) A return under subsection (1) must be in a form determined by the Commissioner after taking into account what can be done to assist with ease of collection of information and administrative efficiencies.

(3) The Commissioner must (to such extent as the Commissioner thinks fit) consult with registration authorities about—

(a) the form of any return under this section; and

(b) protocols and principles that should apply in relation to the operation of this section.

(4) The Commissioner may publish any return received under this section, or a summary of information contained in such a return, in such manner as the Commissioner thinks fit.

No. 37. Page 46 - After line 5 insert new clause as follows:

Protection of certain information

79A. Nothing in this Act requires the production or provision of information held under section 64D of the South Australian Health Commission Act 1976.

No. 38. Page 46 (clause 80) - After line 18 insert the following:

(2) A person who does anything in accordance with this Act, or as required by or under this Act, cannot, by so doing, be held to have breached any code of professional etiquette or ethics, or to have departed from any acceptable form of professional conduct.

No. 39. Page 46 - After line 35 insert new clause as follows:

Consideration of available resources

82A. (1) A recommendation of the Commissioner under this Act in relation to a service must be made in a way that to give effect to it—

(a) would not be beyond the resources appropriate for the provision or delivery of services of the relevant kind; and

(b) if relevant, would not be inconsistent with the way in which those resources have been allocated by a Minister, chief executive or administrative unit in accordance with government policy.

(2) In subsection (1)—

"chief executive" means a chief executive under the Public Sector Management Act 1995.
No. 40. Page 46 - After line 35 insert new clause as follows:

Interaction with Ombudsman Act 1972

82B. Despite any other provision of this Act or the Ombudsman Act 1972—

(a) a matter that may be (or has been) the subject of a complaint under this Act, being an administrative act of an agency to which that Act applies, may be referred to the State Ombudsman under section 14 of that Act on the basis that the relevant House of Parliament or committee considers that the matter involves a significant issue of public safety, interest or importance; and

(b) a matter that may be (or has been) the subject of a complaint under this Act, being an administrative act of an agency to which that Act applies, may be referred to the State Ombudsman under section 15(3) of that Act and the State Ombudsman may proceed to deal with the matter if the State Ombudsman considers that the matter may involve a significant issue of public safety, interest or importance; and

(c) the State Ombudsman may conduct an investigation of an act of the Commissioner under that Act even if the matter involves a health or community service provider that is not an agency to which that Act applies (and may, in conducting the investigation, look at the substance of the original complaint, and consider or review any other matter that may be relevant to the investigation, even if the subject matter of the original complaint did not involve an administrative act within the meaning of that Act).

No. 41. Page 47, lines 6 to 13 (clause 83) - Leave out paragraphs (b) and (c).

No. 42. Page 47, lines 29 to 34 (clause 83) - Leave out subclauses (3) and (4).

J M Davis CLERK OF THE LEGISLATIVE COUNCIL

Ordered - That consideration of the amendments be an Order of the Day for tomorrow.

7 Conveyancers (Corporate Structures) Amendment Bill
The Minister for Consumer Affairs (Hon M J Atkinson), pursuant to notice, moved - That he have leave to introduce a Bill for an Act to amend the Conveyancers Act 1994.
Question put and passed.
Bill presented and read a first time.

The Minister moved - That this Bill be now read a second time.
Ordered, on motion of Hon D C Brown, that the debate be adjourned until tomorrow.

8 Postponement of business

9 Medical Practice Bill
Order of the Day read for the adjourned debate on the question - That this Bill be now read a second time.
Debate resumed.
Question put and passed.
Bill read a second time.
In Committee
Clauses Nos 1 and 2 agreed to.
Clause No 3 read.

Hon D C Brown moved on page 5, lines 24 to 27, subclause (1), definition of medical services provider, to delete “but does not include—” and paragraphs (a) and (b)
Question – That the amendment be agreed to – put.

Committee divided (No 2):

Ayes, 21
Mr Brindal
Hon M R Buckby
Ms Chapman
Hon I F Evans
Mr Goldsworthy
Hon G M Gunn
Mrs Hall
Mr Hamilton-Smith
Hon R G Kerin
Hon D C Kotz
Hon I P Lewis
Hon W A Matthew
Ms Maywald
Dr McFetridge
Mr Meier
Mrs Penfold
Mrs Redmond
Mr Scalzi
Mr Venning
Mr Williams
Hon D C Brown (Teller)

Noes, 23
Hon M J Atkinson
Ms Bedford
Ms Breuer
Mr Caica
Ms Ciccarello
Hon P F Conlon
Hon K O Foley
Mrs Geraghty
Mr Hanna
Hon J D Hill
Hon S W Key
Mr Koutsantonis
Hon J D Lomax-Smith
Hon R J McEwen
Mr O’Brien
Ms Rankine
Hon M D Rann
Mr Rau
Mr Snelling
Ms Thompson
Hon P L White
Hon J M Wright
Hon L Stevens (Teller)

So it passed in the negative.

Clause No 3 otherwise amended and agreed to.
Clauses Nos 4 and 5 agreed to.
Clause No 6 read.

Hon D C Brown moved on page 8, lines 19 to 30, subclause (1)(a), to delete subparagraphs (i) to (iii) (inclusive) and insert:

(i) 1 is to be nominated by the Minister; and

(ii) 1 is to be selected by the Minister from a panel of 3 medical practitioners jointly nominated by the Councils of the University of Adelaide and the University of South Australia or, if the Councils are unable to agree as to the persons to be nominated, from panels of 3 medical practitioners nominated by each Council;

(iii) 2 are to be selected by the Minister from a panel of 5 medical practitioners nominated by the Australian Medical Association (South Australia) Incorporated; and

Question – That the amendment be agreed to – put.

Committee divided (No 3):

Ayes, 20
Mr Brindal
Mr Brokenshire
Hon M R Buckby
Ms Chapman
Hon I F Evans
Mr Goldsworthy
Mrs Hall
Mr Hamilton-Smith
Hon R G Kerin
Hon D C Kotz
Hon W A Matthew
Dr McFetridge
Mr Meier

Noes, 26
Hon M J Atkinson
Ms Bedford
Mr Caica
Ms Ciccarello
Hon P F Conlon
Hon K O Foley
Mrs Geraghty
Mr Hanna
Hon J D Hill
Hon S W Key
Mr Koutsantonis
Hon J D Lomax-Smith

Hon J D Lomax-Smith
So it passed in the negative.

Hon D C Brown moved on page 9, after line 4, to insert:

(3a) The Minister must, when nominating or selecting medical practitioners for appointment as members of the Board, seek to ensure that, as far as practicable, the membership of the Board includes—
(a) at least 1 medical practitioner who works in the public health system; and
(b) at least 1 medical practitioner who works in the private health system; and
(c) at least 1 medical practitioner who is registered on the general register (but not also on the specialist register); and
(d) at least 4 medical practitioners who are currently practising medicine.

Question – That the amendment be agreed to – put and negatived.

Clause No 6 agreed to.
Clause No 7 amended and agreed to.
Clauses Nos 8 to 12 agreed to.
Clause No 13 amended and agreed to.
Clauses Nos 14 to 17 agreed to.
Clause No 18 amended and agreed to.
Clauses Nos 19 to 24 agreed to.
Clause No 25 read.

Hon D C Brown moved on page 16, lines 5 and 6, to delete paragraph (b) and insert:

(b) 8 must be medical practitioners appointed by the Governor, and of these—
(i) 6 are to be nominated by the Minister; and
(ii) 2 are to be selected by the Minister from a panel of 5 medical practitioners nominated by the Australian Medical Association (South Australia) Incorporated; and

Question – That the amendment be agreed to – put and negatived.

Clause No 25 agreed to.
Clause No 26 amended and agreed to.
Clauses Nos 27 to 30 agreed to.
Clause No 31 amended and agreed to.
Clause No 32 agreed to.
Clause No 33 read.

Hon D C Brown moved on page 19, line 15, after "civil liabilities" to insert:

(other than public liability)

Question – That the amendment be agreed to – put and negatived.

Clause No 33 agreed to.
Clauses Nos 34 to 54 agreed to.
Clause No 55 amended and agreed to.
Clauses Nos 56 to 59 agreed to.
Clause No 60 amended and agreed to.
Clauses Nos 61 to 78 agreed to.
Clause No 79 read.

Hon D C Brown moved on page 43, line 5, after "civil liabilities" to insert:

(other than public liability)
Question – That the amendment be agreed to – put and negatived.

Clause No 79 agreed to.
Clause No 80 amended and agreed to.
Clause No 81 agreed to.
Clause No 82 read.

Hon D C Brown moved on page 44, lines 13 to 21, to delete the clause and insert:

82—Self-incrimination and legal professional privilege

(1) It is not an excuse for a person to refuse or fail to answer a question or to produce a document or record as required under this Act on the ground that to do so might tend to incriminate the person, or make the person liable to a penalty, or on the ground of legal professional privilege.

(2) If a person objects to answering a question or to producing a document or record on the ground that the answer, or the document or record, might tend to incriminate the person or make the person liable to a penalty, then—

(a) in the case of a person who is required to produce a document or record—the fact of production of the document or record (as distinct from the contents of the document or record); or

(b) in any other case—the information furnished in compliance with the requirement,

is not admissible in evidence against the person in proceedings (other than proceedings in respect of the making of a false or misleading statement or perjury) in which the person might be found guilty of an offence or liable to a penalty.

(3) If a person objects to answering a question or to producing a document or record on the ground of legal professional privilege, the answer, or the document or record, will not be admissible in civil or criminal proceedings against the person who would, but for this section, have the benefit of the legal professional privilege.

Question – That the amendment be agreed to – put and negatived.

Clause No 82 agreed to.
Clauses Nos 83 to 85 agreed to.
Clause No 86 read.

Hon D C Brown moved on page 45, after line 4, insert:

(1a) Without limiting the generality of subsection (1), if the Board has reason to believe that a medical practitioner or medical student has exposed himself or herself to a risk of contracting a blood-borne infection, the Board may require the practitioner or student to submit to a blood test.

Question – That the amendment be agreed to – put and negatived.

Clause No 86 agreed to.
Clauses Nos 87 and 88 agreed to.
Clause No 89 amended and agreed to.
Clauses Nos 90 and 91 agreed to.
Schedule agreed to.
Title agreed to.

The House having resumed:
Hon R B Such reported that the Committee had considered the Bill referred to it and had agreed to the same with amendments.

The Minister for Health, moved – That this Bill be now read a third time.
Debate ensued.
Question put and passed.

Bill read a third time and passed.
10 State Procurement Bill
Order of the Day read for the adjourned debate on the question - That this Bill be now read a second time.
Debate resumed.
Question put and passed.

Bill read a second time.

In Committee
Clauses No 1 to 12 agreed to.
Clause No 13 amended and agreed to.
Clauses Nos 14 and 15 agreed to.
New Clause No 15A inserted.
Clause No 16 agreed to.

Mr Hanna moved on page 9, after line 1, to insert new Clause No 17AA as follows -

17AA—Procurement of computer software by public authorities
(1) A public authority must, in making a decision about the procurement of computer software for its operations—
   (a) consider the procurement of open source software; and
   (b) as far as practicable, avoid the procurement of—
      (i) software that does not comply with open standards; and
      (ii) software for which support or maintenance is provided only by a person or body who has the right to exercise exclusive control over the sale or distribution of the software.

(2) In this section—
Open Source Definition means the document of that name published by the Open Source Initiative;
Open Source Initiative means the non-profit incorporated organisation of that name dedicated to managing and promoting the Open Source Definition for the good of the community;
open source software means software the subject of a licence that complies with the Open Source Definition as in force from time to time;
open standards, in relation to computer software, means that the specifications for data representations used by the software (including but not limited to, file formats for data storage, transmission and network protocols) are completely and accurately documented and available to the public for use, application or review without restriction.

Question – That new Clause No 17AA be inserted – put and negatived.

Clauses Nos 17 to 22 agreed to.
New Clause No 22A inserted.
Clause No 23 inserted.
Schedule agreed to.
Title agreed to.

The House having resumed:
Ms Thompson reported that the Committee had considered the Bill referred to it and had agreed to the same with amendments.

The Minister for Administrative Services (Hon M J Wright), moved – That this Bill be now read a third time.
Question put and passed.
Bill read a third time and passed.

11 Extension of time for adjournment
Ordered, on motion of the Minister for Administrative Services, that the time for moving the adjournment of the House be extended beyond 10.00 pm.

12 Postponement of business
Ordered - That Order of the Day: Government Business No 4 be postponed until tomorrow.

13 Pastoral Land Management and Conservation (Indigenous Land Use Agreements) Amendment Bill
Order of the Day read for the further consideration in Committee of this Bill.

In Committee
Hon G M Gunn’s amendment to proposed new Clause No 6D further considered.

Question – That the amendment to the amendment be agreed to – put and negatived.
Question – That proposed new Clause No 6D be inserted – put and passed.

New Clause No 6D inserted.
New Clause No 6E inserted
New Clause No 6F inserted.
Clause No 7 amended and agreed to.
Clause No 8 agreed to.
Clause No 9 amended and agreed to.
Clause No 10 amended and agreed to.
Title agreed to.

The Attorney-General moved – That Clause No 1 be reconsidered.
Question put and passed.

Clause No 1 reconsidered, amended and agreed to.

The House having resumed:
Hon R B Such reported that the Committee had considered the Bill referred to it and had agreed to the same with amendments.

Pastoral Land Management and Conservation (Miscellaneous) Amendment Bill
Hon G M Gunn moved – That the Pastoral Land Management and Conservation (Miscellaneous) Amendment Bill be recommitted for the purpose of considering a new Clause No 6CA.
Question put and passed.

In Committee
Hon G M Gunn moved to insert new Clause No 6CA as follows:

6CA A pastoral lease shall upon the expiry of its term be automatically renewed for a further term of the same duration.

Question – That new clause No 6CA be inserted – put.
Committee divided (No 4):

Ayes, 16
- Mr Brindal
- Hon D C Brown
- Hon M R Buckby
- Ms Chapman
- Hon I P Evans
- Mr Goldsworthy
- Mrs Hall
- Mr Hamilton-Smith
- Hon I P Lewis
- Ms Maywald
- Dr McFetridge
- Mr Meier
- Mrs Penfold
- Mrs Redmond
- Mr Venning
- Hon G M Gunn (Teller)

Noes, 18
- Hon M J Atkinson
- Ms Bedford
- Ms Breuer
- Mr Caica
- Ms Ciccarello
- Mrs Geraghty
- Mr Hanna
- Hon S W Key
- Mr Koutsantonis
- Hon J D Lomax-Smith
- Hon R J McEwen
- Mr O'Brien
- Ms Rankine
- Mr Rau
- Ms Snelling
- Ms Thompson
- Hon M J Wright
- Hon J D Hill (Teller)

So it passed in the negative.

The House having resumed:
Hon R B Such reported that the Committee had considered a new Clause No 6CA and had disagreed to the same.

Bill read a third time and passed.

14 Message from the Legislative Council
The following Message from the Legislative Council was received and read:

Gas (Temporary Rationing) Amendment Bill  
Message No 61
MR SPEAKER - The Legislative Council has agreed to the amendment made by the House of Assembly in the Gas (Temporary Rationing) Amendment Bill, without any amendment.
Legislative Council, 25 May 2004
R R Roberts, PRESIDENT

15 Adjournment
House adjourned at 11.34 pm until tomorrow at 2.00 pm.

MOTIONS OF WHICH NOTICE WAS GIVEN

For Wednesday 26 May 2004

Notices of Motion: Government Business -

The Minister for Emergency Services to move – That he have leave to introduce a Bill for an Act to establish the South Australian Fire and Emergency Services Commission; to provide for the continuation of a metropolitan fire and emergency service, a country fire and emergency service, and a State emergency service; to provide for the prevention, control and suppression of fires and for the handling of certain emergency situations; to make related amendments to other Acts; to repeal the Country Fires Act, the South Australian Metropolitan Fire Service Act and the State Emergency Service Act; and for other purposes.

The Minister for Emergency Services to move – That he have leave to introduce a Bill for an Act to establish strategies and systems for the management of emergencies in the State; to
make related amendments to other Acts; to repeal the State Disaster Act 1980; and for other purposes.

For Thursday 1 July 2004

Notices of Motion: Other Motions -

Ms Thompson to move – That this House calls on the Federal Government to –
(a) include South Australian parents in its offer for tuition assistance worth $700 as announced through the media on Wednesday 19th May 2004;
(b) guarantee that parents will have the ability to allocate the money to their child’s school if they wish to enable the school to target programs in the context of the child’s broader learning to get the most benefit; and
(c) guarantee that parents living in Rural and Regional South Australia will be able to have access to this funding.

Present during the day - All Members.

The following Pairs were handed in at the Table during the days proceedings:

Division No 2 -
Ayes - Mr Brokenshire
Noes -Minister for Families and Communities (Hon J W Weatherill).

Division No 4 -
Ayes – Leader of the Opposition (Hon R G Kerin), Mr Brokenshire, Hon D C Kotz, Hon W A Matthew, Mr Scalzi and Mr Williams
Noes – The Premier (Hon M D Rann), Minister for Infrastructure (Hon P F Conlon), Deputy Premier (Hon K O Foley), Minister for Health (Hon L Stevens), Minister for Families and Communities (Hon J W Weatherill) and Minister for Transport (Hon P L White).

Peter Lewis
SPEAKER

David A Bridges
CLERK OF THE HOUSE OF ASSEMBLY