

South Australia Parliamentary Chronicle 2006-07

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The First Session of the Fifty-First Parliament opened on Thursday 27 May 2006 following the first ever set date general election held on 18 March 2006. The *Constitution (Parliamentary Terms) Act 2001* provided for the next and subsequent general elections to be held ‘on the third Saturday in March in the fourth calendar year after the calendar year in which the last general election was held’.

The result of the 18 March general election was the return of the Labor Government this time with a majority of seats held in its own right. The make-up of the House of Assembly on the opening of the Parliament was –

- Australian Labor Party – 28 seats
- Liberal Party of Australia – 15 seats
- Nationals – 1 seat
- Independents – 3 seats

Ten new Members and a record number of 17 women were either newly elected or returned to the House of Assembly.

Twelve Members of the House of Assembly were sworn in as Ministers in a Cabinet of 15 which again, despite the Government’s comfortable majority included, the Nationals Member for Chaffey as Minister for the River Murray and the Independent Member for Mount Gambier as Minister for Agriculture, Food and Fisheries.

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The Member for Playford, Hon J J Snelling, was elected as the thirtieth Speaker of the House of Assembly since 1857. At 33 years and 6 months Speaker Snelling is the youngest ever occupant of the Chair. Also the House appointed the Member for Reynell, Ms Gay Thompson, to the position of Deputy Speaker and Chairman of Committees; the first women to hold either office.

In the Legislative Council the result of the general election was even more remarkable

With a large swing against the Liberal Party and the No Pokies candidate, Hon Nick Xenophon, being returned and the surprise election of the second candidate on his ticket. The Australia Democrats candidate up for election was not returned and Family First secured enough of a quota to have its lone sitting MLC joined by another.

The make up the Legislative Council continues to deny either of the major parties a majority in this Chamber. The ALP holds nine seats, the Liberal Party seven seats, the 'Xenophon No Pokies' group hold two as do Family First, with one seat each to the Australian Democrats and the Greens. The Council comprises 17 male and 5 female MLCs with three Ministers sitting in the Council.

During the session the Parliament marked the passing by way of condolence motions of the former Speaker of the House of Assembly, Mr Terry McRae; and former Minister for Aboriginal Affairs, Hon Terry Roberts MLC; Hon Norman Foster MLC; Hon Renfrey DeGaris MLC; and Mr Maurice de Rohan, the South Australian Agent-General.

The Budget was delivered on 27 September 2006. This was later than usual and due to the set date of the general election and the resulting protocols that inhibit the operations of government and the Budget preparation process. Estimates Committee hearings were subsequently held from 18 to 25 October 2006.

A number of pieces of notable legislation were passed during the session –

Statutes Amendment (Domestic Partners) Act removes legislative discrimination against same-sex couples, life partners and those who live a shared life as close companions, but who are not in a sexual relationship, by providing the same legal recognition as a de facto couple.

Terrorism (Preventive Detention) (Miscellaneous) Act gives effect to measures which, because of constitutional constraints, the Commonwealth could not enact, including preventive detention and stop, question and search powers in areas such as transport hubs and places of mass gatherings and brings the South Australian legislation into line with the corresponding Commonwealth legislation.

Workers Rehabilitation and Compensation (Territorial Application of Act) Amendment Act addresses whether or not a worker is covered in this State or under an interstate scheme, and therefore whether an employer needs to take out workers compensation insurance in South Australia for their workers. The Act implements a national model, one step closer to national consistency in workers compensation territorial coverage.

Fisheries Management Act replaces the previous Fisheries Act enacted in 1982, and provides for the ecologically sustainable development of fisheries and other living aquatic resources.

Murray Darling Basin (Amending Agreement) Amendment Act safeguards the water entitlements of South Australia agreed as a result of amendments to the Murray-Darling Basin Agreement. It provides a superior form of protection to South Australian water entitlements, above contracts and licences, by incorporation in an Agreement endorsed by each of the Parliaments of the Australian Government and the Governments of South Australia, New South Wales and Victoria.

The Clerk of the House of Assembly, David Bridges, announced his retirement in January 2007, prior to commencing a period of leave, after 30 years service to the House of Assembly.

The last sitting day of the session was 29 March 2007 and the session was prorogued on 5 April 2007.

The second session opened on 24 April 2007 with a special opening ceremony to coincide with the sesquicentenary of the responsible government in South Australia being celebrated on 22 April 2007 with a Parliament House Open Day attended by over 3,000 enthusiastic visitors.

For the first time both Houses adopted new procedures to provide for a Citizen's Right of Reply. A resolution setting out the provisions of the Right of Reply to the Legislative Council has been adopted by that House every session for some years now. The Legislative Council provisions require the President to determine all applications. To date they have been few. The House of Assembly Right of Reply provisions were adopted for the first time this session as a sessional order of the House. The 'right' is as a result of a recommendation of the Standing Orders Committee tabled in the last weeks of the previous session. The House of Assembly provisions require that an application for a right of reply is received by the Speaker but the matter is determined by the Standing Orders Committee. It is the case for both Houses that the only relief offered to an applicant is the publication in Hansard of an agreed statement refuting or correcting the words of a Member.

The same House of Assembly Standing Orders Committee report recommended the adoption of sessional orders for 'family friendly' sitting times. The House now begins its sitting days at 11.00am on Tuesday and Wednesday and continues to

meet at 10.30am on Thursday. There was some initial opposition expressed by some country Members to the earlier start to the sittings and there is still some adjustments being made to the regular meeting times of party meetings and Select and Standing Committees to accommodate the change. The Leader of the Government Business in the House was reported to have described the change as 'A dangerous outbreak of common sense' and early indications are that the new hours satisfy the Government's requirement for slightly more sitting time to affect the timely passage of business. The new sitting times also provided for a slight diminution of the time available for Private Member's Business but it has provided dedicated time to the various classes of Private Members Business and that has addressed concerns about the growing backlog of unresolved Private Members Business on the Notice Paper. The only 'family friendly' aspect of the new sitting times is that the House now adjourns most days at 6.00pm. The change has created some new pressures for Parliamentary staff involved in the reporting of the proceedings and the preliminary work necessary for a sitting day and these matters will be addressed as part of a review of the measure at the end of the current session. ▲