HOUSE OF ASSEMBLY

Tuesday, November 6, 1973

The SPEAKER (Hon. J. R. Ryan) look the Chair at 2 p.m. and read prayers.

ADMINISTRATION AND PROBATE ACT AMENDMENT BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

PETITIONS: CASINO

Mr. BURDON presented a petition signed by 206 persons who expressed concern at the probable harmful impact of a casino on the community at. large and prayed that the House of Assembly would not permit a casino to be established in South Australia.

Mr. McANANEY presented a similar petition signed by 66 persons.

Mr. ALLEN presented a similar petition signed by 10 persons.

Dr. EASTICK presented a similar petition signed by 114 persons.

Petitions received.

SITTINGS AND BUSINESS

The Hon. D. A. DUNSTAN (Premier and Treasurer): I move:

That the sitting of the House be suspended until the ringing of the bells.

I assure the Leader of the Opposition that Question Time will not be shortened in any way.

Motion carried.

[Sitting suspended from 2.5 to 2.18 p.m.]

MINISTERIAL STATEMENT: HOMOSEXUALITY

The Hon. HUGH HUDSON (Minister of Education): I seek leave to make a statement.

Leave granted.

The Hon. HUGH HUDSON: In the past, in relation to public controversies such as those concerning the moratorium, the Vietnam war and conscription, constructive guidelines have been established for determining school policy and for the use of visiting speakers. These guidelines are generally accepted by the schools and have been used by them with discretion and responsibility, as follows: (1) that in relation to a highly controversial matter the head of a school should consult with staff, senior students, and parents before determining the school's policy; and (2) that the school should not be used as a means of outright propaganda for any point of view. Schools are fully aware of their responsibility to ensure that in any discussion of controversial issues students should be exposed to a balanced and thorough examination of the issues involved and be given an opportunity to investigate all points of view.

In circumstances where schools have demonstrated beyond question their ability to act responsibly in relation to these guidelines, it would be unnecessarily dictatorial of me, as Minister, to lay down specific "do's" and "don'ts" with respect to the treatment of the question of homosexuality. The more experienced our schools become in handling such controversial questions the more effective they are likely to be in maintaining communication with students and in developing as responsible centres of learning where students are capable of facing the truth on any question with logic and clarity. The policy that is adopted does involve the acceptance of responsibility by the schools in a way that is most likely to encourage the development of sound educational practices. It is a matter of regret that some sections of the community do not have confidence in our schools' ability to act with responsibility and common sense. This fact, however, only reinforces my determination to ensure that the conditions necessary for responsible action by schools are not destroyed.

QUESTIONS

The SPEAKER: Pursuant to Standing Orders the following written answers to questions have been received and, as they are in conformity with Standing Orders and the practice of the House, I direct that they be distributed to members who asked them and that, together with the questions, they be printed in *Hansard.*

ENFIELD HIGH SCHOOL

Tn reply to Mr. WELLS (October 23).

The Hon. J. D. CORCORAN: A contract has been let for the installation of fire escape stairways at Enfield High School and 18 other schools of similar construction. The contractor has undertaken to install the fire escape at Enfield High School in about a fortnight's time.

GRASSHOPPERS

Tn reply to. Mr. VENNING (October 25).

The Hon. J. D. CORCORAN: I believe that details of the conditions under which the grant is being provided will be made known at the forthcoming meeting of the Australian Agricultural Council.

PRISONER WELFARE

In reply to Mr. MILLHOUSE (September 20).

The Hon. L J. KING: The Chief Secretary states that the Prisoners Aid Association has been requested to make further detailed submissions regarding a post-release hostel, and these are al present being considered. The Government's decision on this matter will not necessarily be a wholly financial one, although one of the considerations is the continuing annual cost outside of the initial capital, cost. As there has been very little problem in obtaining suitable accommodation for released prisoners in South Australia, other aspects of the proposal covering welfare of the men themselves must also be considered.

LOCAL GOVERNMENT GRANTS

In reply to Mr. ALLEN (October 30).

The Hon. G. T. VIRGO: Sympathetic consideration will be given to requests for financial assistance from councils for roads affected by the Murray River flood, but, as funds are fully committed, any assistance given would probably need to be in the way of transfers of existing grants rather than additional grants for new work.

STUART HIGHWAY

In reply to Mr. GUNN (October 18).

The Hon. G. T. VIRGO: Construction of the Stuart Highway has been completed from Port Augusta to Hesso and work is in progress from Hesso to Bookaloo. Funds are available in the current financial year to complete this section. All available resources from the Highways Fund are committed to essential maintenance and other needs of high priority, and no possibility is seen of extending construction on the highway this year. The Highways Department will continue a programme of maintenance and the upgrading of weak sections between Bookaloo and the Northern Territory border. Improved conditions on the Stuart Highway are expected during the summer months.

PORT LINCOLN CROSSING

In reply to Mr. BLACKER (September 18).

The Hon. G. T. VIRGO: Negotiations are proceeding between the Road Traffic Board, the South Australian Railways, and the Corporation of the City of Port Lincoln in an endeavour to provide safe conditions for children who must cross the railway line to attend the Lincoln South school. It is my hope that this matter can be satisfactorily resolved before the commencement of the 1974 school year.

LOXTON TURN-OFF

In reply to Mr. NANKIVELL (October 18).

The Hon. G. T. VIRGO: It is considered that the existing signs, in advance of the Loxton turn-off on the western approach to Kingston bridge provide adequate advance warning and information for motorists. The signs are: (1) an advance direction sign, indicating "Loxton and Barmera", is located 900ft. (274.3 m) west of the actual turn-off; (2) another advance direction sign indicating "Mildura, via Barmera 115 miles" (185 km) and "Mildura, via Loxton 131 miles" (210.7 km) has been placed 300ft. (91.4 m) west of the actual turn-off; and (3) a direction sign indicating "Loxton" is placed at the actual turn-off.

RAILWAY TRAVEL

In reply to Mr. HALL (August 30).

The Hon. G. T. VIRGO: If the honourable member will provide the name and address of the persons, I will arrange for the Railways Commissioner to refund to them the difference in cost between a first and second-class fare.

MILITARY ROAD

In reply to Mr. BECKER (October 11).

The Hon. G. T. VIRGO: Military Road, between West Beach Road and Burbridge Road, is at present maintained by the Corporation of the City of Henley and Grange. However, reconstruction and widening of this section has been tentatively included in the Highways Department's advanced works programme for 1978-79, dependent on the availability of funds and the priority of the work at that time.

ROAD MAINTENANCE

In reply to Mr. ARNOLD (October 11).

The Hon. G. T. VIRGO: The Highways Department is continually seeking improved methods of maintaining road shoulders in a satisfactory condition. Current investigations include wider sealed pavements, edge lining, control of pavement and shoulder material, compaction and encouragement of prostrate grasses. A satisfactory and reasonably economic answer to the problem of fretting at the edge of sealed surfaces has not yet been found.

PORT AUGUSTA ROADWORKS

In reply to Mr. KENEALLY (October 4).

The Hon. G. T. VIRGO: As part of the design of the new western approach of the Eyre Highway to Port Augusta, the Highways Department proposed that certain road closures be implemented to convert intersections into "T" junctions, the closures recommended being as follows: *(a)* southern arm of Loudon Road at the junction with Hackett Street; *(b)* western arm of Mildred Street at the intersection with Loudon Road; *(c)* eastern arm of Bond Street at the intersection with Loudon Road; and *(d)* western arm of Stokes Terrace at the intersection with Loudon Road.

The Corporation of the City of Port Augusta objected to these closures with the exception of *(a)* and, as a result, the Road Traffic Board was asked to independently review the proposals. The board concurred with the Highways Department's recommendations for the following reasons:

1. A system of closures to convert the intersections into "T" junctions to remove cross traffic conflict on a new road facility is considered imperative in the interests of road safety and accident reduction.
2. The proposed system provided the least disruptive effect on the local residents for access to their properties.
3. The proposed closures were compatible with existing bus routes.

It was considered that the council's grounds for not accepting the proposals were not well founded, as adequate alternative access to facilities in other parts of the city would still be provided on the road network. It is still considered that the proposals are the best in the circumstances, and it would be a retrograde step in the interests of road safety if the closures at Bond and Mildred Streets were removed. The amendment of the Road Traffic Act regulations to effect the closures were gazetted on October 4, 1973.

ROAD CHARGES

In reply to Mr. McANANEY (September 19).

The Hon. G. T. VIRGO: There are several reasons why recovery of road charges is poor, but the principal reasons are the inaccuracy of the tare weight and load capacity of vehicles, as determined under the Motor Vehicles Act, and the fact that road maintenance contributions are an "honour" tax. Road charge contributions are payable on commercial goods vehicles having a load capacity in excess of eight tons (8.1 t), and the rate of the contribution is calculated on the sum of the tare weight and 40 per cent of a load capacity. The tare weight and load capacity used in this calculation are those determined under the Motor Vehicles Act, and any understatement of either is reflected as a Joss of revenue.

When vehicles are first registered a weigh note must be produced giving its unladen weight, including normal accessories usually carried by the vehicle. It is being found that vehicles are tared as a flat top and then accessories such as stock crates and tanks are being added to cater for specific cargoes. In other cases an additional axle or axles are added. Although owners of vehicles in such cases are legally required to advise the Motor Vehicles Department so that the vehicle can be re-assessed, they are, in most cases, only revealed by actual weight checks or inspections. Current test checks being carried out by the Highways Department show that there is considerable evasion of both motor tax and road maintenance charges taking place by these means. The load capacity of a vehicle is determined for rigid and articulated vehicles as being the gross vehicle weight less the tare weight, and the gross combination weight less the tare weight respectively. Any alteration in the tare weight affects the load capacity determined and, in turn, the calculation of road charges.

Under the Road Maintenance (Contribution) Act an owner is required to forward to the Highways Commissioner each month the amount of road tax payable for the previous month, together with a return showing the details of the mileage travelled on any public road. Under this system of voluntary disclosure, there can be many ways of evading payment of full road charges. Since the Act does not empower inspectors to have access to the records of an owner, the only check on the validity of a return is one of sighting the vehicle in a particular place. Continuous sighting checks are carried out, and

prosecutions are made whenever omissions are found, but obviously only a small percentage of trips can be checked in this way. There are also many other recovery difficulties arising out of financial instability in the industry. By using hire-purchase, it is possible for a transport operator to enter the industry with a minimum of equity. If established as a company, it is a comparatively easy matter to transfer operations from one company to another, without director liability, to avoid the consequences of non-payment Further, if it is an interstate company, judgment in this State cannot be enforced against it.

MONARTO LANDOWNERS

In reply to Mr. WARDLE (October 11).

The Hon. D. J. HOPGOOD: There are 125 property owners within the designated site, and the number of properties actually purchased and settlement finalized is seven. In addition to the above seven settlements, a further five properties have been recommended for purchase by the Land Board.

GAS

In reply to Mr. ALLEN (October 11).

The Hon. D. J. HOPGOOD: The position concerning gas supplies from the Cooper Basin gas field is as follows:

Proven and probable reserves—(that is reserves that can be reasonably confirmed by geological and engineering data and which are reasonably certain to be productive.)	3.4 trillion cubic feet
Possible reserves—(areas where geological and engineering data indicate the possibility of reserves and geological control is reasonable.)	.9 trillion cubic feet

The present market commitments are as follows:

Sydney market—to year 2000—	2 trillion cubic feet
South Australian market including Redcliffs refinery—to year 1990.	1.3 trillion cubic feet

It is estimated that another 1.3 trillion cubic feet of natural gas will have to be found to satisfy the foreseeable demand of the existing markets, and a further .8 trillion cubic feet which will be dedicated to Australian Gas Light Company to ensure a steady rate of supply to the year 2005. The discovery record of the Cooper Basin producers suggests that this additional gas will be found in the near future. To date their success ratio in exploration activities has been 34 per cent, that is, 56 exploration wells have resulted in the discovery of 19 fields, of which many have multiple reservoirs. Experts are confident that there is enough gas in the Cooper Basin to satisfy the South Australian and Sydney demand well beyond the year 2000.

MONIER BESSER

Tn reply to Mr. MAX BROWN (October 17).

The Hon. D. J. HOPGOOD: The firm of Monier Besser has been contacted with regard to the plant location for the manufacture of concrete sleepers for the Commonwealth Railways, and a company spokesman has advised that no decision has yet been taken in the matter. Discussions with regard to many aspects of the contract are still taking place between the company and the Commonwealth Railways, and a decision regarding the point in question will eventually be made after all relevant factors have been taken into account, not the least of which will be the economic ones.

MOBIL AUSTRALIS

Mr. BECKER (on notice):

1. Is the Premier aware of the reasons for the Seamen’s Union of Australia refusing to handle the unloading of the oil tanker *Mobil Australis?*

2. If so, what were such reasons?

The Hon. D. A. DUNSTAN: The replies are as follows:

1. The action of the Seamen’s Union of Australia in refusing to handle the unloading of the oil tanker *Mobil Australis* followed a request from the Storemen and Packers Union for support in its dispute with the oil companies.

2. See 1 above.

WEST BEACH RAMP

Mr. BECKER (on notice):

1. What materials are being used in the construction of the boat ramp at West Beach?

2. What are the measurements of this ramp?

3. Have studies been made of a model of this ramp?

4. What guarantee can be given that this ramp will survive normal weather conditions at this locality?

5. Will the ramp affect the littoral drift of sand on the beach at this point and what studies have been undertaken in this regard?

The Hon. G. R. BROOMHILL: The replies are as follows:

1. Concrete and natural rock.

2. Length—112ft. 8in. (34.7m); width—25ft. 4in. (7.8 m).

3. None was considered necessary.

4. The design of the ramp guarantees that it will survive under normal weather conditions.

5. The length of the ramp will cause minimal effect to the littoral drift of the sand at this point. This assumption has been made from the studies that were undertaken of the metropolitan coast by the University of Adelaide.

POINTS DEMERIT SCHEME

Mr. BECKER (on notice):

1. When did the Minister of Transport receive the report from the committee investigating the points demerit scheme?

2. When will the report be released to Parliament?

3. What is the reason for the delay in releasing the report?

The Hon. G. T. VIRGO: The replies are as follows:

1. Early in October.

2. After the report has been considered by Cabinet.

3. I am now considering the recommendations of the report, and will subsequently discuss them with Cabinet.

TOD MAIN

Mr. GUNN (on notice): What plans has the Government to extend the Tod main west of Ceduna?

The Hon. J. D. CORCORAN: The matter is being considered, but no announcement is yet possible.

OFFSHORE LEGISLATION

Mr. MILLHOUSE (on notice):

1. Has any answer yet been received to the petition by the South Australian Government and other State Governments to Her Majesty the Queen that there should be a reference to the Judicial Committee of the Privy Council of certain questions arising from a Bill introduced into the Commonwealth Parliament concerning offshore areas?

2. If so, what is that answer?

3. If an answer has not been received, what action, if any, is being taken to get an answer?

The Hon. L. J. KING: The replies are as follows:

1. I have not received advice from either parties to this petition (the Governments of Queensland and Tasmania) that indicates that a reply has been received from Her Majesty the Queen.
2. Refer 1.
3. It is not considered appropriate for the South Australian Government to lake any action to seek the information the honourable member requests.

TAPS

Mr. MILLHOUSE (on notice):

1. What has happened to the taps consigned to the Adelaide Waterworks in 1860, recovered by members of the Underwater Explorers Club from the wreck of the *Fides* and presented to the Engineering and Water Supply Department?
2. Has the Government any plans for the preservation and display of these taps and, if so, what are they?
3. If no plans have been made, why not?

The Hon. J. D. CORCORAN: The replies are as follows:

1. The taps are displayed in the office of the Director and Engineer-in-Chief, Sixth Floor, State Administration Centre, Victoria Square, Adelaide.
2. *Vide* No. 1.
3. *Vide* No. 1.

MARINELAND

Mr. BECKER (on notice):

1. Who will control and manage Marineland upon acquisition?
2. Will the present employees be retained and on what terms and conditions?

The Hon. *G.* T. VIRGO: The replies are as follows:

1. Marineland is under the control of the Minister of Local Government and is being managed by Mr. R. Woon.
2. All the staff employed at the take-over date are continuing on the conditions applicable at the take-over date.

WEST BEACH ROADWORKS

Mr. BECKER (on notice):

1. Is the Highways Department considering purchasing land at West Beach and, if so, where and for what purpose?
2. Is Tapley Hill Road between Burbridge Road, West Beach, and Glenelg North to be upgraded and, if so, when and to what extent?

The Hon. G. T. VIRGO: The replies are as follows:

1. Yes; an area of vacant land between Gray Street and Simcock Street and a smaller area to the south of Simcock Street for roadworks.
2. It is intended to duplicate Tapley Hill Road between Burbridge Road and the Sturt River during the period 1975-1978, subject to the availability of funds.

INDUSTRIAL DISPUTES

Dr. EAST1CK: Does the Premier see anything sinister in what is claimed to be an increasing importation into South Australia of militant union leaders to organize local industrial campaigns? People who have been watching closely the increased militancy within many unions have claimed that some of the upsurge that has taken place has followed soon after the introduction to Adelaide of new officials who have come from union headquarters in other States. Last year, we witnessed the Australian Building and Construction Workers Federation campaign over compulsory union membership, organized by two former Sydney unionists (Messrs. Robinson and Owens), and unionists from other Slates arrived to take over when those two persons were gaoled.

Members interjecting:

The SPEAKER: Order! The honourable Leader.

Dr. EASTICK: The Storemen and Packers Union, which was responsible for the Port Stanvac stoppage and the subsequent petrol shortage, is led by Mr. Apap, who is newly arrived from Melbourne. Now it has been alleged that the current strike by workers engaged in brick manufacture is being assisted by another Melbourne union leader who has been brought over specifically for this purpose and who will return to Melbourne when the strike is over. Therefore, does the Premier foresee a period of increased union militancy developing in South Australia because of the 35-hour week issue which will arise shortly—

The SPEAKER: Order!

Dr. EASTICK: —and what role docs he believe that imported union stirrers are playing in present disruptions?

The SPEAKER: Order! The honourable Leader may not comment. The honourable Premier.

The Hon. D. A. DUNSTAN: The Leader has been misled by his own desire to make some political point in the matter. I suggest to him that, before he makes allegations in this House with the aim of making some political point against trade unions in South Australia, he find out what in fact is the case. He cited the instance of the building construction workers union. Mr. Robinson, to whom he referred, had been here for some years before the difficulty occurred last year, and Mr. Owens, to whom he also referred, is a South Australian. Although it is the case that Mr. Apap has recently been sent to South Australia by the managing committee of his union, the union was obliged, for reasons completely unconnected with union militancy, to find an official immediately for the South Australian branch of the union: therefore, it sent someone from the Commonwealth office, as is quite normal.

The Hon. G. T. Virgo: He’s since been elected Secretary by the members in South Australia.

The Hon. D. A. DUNSTAN: Yes, he has been elected by the local membership. In relation to the bricklayers’ dispute, I point out to the Leader that the union involved is the Australian Workers Union, which has no accession of officials from another State. I suggest to the Leader that he get his facts straight before making the kind of allegation he has made in the House this afternoon.

Mr. WRIGHT: Will the Leader of the Opposition name the person or persons to whom he referred when he asked the Premier about A.W.U. officials? Obviously, the Leader does not know what he is talking about, because there is no importation working as an official in the South Australian branch of the A.W.U. Certainly, there is no-one from Melbourne in any category. However, there is a New South Welshman employed by the branch to do industrial work, but he has no say whatsoever in respect of policy. The officials in charge of that branch are officials elected by the South Australian membership of the union, and they have been so elected for many years. The current Acting Secretary (Allan Begg) is a respected official who has the full support of his members and who has held an elected position for 10 years.

Dr. EASTICK: I will obtain further advice in respect of the matter and consider the information given by the honourable member in his question.

The Hon. G. T. Virgo: You’re now saying you were wrong?

Dr. EASTICK: No.

Mr. EVANS: Can the Minister in charge of housing say what action the Government is taking to settle the clay industries dispute, especially in respect of the manufacture of clay bricks? The South Australian building industry is in a shocking situation in respect of the supply of building materials, especially bricks for the housing industry. The present strike is costing the State the construction of about 40 houses a day. No alternative building material can be used in the construction of walls, because supplies of alternative materials are also in short supply and are being fully used. For the first time, burners employed at the factory have gone out on strike. These persons keep the kilns operating, thereby normally avoiding any long delay in the resumption of production. However, now that they are on strike, it will take up to two weeks for the automatic kilns to be brought back into production. As the Minister of Education will know, there will be delays of up to four weeks in the construction of some schools as a result of this strike, yet some schools have been promised for occupation and for use in time for the student intake early next year. Of course, the building industry will have to meet the burden. Further, the workers have asked for an across-the-board increase of $10, with other benefits.

The SPEAKER: Order! The honourable member cannot comment on the dispute itself.

Mr. EVANS: There is concern that the extra cost imposed will increase considerably the sum that prospective house owners will require to purchase a house, yet these are the people that can least afford the increase, let alone the State as a whole.

The Hon. D. H. McKEE: I believe I can give the best report in this matter, because I have been negotiating with the unions concerned, with the employer organization, and with the companies since last Friday. Possibly I can give a more up-to-date report than can the Minister in charge of housing. The dispute stems from the union serving a log of claims on the brick-manufacturing industry. There has been disagreement in a couple of areas. The unions met yesterday and rejected the companies' offer. The employer organization and the companies are meeting again tomorrow (because one of the top-level delegates is away from South Australia today) to consider their position. It is hoped that a solution will be found at this meeting and that perhaps a further offer will be made to the unions.

Mr. WARDLE: I direct my question to the Minister of Transport. Will the railway employees who were on strike last week be paid for the shifts that they missed because of the strike?

The Hon. G. T. VIRGO: No.

STRATHMONT TECHNICAL HIGH SCHOOL

Mr. WELLS: Will the Minister of Education have undertaken repairs that are urgently needed at Strathmont Girls Technical High School? Yesterday, I was visited at my office on Grand Junction Road by members of the school council, who explained the problems confronting them. For instance, the paving of the playing area is badly broken and damaged, the area needing complete repaving. A drainage system is needed behind 17 classrooms, where, after rain falls, water runs on to the playing area, with the result that the paving deteriorates further. The building that houses the senior staff having subsided, doors cannot be closed and the floor is buckled. As I share the school council's concern at this situation, I ask the Minister whether he will take urgent steps to have the problem solved. I am aware that there has been some suggestion that a new school be provided in the area. However, as this was mooted some time ago, I believe repairs should be effected as soon as possible.

The Hon. HUGH HUDSON: I will investigate the matters raised by the honourable member and bring down a report for him as soon as possible. I hope that the report will include precise recommendations about how the situation will be dealt with.

WORKING WEEK

Mr. COUMBE: Can the Premier say what is the Government's policy on the matter of the 35-hour week? It has been reported that, following a meeting yesterday with the President of the Australian Council of Trade Unions (Mr. Hawke), a campaign will be launched for a 35-hour week next year in the power industry, which includes the Electricity Trust of South Australia. The Commonwealth Minister for Labour (Mr. Cameron) has been reported earlier as saying that the 35-hour week election promise of his Government may have to be deferred for a time. As this matter could affect this State through the Electricity Trust, I ask the Premier to state the Government's policy with regard to the 35-hour week.

The Hon. D. A. DUNSTAN: The policy of the Government is that ultimately a 35-hour week should be attained in Australia. However, in present circumstances that is a matter for examination in each sector of industry involved and for decision by the appropriate tribunal. At present, a 35-hour week obtains in certain areas of Australian employment; in other areas, there is a 37½-hour week, and in other areas a 40-hour week. The circumstances appropriate to each case should be examined.

MURRAY RIVER

Mr. HALL: Will the Minister of Works report on the progress of floodwaters down the Murray River? Yesterday and last evening I was in the River districts and talked with experienced local residents who were conversant with the previous floodwaters in the river. However, no-one seemed to know what to expect of the floodwaters or the height that they might reach on this occasion. Concern was expressed in respect of additional monsoonal rains in the catchment areas which could bring about an unknown added impetus to the height of the water so far reached. It was also considered that certain conditions might impede the escape of floodwaters down the river. In essence, the local feeling expressed by the industry leaders whom I met last night was one of ignorance in respect of how far the floods might reach.

The Hon. J. D. CORCORAN: I do not have with me the latest report I have received. We have continually provided information on predictions and, as the honourable member has stated, no-one knows what the position will be: we can only predict. However, the predictions so far made by the officers of the Engineering and Water Supply Department have been accurate. So far as I know, the people in the River districts have appreciated this. The estimates given by the department have been, generally speaking, correct, within 24 or 48 hours anyway. I will give the honourable member the information that has been given to me in the report. The report stated that the previous prediction still stood, but I am not sure of the exact details of that prediction and do not want to guess at them. So far as I know, there has not been a big change in the prediction made previously and publicized. However, I will let the honourable member know what is the position.

Mr. ARNOLD: Will the Minister of Transport, as a matter of urgency, make available a Highways Department engineer to examine the effects of the ferry approach road

on the floodwaters at Morgan while the river is at its peak? This morning, accompanied by the Chairman of the Morgan District Council (Councillor H. E. Boord) and Mr. K. Richards, I visited the area. The causeway approach seems to be creating a bottleneck, as the water is about 1ft. (.3m) higher on the upstream side compared to the downstream side. This is diverting the water from its natural flood course, resulting in the undermining of shack and house foundations by the fast-flowing water, and some substantial dwellinghouses are showing signs of collapse. The council and the people concerned would appreciate an investigation being made as soon as possible to determine what relief should be provided in the embankment before the next flooding, to try to reduce the extent of damage in future.

The Hon. G. T. VIRGO: I am surprised at the question being asked, because the Highways Department engineers have the problems of the flooding of the Murray River under observation all the time. If there is the urgency that the honourable member suggests (and it seems from the description he has given that there could be), I am at a complete loss to understand why the District Clerk or the Chairman (Councillor Boord) has not immediately contacted the Highways Department with the request. Such action would have expedited the matter; at least it would have saved half a day in getting urgent attention. As it is now, by the time the matter is referred to the Highways Department there will be another unfortunate delay. I will certainly refer the matter to the Highways Department but I expect to get the reply that the engineers have the matter under constant observation.

LEAVING EXAMINATION

Mr. GOLDSWORTHY: Will the Minister of Education say whether a decision has been made to abolish the Leaving examination and, if it has been, when the examination will be abolished?

The Hon. HUGH HUDSON: I hope to be able to make an announcement on that matter within the next day or so.

HOMOSEXUALITY

Mr. MILLHOUSE: Will the Minister say whether his earlier statement means that there has been a change of policy in relation to the intention of members of Gay Liberation to speak in secondary schools? I listened with attention to the Minister's statement to find out whether I could detect in it anything new or meaningful, but I could not detect that. You will remember, Mr. Speaker, that last week the Minister said that whether these people were allowed to go into schools was a matter for schools, and he left it at that. Since then, there has been much criticism of what has been regarded as an offhand attitude on a serious matter. It is doubtless to allay that criticism that the statement has been made today, but for the life of me I cannot see that it carries the matter any further. For that reason, I ask the Minister whether any change of policy has been expressed in the statement or whether it is merely a reiteration, with additional words, of what he said last week.

The Hon. HUGH HUDSON: There has been no change in policy. I restated the position that had been taken on this matter. The fact that the honourable member could find nothing meaningful in the statement, I would suggest, was a commentary on him rather than on the statement. Clearly, it would be difficult to give a commentary on the honourable member—

Mr. Hall: The usual abusive—

The SPEAKER: Order!

The Hon. HUGH HUDSON: If the member for Goyder wishes to ask me a question, I shall be only too pleased to reply. My statement was a reiteration and development of the statement that had been made, pointing out that the policy followed in the past had worked well and had enabled the schools to conduct themselves in a responsible and commonsense way. There is no reason to believe that they will not continue to do this and, consequently, I do not intend to issue directions to them. If the honourable member cannot see the argument, I am really sorry for him.

LEAD

Dr. TONKIN: Will the Attorney-General ask the Minister of Health to institute an immediate and urgent inquiry into allegations by Professor Harry Bloom of the University of Tasmania that the children of Australian cities may be in serious danger from lead poisoning? Professor Bloom is quoted as saying that 8 per cent of children in Hobart and between 25 per cent and 30 per cent of children in Melbourne and Sydney could be suffering from dangerous levels of lead in the blood. This question is supplementary to one I asked the Minister of Environment and Conservation on October 9 in relation to air pollution in Rundle Street. This is a serious matter: lead poisoning was a widespread condition when lead was used in paint many years ago, and, although it has rarely been seen, recently I understand its incidence is beginning to increase.

The Hon. L. J. KING: I will refer the matter to the Minister of Health.

Dr. TONKIN: Will the Minister of Transport make every effort to ensure that the possible effects on the community of lead additives in petrol will be discussed at early meetings of the Commonwealth and State Transport and Health Ministers and their representatives? I think that members know that many other countries have banned the adding of lead to petrol or have introduced strict controls on the content of lead in petrol. It has been said that it is desirable, because of the dangers that lead presents to health, that similar controls, be instituted here as soon as possible.

The Hon. G. T. VIRGO: It is unnecessary to comply with the honourable member's request, because what he has asked has been dealt with already, not only in the Transport Ministers' area but also in the Environment and Health Ministers' area. In fact, design rules have been drafted (I do not think they have been finalized) in relation to this question, and they will come into effect. Certainly, the matter is, and has been for some time, receiving active consideration.

PLANNING LEGISLATION

Mr. McANANEY: Will the Minister of Environment and Conservation take action as a result of the remarks made by the Planning Appeal Board in relation to its being unable to make a decision on an appeal? Members of the board are reported as saying that they believe they have no power under the Act or the regulations to solve the problem involved.

The Hon. G. R. BROOMHILL: I am not sure to what report the honourable member is referring, but about four or five weeks ago it was pointed out that difficulties were being experienced in relation to the Planning and Development Act. Since then, a committee has been established, comprising officers of the State Planning Authority and the Planning Appeal Board, to give me a report on where problems have arisen in this respect and I

am awaiting that report so that action can be taken to overcome the difficulties. If the honourable member will show me the press report to which he is referring, I shall see that he is given the additional information he requires.

WINDANA HOME

Mr. BECKER: Can the Attorney-General say what additional security arrangements are planned for the Windana Remand Home at Glandore? I understand that during the past three weeks 12 inmates have escaped from the home, the latest escape having occurred a few days ago when six boys absconded. The Minister has been reported in the press as saying that arrangements are being made to strengthen the ceiling and the roof of the home at the point where the latest escape occurred. I have been approached by constituents living opposite the home who are concerned about the number of escapes, the vandalism to their property, and their own personal safety and security. I wonder what other arrangements the Minister has in mind that could put my constituents' minds at ease by their knowing that there will be no further escapes.

The Hon. L. J. KING: I am surprised indeed that the honourable member has had complaints from people living near Windana suggesting that their property has been damaged in some way, because I have not personally heard of that. Indeed, all experience of abscondings is that the absconders get away from the immediate precincts of the home immediately they get out and that, if anyone's property is in danger, it is the property of people living some distance from the home. But, if the honourable member has further particulars on that, I shall be interested to hear of them, because it is certainly not something about which I have heard. In the past three years, much attention has been given to the security arrangements at Windana. The problem with this building, as with so many of these residential-care buildings, is the roof, and some weeks ago the Community Welfare Department authorities, in consultation with the Public Buildings Department, settled on a plan for further securing the roof by installing metal mesh in the ceiling.

I understand that there have been difficulties about installing it, because it is hard to obtain the requisite material, but the matter is being pursued with as much haste as is possible, and this secure mesh will be installed in the ceiling as soon as possible. It is hoped that that will make it much more difficult for inmates to abscond through the ceiling. The other problem that arises relates to staffing: the arrangement that has existed is for one staff member to be on duty in each of the units. Of course, this can create a difficulty if a boy attracts attention and desires to come out of a unit to go to the toilet, or for any other reason. In that case, a member of the staff has to attract the attention of a staff member, who is on duty in another unit, to assist him in that situation. It is now planned to have a reserve staff member on duty at all times to cope with such circumstances; but basically, of course, the problem on this occasion was the lack of security in the roof which enabled the absconders to get through the roof.

SUPERANNUATION

Mr. GUNN: In view of the decision of the Public Service Association to reject the State Government's proposed superannuation scheme, will the Premier say what action he now intends to take regarding this scheme? Does he intend to proceed with it, or to leave the situation as it now stands?

The Hon. D. A. DUNSTAN: Officers of the Public Service Association will be coming to see me this afternoon. The Superannuation Federation, which is representative of all sections of subscribers to the Superannuation Fund and of superannuants, has indicated its support for the proposals, albeit with suggestions for certain modifications. So far as I can understand the objections of some members of the Public Service Association to the proposals, frankly those members have not worked out the benefits to themselves from the proposals and are mistaken in their view that the proposals do not represent a substantial improvement on their present position. In fact, I intend to tell them that, in the case of any individual officer, we will have the Public Actuary work out for him just what improvements in benefits he will obtain. We have done that for some people. Other people seem to have worked out the results and come to the wrong conclusion, and I think that misconception needs to be cleared up.

In fact, the Public Service Association was represented on the working committee which produced the scheme and which had the direction that it should produce a scheme equal to the best in Australia. I believe it has done that, and I intend to pursue the matter in order to try to obtain substantial agreement on it, because I think it is important for people subscribing to superannuation to have the improvements that the Government has designed for them. I am sure that, with proper consultation, the misunderstandings will be cleared up. I point out that the Public Service Association has now said that it has no dispute with me or the Government, but rather that it has some dispute with members of the Superannuation Federation. However, I have said that I will speak both to the Superannuation Federation officers and to the Public Service Association officers in an endeavour to obtain agreement as soon as possible, because it is important that we should meet the time table and have legislation for a new superannuation scheme brought in this session.

LEIGH CREEK COAL

Mr. ALLEN: Can the Premier say whether any approaches have been made by the Commonwealth Government to have the freight rate on Leigh Creek coal increased and what is this Government's policy on that matter? Members are aware that coal is at present railed to Port Augusta, at concessional rates, by the Commonwealth Railways. In fact, the rate of $1.15 a ton has applied since 1956, when the State and Commonwealth Governments entered into an agreement in perpetuity at that figure. The recently published Coombs report states:

> It is clear that the present arrangements are a relic of historical (and political) circumstances and should be reconsidered.

People connected with the industry are concerned that an increase in freight rates will contribute to a further increase in electricity charges in this State.

The Hon. D. A. DUNSTAN: I have had no approach from the Commonwealth Government, nor has the Minister of Works, and there has been no official request or suggestion of any kind on this matter. I point out to the honourable member that this situation cannot be altered without the agreement of the South Australian Government,

MONARTO

Dr. EAST1CK: Is the Premier aware that it is not the intention of the Commonwealth Government to make funds available to the State Government to assess potential industrial development for Monarto? The following is an extract from evidence given by a Mr. Bennett, of the

Commonwealth Treasury, in the Senate Estimates Committee Fund on October 18 last:

> Senator YOUNG—. . . What assistance will the Commonwealth be giving in this particular area to the South Australian Government proposals? What can they expect to get?
> Mr. Bennett—The city of Monarto is one of the cities under study and the research that we are doing on location factors will contribute to the development of that city as well as the other cities that are in the study programme.
> Senator YOUNG—So you will be giving assistance to the South Australian" Government to assess potential industrial development for the Monarto concept?
> Mr. Bennett—Not in a monetary sense, but by the work that we will be undertaking we will provide information and research that will assist the Government.

In the Committee discussions on this matter, it was clearly indicated that this was an approach to the new growth centre concept concerning which the Commonwealth Government would be providing funds, but specific funds would not be provided for individual developments.

The Hon. D. A. DUNSTAN: I think the Leader has misunderstood the reply to the relevant question. The point is that the Commonwealth Government is not expected to provide funds for individual assessment of specific industrial growth proposals: that is part of our general funding programme. The Industrial Development Division of the Department of Development and Mines would normally undertake such an assessment. That does not mean that we would not then rely, for information in our assessment of industrial growth facilities, on studies or work that the Commonwealth Government had done in support of the Monarto commission. The point is that the Commonwealth Government will not set up a separate business of specifically funding an investigation of a specific growth proposal for industry. However, it is heavily funding the development of Monarto and is involved in the Monarto Development Commission. It has already, in the Pak-Poy report, set out the basis of much of the work we will be doing in assessing industrial growth potential, and it paid for that report.

MUSHROOMS

Mr. DEAN BROWN: Will the Premier make representations to the Prime Minister for financial assistance to be given to the mushroom industry in South Australia, or for the restoration of the original tariffs on mushrooms? In South Australia, the mushroom industry currently employs over 100 people and has an annual production of 500 000 lb. (226 800 kg). In the past, it has exported to other States and to Singapore and Malaysia. At this stage, it is very much a marginal enterprise, with labour and production costs just being covered by the market price. Earlier this year, tariffs were reduced across the board by 25 per cent, as the Premier well knows. Since then, the quantity of mushrooms imported into Australia has increased from 5 000 000 lb. (2 268 000 kg) a year to 10 000 000 lb. (4 536 000 kg) a year.

The Hon. D. A. Dunstan: Fresh mushrooms?

Mr. DEAN BROWN: No, they must be treated in a certain way before they can enter the country, but this increase still affects the South Australian industry. When tariffs were reduced by 25 per cent, the Prime Minister established a tribunal to recommend financial assistance to the various industries affected or to recommend restoration of the original tariff. As the future viability of the mushroom industry in South Australia is threatened greatly at this stage, will the Premier make representations to the Prime Minister for some sort of assistance or for restoration of the tariff?

The Hon. D. A. DUNSTAN: I will certainly have the matter investigated. In most cases, South Australian industry is mushrooming; in this case, I will see what we can do to help.

HIGHWAYS DEPARTMENT

Mr. CHAPMAN: Can the Minister of Transport say when we can expect the annual report of the Highways Commissioner for the year 1972-73?

The Hon. G. T. VIRGO: Although I imagine that this question would more properly be directed to the Government Printer, I will Lake that course and obtain the information for the honourable member.

SANCTUARIES

Mr. RUSSACK: Can the Minister of Environment and Conservation say what is the Government's policy concerning the establishment of sanctuaries on private land for the preservation of fauna and flora? I have received from a property owner in the Mid North a letter, part of which states:

> I have a wish to establish a fauna and flora sanctuary over an area of about 2 000 ha owned by my family and a neighbour or two. It is this immediate stretch of hilly country here, and is ideally made for the purpose. Since I permanently enclosed 35 ha or so nearly 10 years ago. there has been a marvellous regeneration of flora, and euros have successfully re-established their ancient community. We breed a lot of wood duck on the many dams around, and various other life is present. I have interviewed the appropriate people in the national parks and sanctuaries department, but they tell me that nothing more can be done under the Act.

I seek from the Minister clarification on this matter.

The Hon. G. R. BROOMHILL: I am afraid that I cannot really understand the purport of the honourable member's question. He said that his constituent had contacted the National Parks and Wild Life Service but had found that nothing more could be done under the Act. I wonder exactly what the constituent was aiming to achieve with regard to his land. Under the Act, sanctuaries can be declared. At present, the department is working towards examining all areas where owners of private property wish to have their land declared a sanctuary for the protection of fauna and flora on the land. Before the National Parks and Wildlife Act was passed last year, because of lack of manpower it had been the policy of the department generally, on the application of a landholder, to have the land in question declared a sanctuary without there being a complete investigation of the property to ensure that it met the criteria established to determine that it was a fit and proper area to be declared a sanctuary. We are now working towards examining each application to determine whether the land meets the criteria, and can therefore be declared a sanctuary. I hope that we shall be able to cover as wide a field as possible, declaring as many areas as we can before the shooting season commences next February, so that the property owners can ensure that wild life in these areas is protected. It could well be that the honourable member's constituent might require financial assistance to develop the land in some way. If the honourable member gives me a copy of the letter, I will try to work out what his constituent seeks.

TEA TREE GULLY QUARRY

Mrs. BYRNE: Will the Minister of Environment and Conservation obtain for me a report on the progress made with regard to transforming a quarry site adjoining North-East Road and Perseverance Road, Tea Tree Gully, into a sports and recreation park on land acquired by the State

Planning Authority as part of the planned 853-acre (345.1 ha) Anstey Hill regional park? I understand that Quarry Industries Limited is co-operating with the State Planning Authority and the Botanic Garden to transform the main face of the quarry into a large, terraced amphitheatre, and that Quarry Industries Limited is working the site according to the authority's specifications, in return for the right to continue quarrying for the next 7½ years.

The Hon. G. R. BROOMHILL: I believe the honourable member has summarized the intentions with regard to this piece of land. Although it is owned by the State Planning Authority, it is being worked to a plan to ensure the future use of the area by the community. As I am uncertain what stage the programme of work has reached, I shall be pleased to obtain a report for the honourable member and perhaps a plan of the area to show what is intended and at what stage this scheme will be implemented.

PETROL SUPPLIES

Mr. COUMBE: Can the Premier say what is the present position with regard to petrol supplies in the metropolitan area? As petrol rationing has now been lifted, how soon will petrol supplies be back to normal? What tankers will arrive to replenish the stocks at Port Stanvac and Birkenhead that are now being used to supply fuel to petrol outlets? Does the Government intend to establish and build up further reserves of motor spirit? What steps has the Government in mind to achieve this?

The Hon. D. A. DUNSTAN: I have no statement with me now as to the precise situation on the development of additional petrol supplies. I have seen a report on it, arid I will get a copy for the honourable member tomorrow. In respect of the building up of further petrol reserves, I point out that there were considerable reserves of petrol here at the time of the strike. It is not a matter of building up further petrol reserves: it is a matter of having an industrial process to ensure that any petrol reserves we have can be distributed. It is at the point of distribution that the trouble has occurred.

JURORS

Mr. MILLHOUSE: Can the Attorney-General say whether the Government intends to consider the suggestion of His Honour Mr. Justice Bright, who said, when discharging a jury in a murder case after having excused one member of that jury, that in such matters there should be a stand-by juror or jurors? As the Attorney-General was reading this morning’s *Australian*, when I asked my question (and no doubt he has read this morning’s *Advertiser* and perhaps even heard the A.B.C. news this morning), he will know of the reported statement yesterday by His Honour in discharging a jury as one juror could not continue because of ill health. His Honour said that in such cases as these, in order to save the undoubted inconvenience to all concerned, there should be provision for a stand-by juror or jurors. To me, the suggestion seems to have merit. I hope that the Attorney-General thinks the same and that he intends to do something about it.

The Hon. L. J. KING: I have no official information that Mr. Justice Bright made the suggestion referred to by the honourable member. However, I have seen one of the press reports to which the honourable member has referred. I would prefer to wait for an official communication or an opportunity to peruse His Honour’s remarks before commenting on them. The general question of whether there should be a reserve juror or jurors, especially in long trials, is a matter I have considered in the past, and there are difficulties about it. One of the obvious difficulties is in respect of the mere expense of having one or two jurors in attendance for perhaps a matter of weeks at a fee which nowadays can run up to $30 a day. If the services of that juror are not required, it is then a purely practical economic question. If looked at from an economic view, it must be considered and weighed against the expense of an abortive trial.

Another difficulty is that, if there are two reserve jurors, they are neither one thing nor the other: they are neither members of the jury nor members of the public during the relevant stages of the trial. What is their position? The whole basis of a jury trial is that the 12 members of the jury are isolated from opinions held or expressed outside in the community, and they must deliberately refrain from communicating with strangers; indeed, they may communicate only with one another in respect of the events taking place during the trial. That is essential for the operation of the jury system. What is the situation in respect of the two reserve jurors? Are they to be treated as part of the jury, so that they may communicate with other jurors about the evidence? If so, there are really 14 people taking part in the progressive process of the deliberation, yet finally only 12 jurors will make the decision. This presents difficulties in respect of the theory of jury trials.

Alternatively, if they are not allowed to take part in the jury discussions during the course of the trial and if they are required to join in during the later stages as a result of illness or incapacity of a juror, there are then two people who have not been involved in the continuing process but who are coming in at a later stage. Either way there seems to be great difficulty. In a normal trial no great problem is presented, because the trial can continue. notwithstanding the illness of two of the jurors: it simply means that what would be a majority verdict must in effect be a unanimous verdict if the number of jurors is reduced to 10, but that allows the trial to continue.

The difficulty in respect of a trial for murder or another capital offence is that the solution may be to permit a trial of a capital charge to continue, provided that the jury is not reduced to a number below 10. That may be a belter alternative because, after all, the number of cases, especially murder cases, in which this occurs is small. Murder trials generally do not tend to be as protracted as trials, say, in cases of commercial fraud. True, we had one recent exceptional experience, but that is rare. In cases of murder it is unusual, but in cases of commercial fraud the protracted nature of the case is the rule rather than the exception. This matter has exercised my mind in the past. I have not considered that it was a matter requiring change. However. I shall be interested to study any remarks made by Mr. Justice Bright on this occasion and to reconsider the whole matter.

MAINTENANCE ORDERS

Mr. McANANEY: Will the Minister of Community Welfare obtain an estimate of the percentage of court orders made and the percentage of payments actually collected in respect of maintenance, the collection of which is allocated to the Director of Community Welfare? If this is a low percentage, will the Minister say what steps can be taken to improve the situation? I refer to a case in which court orders have continually been made since 1969, yet not one cent has been collected by the Community Welfare Department, because the person concerned works for a week and then, thinking he may have to pay an

order, goes on unemployment relief. I know of the difficulties involved, but I have heard of several similar cases, and I should like to know how widespread this practice is and how it can be eliminated.

The Hon. L. J. KING: There are many difficulties associated with the enforcement of maintenance orders, as the honourable member knows. If a husband who is the subject of an order is unwilling to maintain his family, there are many ruses and devices that can be used in an effort to escape these payments. Where the order directs that payment be made to the department, it is the department's responsibility to do its best to enforce the order, and it does this. However, great difficulty arises, especially if the husband's whereabouts are not known or if he leaves the State. In those cases the department is really dependent on the services of other people (for example, the police in other States) in its enforcement efforts.

There are other problems applying presently. For the past few months the department has been greatly handicapped in its enforcement activities by the fact that many maintenance orders that have been made by Masters of the Supreme Court have been subject to challenges as to their validity. We are currently awaiting a reserved judgment by the High Court of Australia in this matter. Further, orders made directing payments to the Community Welfare Department are also subject to challenge, sponsored, as I understand it, by the Divorce Law Reform Association.

The fact is that magistrates have declined to enforce such orders pending the outcome of the High Court appeal, so enforcement of these orders has for many months now been at a complete standstill, and there is nothing the Community Welfare Department can do about that situation. The honourable member has asked for figures, but I do not know whether it is possible to obtain, without great research, the sort of information he seeks. If it is possible to obtain it without undue expense, I shall certainly obtain it for him.

WATTLE PARK TEACHERS CENTRE

Mr. GOLDSWORTHY: Will the Minister of Education say what is the present position regarding Wattle Park Teachers Centre, and what is intended about its future?

The Hon. HUGH HUDSON: Wattle Park Teachers Centre has been established in the old buildings that were called Wattle Park Teachers College. Several staff appointments have been made, as I think the honourable member would know. There are proposals for further expansion in staffing this year, and the main purpose of the centre is to act as a teacher resource centre for the education system in general. I do not think it appropriate to give the honourable member a detailed report in reply to a question at Question Time, but I will get up-to-date information on the overall planning of the centre and give it to the honourable member in due course.

HENLEY SAILING CLUB

Mr. BECKER: Can the Minister of Environment and Conservation say what assistance the State Government will give to the Henley Sailing Club in its bid to apply for the 1975-76 world title series of the 505 class yacht sailing? I understand that the Commodore has written to the Minister, and he would appreciate an early reply, as he leaves on Friday for Hong Kong.

The Hon. G. R. BROOMHILL: An approach has been made and the matter is being referred to the Commonwealth Government urgently, in the hope that assistance may be forthcoming. I will keep the honourable member informed.

TRAIN PASSENGERS

Mr. DEAN BROWN: Will the Minister of Transport say whether he intends to reply to a question I asked on October 3 and, if he so intends, when he will do so? The question referred to the behaviour of passengers on the Melbourne express, that behaviour having resulted in a delay in the arrival of the train in Melbourne. The report for which I asked then was the report made by the staff on that train. By now, more than one month later, I should have hoped the Minister could obtain a copy of that report. In reply to my question, he implied that I had made some false accusations.

The SPEAKER: Order! The honourable member cannot comment when asking a question.

Mr. DEAN BROWN: I look forward to receiving the truth in the report.

The Hon. G. T. VIRGO: I look forward to giving the honourable member the truth in the report when it is made available to me. At this stage, I have not received the report to which the honourable member has referred, although I have asked for it.

CASINO

Mr. CHAPMAN: Will the Minister of Environment and Conservation say whether he has had an opportunity to study the environmental effects, if any, on the Victor Harbor district of the establishment of a casino in that area? This question is supplementary to one I asked on June 19, about six weeks after the submission for a casino at Victor Harbor had been lodged with the Premier. At that stage the Minister of Environment and Conservation had not heard of the submission, but he said that, in the event of such proposals being made in this State, he would make sure that a study was made on the environment in the area concerned before any approval was given for the establishment of a casino.

The Hon. G. R. BROOMHILL: If it seems that a proposal such as the one to which the honourable member has referred is likely to become established there, a study will be made of the environmental impact of such a provision. Nothing has been done yet, because there has been no firm proposal.

COPPER MINING

Dr. EASTICK: Can the Minister of Development and Mines say whether it is expected that improved prices for copper will have any significant short-term effect on copper mining operations in South Australia? I shall be particularly interested to know whether copper mining activities at places like Mount Gunson and Kapunda and in the slag heaps at Wallaroo and Kadina are likely to be increased by the reinforced prices now prevailing for the finished product.

The Hon. D. J. HOPGOOD: If the inquiries that the Mines Department is receiving are any guide, the answer is "Yes". Recently I visited the Kanmantoo operation and, if the effect of increased copper prices on that operation is any guide to what may happen elsewhere, I think we can see a bright future for the expansion of copper production in this State. The value of copper production in this State in the last few years has doubled, and I look forward to a continuation of that process.

LAND AND BUSINESS AGENTS BILL

The Hon. L. J. KING (Attorney-General) moved:

That this Bill be now read a third time.

Dr. EASTICK (Leader of the Opposition): The Bill as it has left the Committee stage still contains several

obnoxious clauses and features that I consider are against the best interests of the South Australian community. Earlier I indicated my support for the major issues in the Bill, but the Government's failure to accept the alterations at the Committee stage leaves me no alternative but to oppose the third reading.

The SPEAKER: For the purposes of section 41 of the Constitution Act, pursuant to order I count the House. I have counted the House and, there being present an absolute majority of the whole number of members, I pul the question. Those for the question say "Aye", against say "No". As I hear a dissentient voice, a division must be taken.

The House divided on the third reading:

Ayes (25)—Messrs. Broomhill, Max Brown, and Burdon, Mrs. Byrne, Messrs. Corcoran, Crimes, Duncan, Dunstan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King (teller), Langley, McKee, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Noes (19)—Messrs. Allen, Arnold, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick (teller), Evans, Goldsworthy, Gunn, Hall, Mathwin, McAnaney, Nankivell, Russack, Tonkin, Venning, and Wardle.

Majority of 6 for the Ayes.

The SPEAKER: I declare the third reading to have been passed with an absolute majority.

Third reading thus carried.

EGG INDUSTRY STABILIZATION BILL

The Hon. J. D. CORCORAN (Minister of Works) obtained leave and introduced a Bill for an Act to provide for the stabilization of the egg industry, for matters connected therewith, and for other matters. Read a first time.

The Hon. J. D. CORCORAN: I move:

That this Bill be now read a second time.

I ask leave to have the second reading explanation incorporated in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

Members may be aware that there has been a significant expansion of the production of eggs throughout Australia since 1965 when the Commonwealth hen levy scheme was introduced. The effect of this expansion may be seen by the fact that between 1965 and 1972, the number of leviable, hens in Australia has increased by 37 per cent, and in South Australia by 36 per cent.

The hen levy scheme was introduced to provide for the equalization of domestic and export returns. As a result of the implementation of the scheme, State egg marketing authorities were able to pay attractive prices to producers, and these pricing policies, combined with technological advances in management and production, gave rise to a period of comparative high profitability within the industry. It was in this period that the expansion to which I have referred occurred.

This expansion persisted despite warnings given by the Australian Agricultural Council as early as 1967 and repeated on a number of subsequent occasions. When the expansion resulted in more eggs being produced than could possibly be absorbed in the domestic and export markets, the surplus production was processed into egg pulp. However, following the contraction of oversea markets it became impossible to sell all of the surplus egg pulp within a reasonable time following manufacture. As a result, increasingly large quantities of pulp had to be held for extended periods, and considerable storage costs were incurred. This resulted in acute financial difficulties for the State marketing authorities, and to meet this situation prices to producers had to be sharply reduced, and eventually reached levels that were uneconomic for many egg producers.

These developments gave rise to strong representations from the relevant industry organizations throughout Australia for the introduction of some form of production control. Agreement in principle between the various States of the Commonwealth as to the introduction of these controls has now been reached. Controls such as these can only operate effectively on an Australia-wide basis, and agreement between the States was expedited by a decision of the Commonwealth Government to provide finance to assist in the disposal of surplus egg pulp, on condition that all States agreed to implement production controls. The Government's announcement that it would introduce legislation to effect these controls or "demand supply management", as it should more accurately be called, was made in April of 1972, and, at the same time, it was announced that the cut-off date for the purposes of the assessment of quotas would be March 2, 1972, and the period for the establishment of base quotas would be 12 months ending March 2, 1972.

This Bill proposes the implementation of controls, and follows in broad outline the principles adopted in New South Wales and Victoria, and has been prepared after consideration of submissions made by all of the relevant poultry industry bodies. I draw members' attention to a most important feature of this legislation, and that is the provisions of clause 49. Briefly, this clause provides that if, before the Act is substantially brought into operation, the Minister receives a petition signed by not less than 100 persons who are eligible to vote at an election under the Marketing of Eggs Act, 1941-1972, praying that a poll be held to determine whether or not the Act shall be brought into force, the substantial bringing into operation of the Act will be delayed.

Provision is made in this clause for the holding of such a poll and, if the majority of persons voting at the poll indicate that they do not wish the Act to be brought into substantial operation, that will be the end of the matter. Thus, in the manner set out in the foregoing it is provided that this Act will come into operation only if it is the desire of the producers in the industry. To consider the Bill in detail, clauses 1 to 3 are formal. Clause 4 sets out the definitions necessary for the purposes of this Act. Clause 5 exempts from the application of the Act persons who or partnerships which do not own or keep 20 hens. Such persons and partnerships do not pay hen levy to the Commonwealth, and will accordingly not be affected by this Act. In addition, certain educational institutions will also be exempted from the operation of the Act.

Clause 6 constitutes a poultry farmer licensing committee. This committee will consist of the three persons appointed by the Governor to the South Australian Egg Board. Honourable members will recall that this board consists of three persons appointed by the Governor, and three persons elected. Clause 7 is quite formal and provides for meetings, etc., of the licensing committee. Clause 8 is again a formal provision that provides that no act or proceeding of the licensing committee will be invalid only on the ground of a vacancy in the office of a member of the licensing committee. Clause 9 provides for the appointment of persons employed by the board as inspectors for the purpose of this Act. Clause 10 gives power of entry and inspection to the inspectors. I point out that this power cannot, in the terms of the measure,

be exercised in any place used for residential purposes without the consent of the occupier of those premises.

Clause 11 entitles the inspector to demand the name and address of a person suspected of having committed an offence under this Act. Clause 12 provides certain offences in relation to impersonating inspectors, etc. Clause 13 provides for the division of poultry farmers into two categories; group I and group II. The criteria for inclusion in group I is set out in paragraph *(a)* of subclause (1) of this clause, and group II will comprise any licensees who do not fall within the group I category. In broad terms, group I poultry farmers will be those poultry farmers who have an established business and were engaged in the production of eggs before the cut-off date, that is, March 2, 1972. Group I poultry farmers are poultry farmers who do not fall into the group I category. In addition, this clause provides that a poultry farmer who would otherwise be a group I poultry farmer may, within the period fixed by subclause (3) of this clause, elect to be treated as a group II poultry farmer.

This election is provided for, because it may be of advantage to a group I poultry farmer in certain circumstances to have his base quota calculated in the manner provided for by clause 20 in lieu of the manner set out in clause 19.

At this stage I must emphasize that it is of paramount importance that those poultry farmers, who in terms of this measure are likely to be group I poultry farmers, carefully consider their position and, if they desire to make an election, ensure that it is made within the time set out in subclause (3). It will be quite impossible for any late elections to be considered. Clause 14 makes it an offence to keep hens without being the holder of a licence under the Act. This clause is subject to certain exceptions which are set out therein. Clause 15 provides for the grant of annual licences and, in summary, provides that every poultry farmer as defined who applies for a licence and pays the fee demanded will be entitled to the grant of a licence. I would draw honourable members' particular attention to subclauses (6) and (7) of this clause which provide for a day on or before which applications must be made for a licence for a particular licensing season.

Clause 16 sets out certain formal requirements for a licence. Clause 17 provides for the fixing of an annual licensing fee, and the Government has in mind that this fee will be of the order of 1c for each hen that may be kept pursuant to the licence. Clause 18 sets out the circumstances under which a licence may be cancelled, and subclause (2) of this clause provides that, in the case of a less serious offence, the licensing committee may reduce the hen quota of a licence holder. All these decisions of the licensing committee are subject to appeal. Clause 19 and the clause next following are commended to honourable members' close attention. Clause 19 provides that the base quota of a group II poultry farmer shall be a number equal to the highest number of hens in respect of which the poultry farmer paid hen levy during the year concluded on May 2, 1972.

Clause 20 provides that the base quota of a group II poultry farmer is a number equal to the average number of hens on which he paid hen levy during the period of one year concluded on June 29, 1973, unless the group II poultry farmer has been in business for a lesser period, in which case it will be based on the average number of hens kept during that lesser period. Provision is also made in this clause to cover the case of a group II poultry farmer who acquired the property of a person who, had the measure been in force at the relevant time, would have been a group I poultry farmer. In that case the group II farmer is entitled to have the base quota that the group I poultry farmer would have had. In addition, certain elections are provided for by this clause to mirror the elections provided under clause 13 adverted to earlier. Clause 21 is formal, and clause 22 provides for the establishment of a Slate hen quota for each licensing season.

Clause 23 provides for the fixing of the hen quota for each poultry farmer. Briefly, this figure is arrived at by dividing the hen quota by a figure representing the total of all the base quotas fixed by the licensing committee and multiplying the result by the base quota of the particular poultry farmer. It will be seen that, as the State hen quota rises or falls, so will the number of hens that may be kept by the poultry farmer rise or fall. The State hen quota is, of course, the maximum number of hens that may be kept in this State in respect of any licensing season. Clause 24 provides for the establishment of hen quotas in subsequent licensing seasons, and the principles applied will be similar to those mentioned in relation to clause 23. Here I draw the attention of honourable members to the maximum limitation of 50 000 hens that may be kept by any poultry farmer. At present in this State numbers of this order are not kept by any poultry farmer, and the Government intends that agglomerations such as this will not be permitted to occur.

Clause 25 will enable hen quotas to be traded, and this clause sets out the circumstances in which they may be traded. The approval of the board is necessary for any such trading and I draw honourable members' particular attention to subclause (3) of this clause which is intended to prevent the concentration of production in any particular area of the Slate and also to prevent the concentration of production in a few hands. Clause 26 is a machinery provision. Clause 27 provides for the recalculation of hen quotas upon a trading referred to in clause 25. Clause 28 provides that the licensing committee may grant a licensee a permit which authorizes him to keep hens for human consumption. Clause 29 provides for a poultry farmer licensing review tribunal to hear and consider appeals under the Act.

Clause 30 provides for the manner in which the tribunal is to be constituted. Clauses 31, 32 and 33 are machinery provisions, and clause 34 provides that the decision of the review tribunal shall be final. Clause 35 sets out the provisions relating to appeals against decisions of the licensing committee and the powers of the tribunal in relation thereto. Clause 36 provides for payment of members of the licensing committee and the review tribunal, and all other costs of administration of the Act to be paid by the South Australian Egg Board.

Clause 37 provides that costs recovered under the Act shall be payable to the board. Clause 38 provides for the keeping of records by certain persons, and clause 39 relates to the provision of information by applicants for licences. Clause 40 provides for the surrender of a licence upon its cancellation. Clause 41 provides that a member of the licensing committee shall not exercise his vote in respect of a matter in which he has a financial interest. Clause 42 provides for an annual report by the licensing committee, and subclause (2) of this clause provides that the report shall be laid on the table of this House. Clause 43 empowers the Minister to require further information as to the workings of this Act.

Clause 44 is a general penalty provision, and clause 45 is a formal provision. Clause 46 imposes a certain liability on persons concerned in the management of a corporation

in respect of an offence committed by the corporation. Clause 47 is a general suspending provision, and is intended for use should the demand for eggs suddenly inciease to the extent that controlled production may, temporarily, not be required. Clause 48 is a formal regulation-making power. Clause 49 provides for a poll on the question of whether or not this Act is to come into substantial operation, and has already been discussed. Clause 50 provides for polls on the continuation of the Act and is generally self-explanatory. Clause 51 is a formal provision. I commend the Bill to honourable members.

Mr. WARDLE secured the adjournment of the debate.

ROSEWORTHY AGRICULTURAL COLLEGE BILL

The Hon. HUGH HUDSON (Minister of Education) obtained leave and introduced a Bill for an Act to constitute the Roseworthy Agricultural College as an autonomous college of advanced education; to provide for its administration, and define its powers, functions, duties and obligations; to repeal the Agricultural College Act, 1936-1940; and for other purposes. Read a first time.

The Hon. HUGH HUDSON: I move:

That this Bill be now read a second time.

It represents a further step in the Government's programme of improving the status of colleges of advanced education. Its purpose is to provide the Roseworthy Agricultural College with an autonomous administration in which both staff and students of the college will participate. The Bill thus confers on Roseworthy the same kind of status as that enjoyed by the other colleges of advanced education in this State. The Bill contemplates that the college will continue, as it has in the past, practical agricultural operations. This is, of course, vital if the students of the college are to obtain adequate experience in the techniques of agriculture and also in the application of the principles of economy and business management that are so necessary if primary production is to be carried on economically and to the public benefit.

The Bill also contemplates further expansion in the functions of the college. The Government believes that the Roseworthy college is the appropriate institution to provide instruction not only in the science and techniques of primary production but also in the techniques involved in processing the produce of primary production for various commercial purposes. In this regard the college is already well known throughout Australia for its oenology course. The Bill provides for the constitution of a governing body consisting of 16 members. In accordance with the policy of the Government, the governing body is to contain some members drawn from the academic staff of the college, the students of the college, and the ancillary staff (that is, other employees) of the college.

Other members will be drawn from associated institutions and from relevant sections of the community. There is to be a Director of the college who will be responsible to the council for the management and administration of the college. The council is empowered to make statutes and by-laws governing the administration of the college, and the conduct of students, staff, and other persons while on the college grounds. The remainder of the second reading is concerned with the clauses, and I seek leave to have the explanation of the clauses incorporated in *Hansard* without my reading it.

Leave grantee.

EXPLANATION OF CLAUSES

The effect of the various provisions of the Bill is as follows: clauses 1 and 2 are formal. Clause 3 provides for the repeal of the Agricultural College Act, 1936-1940. Clause 4 contains a number of definitions required for the purposes of the new Act. Clause 5 provides for the Roseworthy Agricultural College to continue in existence. It provides also that the college is to be a body corporate with full legal capacity to enter into contracts and incur other legal rights or liabilities.

Clause 6 sets out the functions of the college. It is to provide advanced education and training in the theory, management, and practice of primary production, in the methods of marketing the produce of primary production, and in the nature and management of industrial processes involved in agricultural processing industries. It may also provide advanced education and training in such other fields of knowledge and expertise as the council may determine after consultation with the Board of Advanced Education. The college is empowered to conduct research into the theory and practice of primary production, the marketing of agricultural products, and into agricultural processing industries. The college is empowered to provide post-graduate or practical courses for the benefit of those engaged in occupations for which the college provides education and training. The college is empowered to carry on the business of primary production, to market agricultural products, and to engage in any agricultural processing industries to the extent that the council considers necessary or desirable for the purpose of performing its primary function of providing advanced education and training.

Clause 7 empowers the college to confer degrees, diplomas, and other awards accredited by the South Australian Board of Advanced Education. The college may also award scholarships to students of the college. Clause 8 prohibits the college from discriminating against or in favour of any person on the ground of sex, race, marital status, or religious or political belief. Clause 9 provides that the college is to be managed and administered by a council constituted of 16 members. Clause 10 provides for the appointment of a President and Vice-President of the council. Clause 11 deals with the terms and conditions upon which the members of the council shall hold office. Clause 12 deals with the conduct of business by the council. Clause 13 provides that an act or decision of the council shall not be invalid by reason of vacancies in its membership. Clause 14 provides for the council to be the governing authority of the college, and empowers it to do all things necessary for the proper administration of the college.

Clause 15 provides that, in the exercise of its powers and functions under the new Act, the council should collaborate with the South Australian Board of Advanced Education, the Education Department and the Further Education Department, the Agriculture Department, the Australian Council on Awards in Advanced Education, the Australian Commission on Advanced Education, and any other body with which collaboration is desirable in the interests of promoting the objects of the new Act. The college is empowered to make arrangements with the Agriculture Department that will conduce to the proper instruction of students of the college or the efficient conduct of business in which the college is engaged. Clause 16 deals with the internal organization of the college. Clause 17 provides for the appointment of the Director of the college. Clause 18 deals with the formation of a students' representative council.

Clause 19 provides for the vesting of property in the college. Clause 20 provides for the transfer of staff from the Public Service to the employment of the college. A working party is now preparing a basis upon which present staff will have the right of individual determination as to

whether they wish to transfer from Public Service employment to college employment, or to remain with the Public Service and leave the college. The basis for stall transfer will be identical with that which operated successfully when the former teachers colleges became colleges of advanced education. Clause 21 empowers the council to make statutes dealing with the administration of the college. Clause 22 empowers the council to make by-laws. Clause 23 deals with various ancillary matters affecting statutes and by-laws.

Clause 24 provides for the council to make a report upon the administration of the college in each year. Clause 25 provides for the college to keep proper accounts of its financial affairs. Clause 26 is a financial provision. Provision is made for the annual costs of operating the college to be met by the Treasury. The Bill also provides that part of the net income arising from the sale of farm produce shall remain with the college to assist in further development. Clause 27 enables the college, with the approval of the Treasurer, to borrow money for the purpose of its functions under the new Act. Clause 28 exempts the college from gift duty, land tax, and rates under the Local Government Act. Clause 29 provides that the Public Service Act is not to apply to the college or any employee of the college in his capacity as such.

Mr. NANKIVELL secured the adjournment of the debate.

THE FLINDERS UNIVERSITY OF SOUTH AUSTRALIA ACT AMENDMENT BILL

The Hon. HUGH HUDSON (Minister of Education) obtained leave and introduced a Bill for an Act to amend the Flinders University of South Australia Act, 1966. Read a first time.

The Hon. HUGH HUDSON: I move:

That this Bill be now read a second time.

It makes amendments to the Flinders University of South Australia Act, 1966, that have been requested by the council of the university. The major proposed amendment restructures the membership of the University Council; but the Bill also deals with certain other matters. It is proposed that the membership of the council be enlarged from its present number of 27 to 31. This enlargement reflects a policy of providing greater student representation on the governing bodies of universities and other educational institutions of tertiary level: a post-graduate student and three under-graduate students are to be included in the membership of the council. A representative of the ancillary staff of the university is also included.

The Director-General of Education, under the proposed amendments, ceases to be an *ex officio* member of the council. As the university is now well established, it is no longer considered appropriate that the Director-General should have membership, solely by virtue of his office. It would be absolutely impossible for the Director-General to be a member *ex officio* of every tertiary institution in South Australia. Further, the Bill provides for the election of eight members of the academic staff by the academic staff. At present, the principal Act provides for the election of four members of the academic staff by the academic staff. In fact the Convocation has elected four members of the academic staff to the council. The Bill thus stabilizes the present balance between members of the academic staff and other members.

The Bill deals with certain other matters. It provides for the appointment by the council of Pro-Chancellors and Pro-Vice-Chancellors; it eliminates the restrictions under which the President of the Students' Representative Council is excluded from meetings of the council while certain matters are discussed; it provides for the expiation of parking offences, and facilitates prosecutions for traffic offences by the inclusion in the principal Act of certain evidentiary provisions; and it provides for the validation of acts or proceedings of the council notwithstanding vacancies in its membership and the delegation by the council of its powers. The Bill also includes transitional arrangements dealing with the changes in the membership of the council and deletes certain existing transitional material that appears no longer necessary. I seek leave to have incorporated in *Hansard* the explanation of the clauses without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Clause 1 is formal. Clause 2 provides for the commencement of the Act on a day to be fixed by proclamation. Clause 3 replaces the definition of "academic staff" in section 2 of the principal Act with a new definition, and adds definitions of "ancillary staff", "post-graduate student" and "under-graduate student". Clause 4 amends section 5 of the principal Act by striking out the existing subsection (3) and substituting a new subsection which prescribes the constitution of the council of the university. Subsection (4), which excludes the President of the students' council from meetings of the council while certain specified matters are discussed, is repealed.

Clauses 5 and 6 make consequential amendments to section 8 and section 9 of the principal Act. Clause 7 repeals section 10 of the principal Act, which deals with tenure of office by members of the council elected by the academic staff, and replaces that section by a new section containing appropriate transitional provisions. Clause 8 repeals sections 11 to 14 of the principal Act, and inserts new provisions dealing with tenure of office by those elected to the council by Convocation, by the ancillary staff, and by the students of the university.

Clause 9 amends section 16 of the principal Act by deleting certain passages that are now unnecessary and provides for the appointment of Pro-Chancellors and Pro-Vice-Chancellors. Clause 10 enacts a new section, section 19a, which enables the council to delegate its powers under the Act. Clause 11 adds three new subsections to section 20 of the principal Act dealing with offences against by-laws of the university relating to traffic or the parking of motor vehicles. Clause 12 deletes sections 30 to 34 of the principal Act, sections which are now redundant. A new section 30 is inserted to make clear that the South Australian Industrial Commission has jurisdiction to make awards affecting the salaries and conditions of employment of officers and employees of the university.

Dr. TONKIN secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL (WEIGHTS)

In Committee.

(Continued from November 1. Page 1562.)

Clause 12—"Measurement of weight."

Mr. BECKER: I move:

In new subsection (2), after "shall", to strike out "not"; and to strike out "but the aggregate weight may be determined by aggregating measurements of weight taken separately in relation to the axles in question".

The subsection will then read:

In order to determine the aggregate weight carried on the axles of a vehicle or vehicles, or on any two or more of those axles, it shall be necessary to measure the weight carried on all of the relevant axles simultaneously.

Much difficulty has been experienced by owner-drivers as a result of the system known as split weighing. For some unknown reason the total weight obtained by split weighing the load of a vehicle does not work out the same as the weight when the vehicle is weighed on a weighbridge. For instance, a semi-trailer is weighed with a 16-tonne load and it is then pulled along the road and the split-weighing system is used; the weights may differ by as much as half a tonne. This happened recently to a friend of mine. He went a few miles down the road, the split-weighing system was used, and the officer said he was half a tonne over the limit. My friend said that that could not be, because the vehicle had just been weighed on the bridge and was then within the limit. He went back to the weighbridge to weigh his load and it weighed 16 tonnes. I have known of cases where a driver could argue with the officer weighing the vehicle that he virtually guaranteed that his weight was correct and within the limit. They went back to the nearest town with a weighbridge, checked the weight, and even went to the trouble of having the weighing witnessed by a justice of the peace. Invariably mistakes have occurred. These amendments will remove any doubt at all that split weighing should not be countenanced because it cannot be guaranteed to be completely accurate. We want to do the right thing and be sure. If we are working in the interests of road safety and uniformity, the Committee must accept my amendments.

The Hon. G. T. VIRGO (Minister of Transport): The effect of the amendments will be that only the weighing of the whole vehicle will be accepted: unless all the wheels of a vehicle are on the weighbridge simultaneously, that vehicle shall not be deemed to be weighed.

Mr. Becker: Yes.

The Hon. G. T. VIRGO: Inspectors and police officers would have to direct every commercial vehicle in question, irrespective of where it might be (for instance, at Mount Gambier, Ceduna or Marree), to Parafield Gardens, where the nearest weighbridge would be.

Mr. Becker: Is that the only weighbridge we have?

The Hon. G. T. VIRGO: It is the only one capable of weighing a vehicle whose full length is 66ft. (about 20 m). However, other weighbridges with a 27-tonne capacity can weigh a vehicle in two parts, but those weighbridges could not be used if the amendments were carried. When the front wheels of a vehicle are driven on to the loadometer table, which is 3in. or 4in. (76.1 mm or 102 mm) high, the weight on the front axle is not the same as it would be if the whole of the vehicle were level, because the centre of gravity is altered. That means that the weight recorded on the loadometer is actually less than the real weight.

Mr. Coumbe: What about a six-wheel vehicle?

The Hon. G. T. VIRGO: The same principle is involved. I am sure that in all cases the weighbridge weight is greater than the loadometer weight, so that the carrier concerned is receiving an advantage when his vehicle is weighed on a loadometer. The Bill merely spells out more clearly what is already provided for in the Act.

Mr. BECKER: I may have led the Minister astray, but I am against split-bogie weighing where one has difficulty in obtaining an accurate reading. I thought the amendments would cover that.

The Hon. G. T. Virgo: That could be covered by administration.

Mr. BECKER: If it were, it would solve the problems that I visualize.

Mr. EVANS: The method of weighing individual sets of wheels presents a problem. The loadometer does not really weigh the complete axle, and four readings are taken when a bogie is being weighed. This is where the conflict and inaccurate readings occur. Although I think the Minister is correct in saying this can be done by administration, I think he would be wise to ask persons in the industry to co-operate with the Highways Department, load a vehicle, take it on to a road where there is a variation of camber—

The Hon. G. T. Virgo: That doesn't make any difference to the loadometer.

Mr. EVANS: Although I assure the Minister that his argument is correct in theory, in practice, especially when it involves a centre set of wheels (the drive bogie), the reading is greater than that in respect of the front or extreme rear axle. An argument arises in respect of the bogie drive wheels. Occasionally, loadometers have been proved ineffective. I do not say that the department should not weigh vehicles on the road, but I believe it should use a device that can weigh simultaneously both wheels on the one axle.

Mr. BECKER: If the Minister assures me that he can achieve administratively what we are after, I will withdraw my amendments.

The Hon. G. T. VIRGO: The loadometers used by the Highways Department are scientific weighing instruments. They are subject to checks, and the courts will accept certificates of their readings. In addition, they are very heavy to carry. In the past, when weighing vehicles with regard to offences under the Road Maintenance (Contribution) Act, it has not been the policy of the Highways Department to cheat for the purpose of catching someone. The department simply wishes to determine where the law is being broken. When this legislation operates, the same policy will apply. If instances occur when incorrect weights are obtained, I am sure the department will be fully aware of this. I will have discussions with the department to ensure that the administration of the legislation will be designed to protect the innocent and to detect overloading.

Mr. ARNOLD: I accept that the loadometer is scientifically made. However, the figure on the loadometer is static. If a wheel of a split axle bogie with a spring compression ratio of half an inch (12.7 mm) a tonne is placed on the loadometer, obviously there will be a different reading from what would be obtained from a wheel with a spring compression ratio of three-quarters of an inch (19 05 mm) a tonne as could be the case on a different kind of truck.

The Hon. G. T. VIRGO: I do not want to engage in a technical argument. The loadometer has on it a sort of peephole and an adjustment screw, and it is adjusted to get a little ball on a thin hair line. This adjustment is made not only when different vehicles are weighed but also when different wheels of the same vehicle are weighed. I imagine that this deals with the compression changes to which the honourable member has referred. At some stage, members may care to examine these loadometers.

Mr. GUNN: I accept the invitation. Several carriers in my district and throughout South Australia have expressed concern that, when trucks have been weighed at a weighbridge at below the eight-ton (8t) maximum, they have later been weighed on a loadometer and charged with overloading.

The Hon. G. T. Virgo: And they haven't taken that to court?

Mr. GUNN: Yes, they have.

The Hon. G. T. Virgo: You give me the court cases.

Mr. GUNN: It is not my job to justify this. These people are charged on loadometer readings. There are several weighbridges throughout the State that people are happy about. Surely the Minister will withdraw this loadometer, as many people are convinced that it does not weigh correctly.

The Hon. G. T. Virgo: You would accept the responsibility for directing people to the nearest weighbridge?

Mr. GUNN: At present this can be done.

The Hon. G. T. Virgo: Would you do that?

Mr. GUNN: Many weighbridges throughout South Australia are used, and officers of the department have the right to use them. How many silos in South Australia do not have a weighbridge?

The Hon. G. T. Virgo: They won't take the vehicle in one hit.

Mr. GUNN: The argument I want to pul is that bogies should not be split. I will move an amendment to the effect that both sets of bogies be weighed together. Many people believe that, when one axle is weighed and the vehicle is then shifted, the surface is not correct and that incorrect readings are taken. I hope that the Minister will be reasonable and accept a reasonable amendment.

Mr. BECKER: I ask leave to withdraw my amendment in view of the statement by the Minister that at some lime in the future we will have a demonstration of this instrument, if necessary, for the Professional Transport Drivers Association to explain to the Minister the difficulties its members have experienced.

Leave granted; amendment withdrawn.

Mr. GUNN: I move to insert the following new subsection:

(3a) Where a vehicle is equipped with a series of two or more axles positioned within four metres of each other, then in order to ascertain the aggregate weight carried on that series of axles for the purposes of this Act, separate measurements of weights must not be taken in respect of any axle or axles that forms or form part only of that series.

This amendment will clear up the anomalies many people consider exist where drivers are forced to weigh their vehicles on loadometers. The. Minister should go out and discuss with people in the industry the difficulties involved. As a reasonable person, he would then accept many problems of the industry concerned, because people in the industry are concerned that they are being discriminated against by the present system under which people must weigh their vehicles on loadometers. I am sure that the Minister would not want any doubt in this matter to be in the mind of an operator who is taken before the courts. Not only must justice be done: it must appear to be done. Justice docs not appear to be done by the use of these loadometers.

Mr. VENNING: I support the amendment, because it is a reasonable solution to the problem. There seems to be an irregularity under the present system giving rise to dissatisfaction among truck drivers. This amendment not only gives justice to transport operators: it outlines the only fair and just way to handle the situation.

Mr. BLACKER: I, too, support the amendment. Today we are debating a basic principle that was debated many years ago with regard to the transport of bagged grain. When the single-bag scales went out of use and the silos installed weighbridges, they were only 12ft. to 15ft. (3.7 m to 4.6 m) long. Many of them were on a rise and the trailers were hanging back and, as the prime mover went forward, the prime mover was hanging down. Operators soon realized that there was an anomaly because the drag down on the weighbridge affected the recorded weight. This has been proved by the grain authorities prior to the installation of bulk handling facilities, and ever since then the weighbridges have been fitted with a concrete apron so that all wheels bear equally.

The Committee divided on the amendment:

Ayes (19)—Messrs. Allen, Arnold, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick, Evans, Goldsworthy, Gunn (teller), Hall, Mathwin, McAnaney, Nankivell, Russack, Tonkin, Venning, and Wardle.

Noes (23)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Corcoran, Crimes, Duncan, Dunstan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, McKee, McRae, Olson, Payne, Simmons, Slater, Virgo (teller), Wells, and Wright.

Pair—Aye—Mr. Rodda. No—Mr. Langley.

Majority of 4 for the Noes.

Amendment thus negatived.

Mr. GUNN: The Minister would not accept a reasonable amendment, and the situation now is unsatisfactory. Many people can support the statement that incorrect weights have been obtained by using loadometers, and members on this side, who have knowledge of the transport industry, are concerned. If the Minister enforces the law on tare weights and measurement of vehicles, surely the Government should be sure that weights are correctly obtained, because penalties for offences are heavy.

Clause passed.

Remaining clauses (13 to 15) passed.

Clause 4—"Speed limits for certain vehicles"—reconsidered.

The Hon. G. T. VIRGO: I move:

In new section 53 (1) to strike out "ninety" and insert "eighty".

The committee, on page 14 of its report, states:

While the committee is of the opinion that 80 km/h is adequate for present day conditions and strongly favours this speed, it also recognizes the desirability of achieving uniformity in such matters amongst the several States and Territories of the Commonwealth. If the situation arises that the adoption in South Australia of a speed limit of 90 km/h for commercial motor vehicles, operating in rural areas, would result in substantial uniformity with the other States, the committee is of the opinion that this higher limit should be adopted.

When the Government considered the matter, I reported that at the meeting of the Australian Transport Advisory Council in July the matter of speed limits was discussed at length and most Ministers indicated a strong preference for a speed of 90 km/h, which is 56.56 m.p.h., rather than 80 km/h, which is 49.7 m.p.h. Regrettably, at the meeting a Minister from an adjoining State expressed a strong attitude in opposition to uniformity, claiming that it was a lot of hogwash, and he said he had no intention of concerning himself with it and that that was the altitude of his Government. I do not think that is anything to commend him, but that is by the way. Then, at the meeting of A.T.A.C. last Friday, I was surprised but nevertheless delighted that we got complete uniformity from all Stales for 80 km/h. Therefore, I move the amendment knowing that, if the other Ministers honour the undertakings they have given, we will have uniformity throughout Australia.

Mr. BECKER: Can the Minister say when the other States that at present have not this speed limit are likely to introduce it?

The Hon. G. T. VIRGO: I cannot give an unqualified assurance, but I should hope that the other States would introduce the legislation so that we had uniformity from July 1 next, that being the date when we must change to the metric system throughout Australia.

Mr. GUNN: I hope that, if the Committee supports this amendment, the Minister will show a reasonable attitude to the Bill dealing with hours of driving. This amendment provides for a speed limit of about 50 m.p.h. (80 km/h) and it will have an effect on the other legislation, particularly regarding people who live a long distance from the metropolitan area.

The CHAIRMAN: Order! The honourable member is anticipating legislation.

Mr. GUNN: I did not think I was: I was making a pertinent point.

The CHAIRMAN: The "pertinent" point that the honourable member is making is impertinent and therefore out of order.

Mr. GUNN: Details of this and another Bill have been discussed throughout South Australia in the past few months.

The Hon. G. T. Virgo: This still increases the present speed limit considerably.

Mr. GUNN: I accept that point, but the slight reduction will affect many people. The Bill introduced some time ago to which we agreed related to a maximum speed limit of 56 m.p.h. (90.1 km/h), but this Bill was introduced, debated during the second reading, and then changed to completely alter its context. A standard road traffic code throughout Australia should be introduced as soon as possible.

Mr. EVANS: Can the Minister say whether service buses will be affected by this amendment, because, if they are, the industry would be affected adversely.

The Hon. G. T. VIRGO: The A.T.A.C. recommendation was for an omnibus speed limit of 90 km/h, and 80 km/h for other commercial vehicles. As it will be necessary to have this amendment redrafted, I ask that progress be reported.

Progress reported; Committee to sit again.

COMMERCIAL MOTOR VEHICLES (HOURS OF DRIVING) BILL

Adjourned debate on second reading.

(Continued from October 11. Page 1215.)

Mr. BECKER (Hanson): This Bill is concerned with the hours of driving of commercial motor vehicles, and if one considers road safety and the need for uniform legislation, it would be fair and reasonable to expect such legislation to be introduced. It has been introduced as a result of the various recommendations of the committee that reported on commercial road transport following its investigation beginning in February of this year. One of its recommendations was that a driver of a commercial motor vehicle or omnibus should not drive for more than five hours without a rest period of at least half an hour; that a driver should not drive for an aggregate time of more than 12 hours in a period of 24 hours and should have a period of at least five hours rest from driving in any 24 hours; and should have a period of rest of 24 hours during a period of seven days or at least have two such periods of rest in any period of 14 days.

This legislation is similar to legislation introduced in New South Wales and Victoria. When we realize that most commercial vehicles from this State travel to those States and to Queensland, it is interesting to note that the legislation will apply to all vehicles weighing more than four tonnes. In New South Wales and Victoria the limit is two tons (2.03 t) and in Queensland it is four tons (4.06 t), and the Minister has decided to accept the Queensland weight measure. For many years drivers of commercial motor vehicles (or what we call semi-trailer operators) to other States have been pushing themselves to the limit, particularly as owner-operators, and many accusations have been made that operators have been taking drugs to keep going. I cannot speak with any authority about these accusations and whether they can be proved, but I have known of some operators who have completed as many trips as they can in a week to either Melbourne or Sydney. Legislation to control hours of driving is most necessary if we are concerned with road safety. This is a good aspect to consider first, and whilst I appreciate the Minister's explanation and the consideration given in relation to omnibuses when they are engaged on long excursion tours, I consider that drivers of such vehicles should be subject to a control of the hours of driving.

I realize that passenger buses whilst on tour stop frequently for morning and afternoon tea, lunch, and the evening rest. However, I have much sympathy for passenger bus operators who operate express services between capital cities, having travelled on one of these services from Sydney to Adelaide via Melbourne. I would never recommend such a trip, because I sat behind the driver and smoked cigarettes and talked to him in order to keep him awake. I cannot understand how passenger bus operators are allowed to operate such services, because the drivers of these vehicles would be more responsible than would commercial motor vehicle drivers, as they have so many lives in their charge. Incorporated in the legislation is the introduction of log-books which are now in operation in other States and also overseas. The use of log-books helps to control and police the hours of driving, and they can be used for other things such as checking the activities of the transport operator. However, they can also create certain problems. Fortunately, I believe log-books are now accepted by the industry.

I do not agree with the penalties to be imposed in relation to the misuse of log-books and I cannot agree with the Minister that certain things in relation to the control of the log-books should be criminal offences. This Bill can be dealt with satisfactorily in Committee. It relates to road safety and it should be assured of a speedy passage through Parliament. A problem that can be foreseen relates to the hours of driving. For instance, a driver's time could run out on his return from an interstate trip at either Elizabeth or Christies Beach, whereas his place of residence could be in an inner suburb of Adelaide. In Committee I will seek approval for such a driver to unload and continue to his normal place of residence rather than have to spend the next 10 or 12 hours only a few miles from home.

I do not like the clause that relates to the production of documents by the driver of the vehicle and I would not support legislation where the driver of the vehicle would be required to hand over his manifest or bill of lading that he would carry with him. A big problem for our interstate hauliers is the security surrounding the load they carry. Today it is not uncommon for a semi-trailer to carry cigarettes worth over $600 000. This information could be conveyed to the officer who could, unfortunately, let the information slip, and we know what would happen then. Similarly, the present system being used to ask the drivers to pull over needs to be looked at closely and I hope the Minister will do this. I have been told that interstate operators have been asked to pull over by a person in an unmarked car who holds up a table tennis bat with the word "Stop" printed on it. If we are going to consider the security of carrying goods on our roads, then I believe the persons policing the system should use marked cars and that this crude system should be eliminated. I ask members to support the Bill at the second reading stage so that we can consider its clauses in Committee.

Dr. TONKIN (Bragg): I support the Bill, which I believe is an important development. It is inter-related with the Bill we previously considered. It is impossible to extend the speed limits for commercial vehicles without having the necessary controls on hours of driving of these vehicles. Other matters connected with braking and load limits are familiar to members. This is one of a pair of responsible Bills introduced this session. I believe that they are long overdue, as they will make a significant contribution towards road safety in this State. If we have uniformity in this legislation, road safety throughout Australia will be improved.

Hours of driving must be directly related to speed limits. The time of the journey depends on the speed at which a vehicle travels. The safe limit for hours of driving depends very much on the ability of the driver to concentrate. In devising this legislation, it has been necessary to study the average driver. Many outside factors affect the ability of a driver to concentrate. When the legislation sets out no more than five hours driving at any one time, that is an optimum average time for driving. This is similar to the period that young people can study with advantage, many young people now being engaged in "swat vacs". There is a period in which an individual can absorb knowledge. If he continues to study beyond the optimum period, the time he spends is largely wasted because his brain cannot take in any further knowledge. He should decide on his optimum study period. After studying for that time, he should take a rest and then go back to a further study period. Under the Bill, a driver must drive for only an optimum time that is satisfactory and safe, and then he must rest. After that he can undertake a further period of driving.

Other factors are involved, such as alcohol, which has an immediate effect and a longer-term effect on a driver. Apart from the immediate impairment to his ability, after three or four hours a driver will tend to become sleepy, his ability to concentrate being seriously affected. In such a condition, he is a danger on the road. A driver who drives constantly in city traffic will be affected by carbon monoxide, finding his ability to concentrate varying according to the concentration of carbon monoxide in the exhaust gases in the environment in which he is driving. The blood-sugar level is an important factor in concentration. A low blood-sugar level will result in difficulty in concentrating. However, it must not be thought that eating large meals is necessarily a good thing, because that can have exactly the same effect, with drivers who eat large meals finding their ability to concentrate impaired, too.

As the member for Hanson has said, drugs have been used by a few irresponsible drivers. I am happy to say that this is not common now. Drugs were taken to extend the ability to concentrate. Although the period of concentration and therefore of driving is increased by these drags, the increased feelings of wakefulness and of an ability to drive better are not often measures of true wakefulness or true ability. Having been buoyed up and able to concentrate for a longer period as a result of stimulant drugs, a driver goes through a period of mental collapse when the effect of the drug wears off. He cannot drive and may fall asleep. This causes a real danger. The present speed limit has been in itself a road hazard. The ability to concentrate depends also on the amount of activity indulged in by the brain. This is affected by the information being fed to the brain and the number of stimuli reaching it. At slow speeds of driving, the amount of stimulation reaching the brain is so low at times and of such a persistent and boring nature that the concentration level of the brain is significantly lowered. The hypnotic effect of the white line in the middle of the road is well known. This, coupled with slow speed and a low level of brain stimuli, can produce a dangerous situation.

As I largely agree with the provisions of the Bill, I commend those who have worked out these measures. There is to be no more than five hours driving at any time. No more than 12 hours is to be driven within any 24 hours. The requirement is that a driver must have had at least five hours rest from driving in 24 hours, and must have bad at least 24 consecutive hours of rest from driving during the preceding seven days, or two periods of 24 hours each during the preceding 14 days. The provision relating to sleeper cabs recognizes the fact that the nature of rest and sleep in motion is not exactly the same as sleep at rest, and it virtually provides for an eight-day week so that, with two drivers, there must be 24 hours rest in two days.

I believe that the exemption for livestock in clause 4 (4) is necessary and sensible. Clause 5 provides for log-books to be used. For many years, drivers in this State have considered log-books with some disfavour. However, if legislation of this type is to be successful, log-books are absolutely necessary. Numerous requirements are set out for obtaining and filling out log-books. Drivers may regard these log-books as necessary, but they will look on them as an added imposition; they will regard them with some suspicion. Obviously, if speed limits are to be increased their use is justified.

I should say that, the average professional road transport driver being well aware of the need for road safety, he is willing to do his share towards making the roads safer. I hope that these drivers, to whom I pay the highest tribute for their skill and road courtesy, will not continue to be regarded as virtual criminals, as has applied in the past. It is unfortunate that there is a criminal suggestion in clause 6, which provides penalties of imprisonment up to six months and a fine of $500; this again puts these people in a criminal category. As I do not know whether this is necessary, I should like to hear what the Minister has to say on this, but I do not believe that these people should be regarded as criminals.

Clause 8 deals with the duty of a driver to produce his log-book when required to do so by the inspector. Where is it intended that this shall be required of drivers? Is it intended that a driver of a commercial vehicle shall be stopped within the metropolitan area and asked to produce his log-book? Is it possible that a driver proceeding, say, from Queenstown to the Mount Barker Road *en route* to Melbourne may run the risk of being stopped by several policemen or inspectors on his way to the foot-hills? I imagine that this could occur and, unless there is some way of devising a sign to enable subsequent officers to ensure that the vehicle has already been checked (and even this would be impracticable), the driver should be exempt from examination and from the requirement to produce his log-book while he is within the metropolitan area. Otherwise, much time could be lost and the whole object of the Bill could be defeated because of the number of times a driver might be asked to produce his log-book before he even started the real part of his journey. This would be an imposition and totally unjust. Further, I do not believe it is what the Minister has in mind, and I should be pleased to receive an assurance from him about this during the Committee stage.

I am further concerned about this Bill, now that an increased speed limit of 80 km/h, rather than 90 km/h, has been provided in another measure. The average driving

time of a heavy transport from Melbourne to Adelaide is about 12 hours. This is the maximum time that any driver is allowed to drive within a 24-hour period. The situation could arise, especially if a driver had been stopped on two or three occasions on his journey out of the city, where 12 hours could have elapsed, yet the driver and his vehicle might be within only 10 or 12 miles (16 km or 19 km) of the metropolitan area. This Bill provides that the driver would be required to pull off the road in a suitable rest area, and there he would have to stay. He would not be able to complete his journey until the next day.

Mr. Nankivell: There may be no such rest area nearby.

Dr. TONKIN: True, and there are many difficulties inherent in this situation. The driver himself could have difficulty in finding a suitable place close to the city to take his transport off the road and for him to rest. I believe a driver would be tempted not to exceed the new speed limit that has been set but to increase the speed within the speed limit in order to complete his journey within the 12 hours. Provision should be made for a transport driver who has reached a certain distance from the metropolitan area or the G.P.O. to complete his journey within the metropolitan area, provided he reaches it before the 12-hour driving period has expired. This can be arranged, and I refer to a radius of 25 kilometres from the G.P.O., Adelaide (similar to the practice undertaken in N.S.W.); this 25-kilometre radius would cut through the other side of Hahndorf and cut between Waterloo Corner and Virginia, including Elizabeth Centre, thereby encompassing the light industrial area south of Elizabeth Centre. It would include the area between Morphett Vale and O'Sullivan Beach, thereby taking in the Chrysler industrial area and the refinery site. If a transport driver reached this circle before the 12-hour period expired, he should be allowed to complete his journey, provided it was to a destination within the area I have described.

The Hon. G. T. Virgo: What happens if he is going the other way?

Dr. TONKIN: That is not our concern, because he will finish the journey in another part of the State. Further, he is not likely to travel that distance in over 12 hours; indeed, it will not take him as long to drive from Adelaide to, say, Mount Gambier.

The Hon. G. T. Virgo: He might be 10 minutes getting away from Warooka; would not the same argument apply?

Dr. TONKIN: I shall be happy to discuss this matter with the Minister during the Committee stage and, if he has further suggestions, I shall be happy to listen to them. I refer especially to interstate drivers and hauliers, to whom the 12-hour time limit will apply specifically. A provision such as this should apply to operators of vehicles in these circumstances. If this is not done, we will see a tendency for drivers to drive up to the speed limit, rather than trying to drive at a safe limit. True, these limits often coincide, but there are circumstances in which they do not. I intend in Committee to take action to test the Minister's attitude to this suggestion, which is well worth considering.

Finally, I again pay a tribute to road transport operators and drivers, who I believe are conscious of their responsibilities as road users. Last year when my daughter was driving to Melbourne her car broke down and the people who stopped first to assist her were transport drivers, who were happy to take her friends and her to the nearest town and to arrange for her car to be picked up and repaired.

The Hon. G. T. Virgo: Was this the L.M. vehicle?

Dr. TONKIN: It was not the Mini-moke of which she was once the driver. These people, who are on the road professionally, are excellent drivers. They have an excellent record in respect of accidents, especially in view of the hours they spend driving. I support the Bill.

Mr. BLACKER (Flinders): I support the second reading. Unfortunately, the Bill has been introduced because a few transport operators and truck operators (probably only about 4 per cent or 5 per cent) have abused the basic laws of common sense. This has brought into being the whole principle of controlling driving hours, and the rest of the community must suffer. The measure has been introduced in the interests of the road transport industry and the public, and most emphasis should be placed on the interests of the public. We hear of many accidents in which the driver may have gone to sleep or, because of excessive fatigue, may have allowed a vehicle to get out of control.

We must consider the vast difference between haulage within the State and haulage between States. The imposition of rest periods on hauliers operating between States would greatly impede the haulage of produce, particularly perishables. This aspect has been overlooked so far and it deserves further consideration. These impositions, which would increase wage costs and decrease use of the vehicle, would also cause a further added cost. At present, the increase in freight costs due to this is estimated at 15 per cent. An alternative is to obtain the maximum use of the vehicle by having an assistant driver, incurring a wage cost of 15 per cent of gross earnings, plus the cost of providing sleeper cabs, which is anywhere between $600 and $1 000. A further reduction of loading capacity of 7½ per cent results when a sleeper cab is built on to or incorporated into a vehicle, reducing the tray area considerably.

Anomalies arise about the practicality of using relief drivers. Unless a sleeper cabin is provided, relief drivers are not allowed to ride in the vehicle. Therefore, there must be an arrangement made that at a given time a relief driver will be available. Anyone who has had contact with operating transport knows that a man cannot say with certainly that he will be at a certain place at a given time and that the relief driver must be there then to start work.

Complications arise here, because if the vehicle is delayed *en route* the relief driver will be paid for the time spent sitting down waiting, thus adding costs. This will apply especially to the areas outside the radius of 400 road miles (643.7 km) from the metropolitan area. Having regard to distances of this magnitude and to the need for relief drivers, I point out that these are the areas that will be affected severely by increased costs. The enforcement of rest periods would cause the ridiculous position where a driver's rest period became due when he was within a few miles from base or when he was forced to rest on the roadside without shade, water, or other facilities.

This creates a position in which the driver naturally would either resort to excessive speed or fail to take the necessary rest period, and this is where the Bill breaks down. It forces drivers to speed excessively or to fail to take the compulsory rest periods. In either case, it places the driver and the public in additional danger. Because of the seasonal nature of the work, particularly on Eyre Peninsula, hauliers use many casual drivers. Although this is really an incidental point, the position has been affected adversely by the system introduced in South Australia recently of procuring drivers' licences.

With regard to freight, particularly over long distances, and in cases where it is essential that a relief driver be employed, the added cost to a transport operator would be at least $80 a week, and this would represent a cost of about $2 a tonne. For anyone outside a radius of about 400 miles to have to face an additional cost of $2 a tonne is another added burden in the regional areas. Further, the transport operator must provide accommodation for his relief driver. If he does not, he must have his rigs standing idle. In either case, additional costs will be involved and the people who live in those areas will have to pay that and bear the brunt of the cost passed on.

The transport of perishables has not been mentioned previously in connection with this Bill, but about 99 per cent of perishables are carried by road transport. If a driver with a load of perishables had to stop, say, between Iron Knob and Port Augusta because his hours of driving had expired, one would not need much imagination to know what would happen. Fish is often carried by long-distance haulage and hundreds of tonnes of tuna are transported from Port Lincoln to Eden. It would be ridiculous to require the truck to pull off the road somewhere along the journey. I can imagine what would happen to the fish if a driver had to pull his truck off the road about halfway between Whyalla and Port Augusta, and had to wait half an hour, because the regulation provided so. Who would get the spoilt produce, and who would suffer as a result? If refrigerated vans are used, as has been suggested, this doubles the cost immediately and adds a further burden on people who can least afford it.

Mr. Evans: That cuts down the pay-load, too.

Mr. BLACKER: Yes, it has been suggested that the pay-load is cut down by at least 33⅓ per cent because of the refrigerator van. plus the facilities associated with it, and the cost at each end. Regarding rest periods, a short passage from the report, dealing with the conditions of operation, states:

> It appears, however, that the precise length of the periods of driving and rest is not of particular significance. It was suggested that the nature of the driving task is such that a driver should normally be able to drive for extended periods, even up to 18 or 20 hours, without significant lowering of safety standards, but only if such a period of driving is an isolated occurrence. It would be necessary for such a spell of driving to be preceded and followed by extended periods of rest. Research by the board has verified the need to punctuate extended periods of driving by rest periods at intervals of five hours or thereabouts.

I agree entirely with this principle and I consider that, in the outlying areas, it is almost impracticable to make a one-way trip to the metropolitan area (and this is where most of our long-distance haulage goes) within the 12-hour driving period, particularly as the intended increased speed limit under another Bill just considered has been reduced slightly, making the schedule even tighter and resulting in drivers racing against the clock. They have a given period in which to reach a given place, and the safety standards are being impaired. It would be in the interests of road safety to allow such a driver to complete his journey, even if it took perhaps two hours longer. I add the proviso that, if the extension of time was taken, an additional rest period should be compulsory. I believe this flexibility is important, particularly concerning areas that are more than 450 miles (724 km) from the metropolitan area. The limit could be raised to at least 14 hours, and would save additional costs being imposed in many instances. In his second reading explanation the Minister said:

> Much heavier vehicles are now used for long distance haulage, and it is only the driving of these vehicles that the Government wishes to control.

I agree with that point, and it is for that reason I question the definition of "commercial motor vehicle" as meaning a motor vehicle, as defined in the Motor Vehicles Act, of an unladen weight exceeding 4 tonnes. This tonne rate is higher than that used in most other States, but we agree that the legislation regarding the levels in those States is archaic. There would be many one-tonne vehicles with 30cwt. (1 524 kg) and two-tonne trailers and, theoretically, with a two-tonne limit log-books would have to be used. The four-tonne limit is considerably important, but the technicality of using such a vehicle creates problems. A Dodge 690 or a Ford F600 is a most popular vehicle used by primary producers, but if this vehicle has a tray-top fitted it will be exempted because its tare weight is less than four tonnes. However, if it had a tip-body fitted it would not be exempted because its tare weight would be more than four tonnes. This is an anomaly: it is the same vehicle, but one is allowed to carry a greater pay-load and not have to observe the hours-of-driving provisions, whilst the other vehicle, because it has a tip-body fitted, is forced to comply with these provisions although it has a smaller pay-load. This matter should be considered, and there should be an increase of at least half a tonne. In his second reading explanation the Minister said:

> It should be noted that time spent by a driver on or in his vehicle in connection with the vehicle or the load while it is stationary is not, by omission from the clause, regarded as time spent in driving.

However, clause 4 (2) *(b)* provides:

> any two or more periods of driving shall be deemed to be a continuous period of driving unless separated by intervals of not less than half an hour . . .

This situation creates a problem for a transport operator travelling a long distance on a 10-hour or 11-hour trip with a load of wool. He has to stop and check his load frequently, and that would take about a quarter of an hour or 20 minutes. That time is considered as driving time unless he has a rest of half an hour. If that driver had to arrive at his destination at a scheduled time, every time he checked the load he would have to wait for half an hour, so that by checking five or six times he would have to wait for about three hours. This anomaly needs to be corrected, as it would have an adverse effect on the overall cost of transport operators. That same operator on a time schedule may be held up for three hours, but he may have a relief driver waiting for him in Adelaide to drive the truck on the return journey. Because he may be delayed for three hours, the relief driver in Adelaide is being paid for the time he is waiting for the truck to arrive. This situation would increase the costs to all concerned. It is provided that a driver must have half an hour's rest between driving periods of five hours, and he must also have a reasonable chance to obtain rest and refreshments. If he is driving through sparsely settled country, this provision could have an adverse effect. Concerning this aspect, the committee's report states:

> Flat terrain is characteristic of a large proportion of the State. Settlement is sparse with unusually lengthy distances between centres of population and, by comparison with other States, there is a lack of major regional centres from which transport services radiate. Markets for primary produce are to a large degree concentrated in Adelaide. Due to the limited coverage of the railway network, road transport is of special significance in South Australia.

Additional consideration is necessary in this regard, because in many instances there would be up to two hours driving between centres of population. I regard the provisions concerning log-books as a necessary evil: although no-one

wants to see log-books used, there seems to be no satisfactory alternative that may be included to control driving hours. A provision is also made to install tachometers when they are available. If a driver should fail or forget to complete his log-book, he is considered guilty and a criminal under these provisions, and has little right of redress. Special note has been made of exemptions for stock, and this is a valid point. The Royal Society for the Prevention of Cruelty to Animals always takes an interest in these matters, and it is ridiculous to consider that we should expect stock to stay in a vehicle for more than 14 hours or 16 hours. Unfortunately, this situation sometimes occurs when rail transport is used. I believe that other exemptions should be included, namely, fish and perishable foodstuffs that are carried daily to outlying areas. I support the second reading.

Mr. GUNN (Eyre): In supporting the second reading of this Bill, I make clear that one or two areas of the Bill cause me concern, one of which is that people who live in outlying districts of South Australia may be seriously affected if the Minister does not show a reasonable attitude regarding exemptions. In his second reading explanation, the Minister said that the Bill was introduced basically because of the safety factor. Although I support the introduction of the Bill, I point out to the Minister that, if he examines the statistics of people who own and operate trucks in this State, he will see that the primary-producing section of the community, which owns about half of South Australia's commercial vehicles, has an excellent safety record that is second to none. I agree with the Minister's wanting to prevent certain operators from allowing their drivers to drive vehicles for long hours. I know of persons who have driven from here straight through to Sydney in 21 or 22 hours, and all members will agree that this is irresponsible.

The Minister has failed to realize that in certain areas in South Australia, particularly in my district and in the Frome District, drivers cannot reach the maximum speed limit, which, following a recent amendment to another measure, will be 50 miles an hour (80 km/h) after July 1 next year. On certain roads vehicles can average only 30 m.p.h. (48 km/h) or 35 m.p.h. (56 km/h). Indeed, the person who operates the mail service to Coober Pedy would be lucky if he could average 25 m.p.h. (40 km/h). Serious anomalies will occur if this Bill passes and if sensible exemptions are not provided. What will be the position if, say, a person, having driven for 12 hours, is situated between Kingoonya and Coober Pedy in the middle of the day, when the temperature is about 115°F (46.11°C)? The Minister has said that exemptions would be given to people carting livestock and transporting bees, but many people have asked what percentage of the load will have to comprise livestock before an exemption is given. Also, after a person has reached his destination, which may be the abattoirs, will he be permitted, having unloaded the stock, to go to his depot? Knowing the Minister's attitude, and realizing that the Labor Party's record regarding road transport in this State is not good—

The Hon. D. J. Hopgood: Oh!

Mr. GUNN: It is no good the new Minister's shaking his head, because the Government has for many years tried to smash the road transport system in this State.

The Hon. D. J. Hopgood: Oh!

Mr. GUNN: it is recorded in *Hansard* and, if the Minister cared to check the records of this House, he would see that the present Premier, Minister of Education and Others supported the Walsh Government when it tried to force a tax on vehicles that ran in competition with the railways.

The SPEAKER: Order! The honourable member for Eyre must speak to the Bill.

Mr. GUNN: Certainly, Sir. The point I was making was pertinent—

The SPEAKER: Order! The honourable member's comment was out of order, as he was not dealing with the Bill. The honourable member must speak to the Bill.

Mr. GUNN: Very well, Sir; I will not canvass that matter further. I was trying to illustrate the concern that has been expressed by many people regarding the effect that this legislation could have on those living in the outlying areas of this State. I asked whether drivers, having unloaded stock at, say, the abattoirs, would have to abandon their vehicles there or whether they would be permitted to go to their motel, home, depot or garage, or wherever they normally left their vehicles. It will not take the inspectors, who are enforcing this provision, long to realize that a person has been driving for longer than the permitted five hours. What will happen if a person having driven his five hours is at, say, Lincoln Gap, which is 15 or 16 miles (24 km or 26 km) from Port Augusta? Will he be permitted to travel on to Port Augusta where he can have his vehicle serviced or refueled and can obtain refreshments, or will he have to stay at Lincoln Gap? This matter has been raised and discussed at many meetings throughout the State. When I last discussed what occurred at these meetings, the Minister of Transport accused me of using the occasion for political purposes. The matter of hours of driving commercial motor vehicles, and particularly the effect that this will have on livestock, was discussed at length at a meeting I attended at Cummins.

The Hon. G. T. Virgo: You said all this before. Why are you repeating it?

Mr. GUNN: On that occasion I was accused of using that meeting as a forum to advance my own political beliefs. That statement was completely incorrect, and whoever advised the Minister gave him false information, because on that occasion, just as I will continue to do in future when I am given the opportunity to discuss legislation, I gave the correct facts to the people. I also undertook that, as long as I was a member of Parliament—

The Hon. G. T. Virgo: Which won't be long.

Mr. GUNN: I would face the electors with confidence on any occasion. However, I could think of certain members, particularly some Government members, who would not like to do so.

Members interjecting:

The SPEAKER: Order! The honourable member should return to the Bill.

Mr. GUNN: Certainly, Sir. I was stating that the Minister had accused me of using the argument for political purposes. However, I assured the people at that meeting that, as long as I was a member of this House, I would on any occasion when I thought my constituents, or indeed anyone in South Australia, were being discriminated against, move certain amendments if I was requested to do so. It was in poor taste for the Minister previously to make untrue comments about me. I have discussed this legislation with the United Farmers and Graziers of South Australia Incorporated and the Stockowners Association and, to prove that the amendment I have moved—

The SPEAKER: Order! The honourable member for Eyre cannot in a second reading debate discuss amendments, because no amendments are before the House.

Mr. GUNN: Thank you, Sir. To support the argument I am advancing, because I am concerned about certain aspects of the Bill that should be altered slightly, I refer to the following letter which I received recently from the Stockowners Association:

Dear Mr. Gunn: Thank you very much for sending me copies of the two Bills concerned with road transport. From discussions at our executive and council meetings last Thursday and Friday, I can say that the amendments you propose are in line with the association's views.

The SPEAKER: Order! I have already ruled that amendments cannot be discussed, because at this stage there are no amendments before the Chair.

Mr. GUNN: Certainly, I will not canvass that argument further. I think that I have clearly demonstrated that the action I intend to take has the support of this organization, despite what the Minister said earlier in his typically abusive manner. Under the Bill, these provisions will not apply to vehicles that have an unladen weight of four tonnes or less. This provision is totally unsatisfactory. As a result of discussions that other members and I have had at numerous meetings around South Australia, I believe that it is important that this provision be changed to five tonnes. If the Minister looks at the type of vehicle affected, he will find that the provision is unrealistic.

I realize that the legislation contains exemptions that will make it possible for operators operating in a purely local area not to carry log-books, but a record will have to be kept at the place of employment or registered office of the company. I want the Minister to say whether it will be necessary for all primary producers, when carting wheat, to keep a separate record of every trip made during a harvest. If that is required, it is an unnecessary encumbrance to be placed on them. If the Minister was willing to raise the exemption limit to five tonnes, it would exempt a great section of the transport industry. If he examines the average farm truck or small delivery truck, he will find that many such vehicles would be exempt if the limit were increased from four tonnes to five tonnes. Only in a few cases are these vehicles used on long hauls or on interstate trips, and the Minister has clearly stated that he is concerned about interstate operators. I am perturbed about this legislation because I believe it may have the effect of increasing the costs of people who live some distance from the metropolitan area. Obviously, if road transport operators have to increase their staff and pay two drivers instead of one, they will have to increase charges for carting freight.

The Minister appears to believe that, if the speed limit for commercial vehicles is increased to 50 m.p.h. (80 km/h), people will be able to average 50 m.p.h., with those living in outlying areas being able to reach their destination in 12 hours of driving. Obviously, the Minister has not thought the matter through, or is not concerned about the position of these people, because it will be impossible for any truck operator to average 50 m.p.h. It would have been a little easier if this provision had remained at 56 m.p.h. (90 km/h). However, as the Minister has reduced the limit to 50 m.p.h., I think he should have a second look at the matter. I am concerned that the efficient transport system that has operated in the best interests of all people in the community will not have foisted on it unrealistic Restrictions solely designed to prop up another form of transport that is completely uneconomical and inefficient, namely, the South Australian Railways. If the Minister were as diligent in his scrutiny of the railway system as he appears to be with regard to road transport—

The SPEAKER: Order! As there is nothing in the Bill about the railways, any reference to the railways cannot be linked up to the Bill and is therefore definitely out of order.

Mr. GUNN: I support the second reading, but I will try to get from the Minister several assurances in the Committee stage.

Mr. EVANS (Fisher): I support the Bill, although its provisions would have been more applicable 10 years ago than they are now, apart from the increased speed limit that is to be provided. Ten years ago many persons attempted to enter the interstate trucking industry to compete with major enterprises having a monopoly on interstate cartage contracts. Those large enterprises then set about eliminating individual operators, and forcing them to work for the major companies. At that crucial period when individual operators were being squeezed out of the industry many of them tried to continue individually by taking drugs (referred to then as yippie beans) to enable them to remain awake for long periods to drive their trucks. There were then many incidents of trucks leaving the road. Many of the accidents were not serious because, in level country, the vehicles did not always lose their stability when leaving the road; they merely cleaned up a few strips of fence and mallee scrub, and little damage was done, except in certain incidents in the Hills.

In recent times a more serious approach has been adopted. The standard of interstate drivers is better than the standard previously existing, perhaps as a result of more stringent driving tests in the Eastern States and in South Australia. Indeed, the record of road hauliers in this State now and in other States is much better than the record of private motorists, especially in comparison with their predecessors of 10 or 15 years ago. I realize the benefits of this Bill, but the need for it is not as great today as it was in the past. I refer to a driver driving for five hours, which is about the limit of human endurance in respect of remaining alert and maintaining the stamina required to control a heavy vehicle. The member for Bragg referred to this, but five hours is only an average.

Some persons have great stamina and ability to concentrate. These people are sometimes capable of driving for periods longer than five hours. Some of them can drive for four hours, stop for half an hour, and repeat that process continually over four or five periods. They have a great recovery power, and they can recover by sleeping for just half an hour, after which they can continue driving without any further problem. Indeed, I met such a person who drove on long trips. I found I always had to stop and sleep after about 3½ hours, yet he continued and had unloaded or was well on the way to having unloaded before I arrived at the destination, 300 miles (483 km) or 400 miles (694 km) distant. Some people in our community have this ability. Unfortunately, in our complex society people with extra ability are often legislated against and denied the opportunity to use their talents and abilities fully, as is the case in this instance, where we are attempting to implement a uniform law based on the average endurance of human beings. This law will adversely affect some people who could still have continued to operate in the accustomed manner.

I am pleased provision has been included in the Bill to allow an operator to operate within 100 kilometres of his depot. Such a distance allows him to operate in an area within 200 kilometres of his depot, and this is an excellent move. This matter has been debated previously, and there was doubt expressed by the Minister whether the distance could be as great as 50 miles (80.5 km). Currently it is about 62 miles (99.77 km), and I thank the Minister for using a commonsense approach in this matter, because it

allows most general carriers, tip-truck operators and operators in similar fields to operate without fiddling with log-books.

The Minister has referred to the tachograph. He has provided for the introduction of this instrument through legislation. Although the trucking industry may not like the sound of that instrument, I believe it to be an accurate method and an accurate instrument for registering the speed at which a vehicle travels. It is accurate in respect of the distance travelled, in terms of the time the operator has been travelling, and it registers the time during which an operator has been resting. As much as the industry may wish that the Minister would walk away from this instrument, I believe it will have a good effect if it is ever implemented by the industry and if the industry is given sufficient time, say, two years, to install the instrument. True, the instrument costs a few extra dollars, but it will make the law easier to implement, and I do not object to that because I believe it provides an opportunity to ensure that the law is enforced. As a result, there is need only to refer to this instrument when stopping a driver on a trip to see whether he has broken the law at any point. This situation is commendable.

One small area has been overlooked by this legislation. In each State there are certain vehicles (there are five in this State of which I have knowledge) which are used as caravans and which are constructed as caravans on chassis weighing more than four tons (4.lt). These vehicles are owned by individuals and used merely for pleasure, for flitting around, while the owners live on social services at the expense of the community. This Bill allows them to drive for as long as they like, because its provisions refer only to vehicles used for hire or reward for carrying passengers or goods. However, this type of person usually would not have sufficient energy to drive for five hours continually (indeed, he would probably want to stop after the first hour). Nevertheless, the opportunity is provided for a person owning such a vehicle to drive for however long he likes at the risk of other road users. If an accident involving such a vehicle occurred, reference would be made to the Act and to the need to include this group of persons. Some families have similar vehicles to those to which I have just referred, and they, too, should come under the Bill. Such vehicles are usually used for pleasure, but they are still of considerable weight and can attain high speeds.

There is no doubt that some sections of the transport industry will suffer as a result of this legislation. The maximum speed limit is being reduced from 90 km/h to 80 km/h. As a result, in certain parts of the State producers will not be able to get their goods to their market, especially where perishable goods are involved, because they will not be able to transport them within the 12 hours provided, and this will remain a problem to that section of the industry. I also believe that the amendment foreshadowed by the member for Bragg will give a driver the opportunity to complete his journey if he is near his market or depot or if he is nearing his destination; he should be given that little leeway, because he could be just as great a danger to other road users if he pulled up on the side of a road in the Adelaide Hills, close to Adelaide, where fog occurs in winter. He could be a greater risk and a greater road hazard by doing this than by continuing on to Adelaide to complete his journey. I believe that a practical commonsense approach should be made in this area. I support the Bill, but reserve the right to consider amendments moved in Committee.

Mr. MATHWIN (Glenelg): I support the Bill mainly for reasons of road safety. I believe it is important that there be some control over the hours that drivers of commercial vehicles (including passenger vehicles) be permitted to drive. I believe also that the Bill now before us is an improvement on a similar Bill the Minister introduced last year. Clause 4 (1) provides:

A person shall not drive a commercial motor vehicle in any of the following circumstances, namely, where—

(a) he has driven a commercial motor vehicle for a continuous period of more than five hours immediately prior to that time.

I agree with that provision. I agree also with the provision in clause 4 (4), which deals with the driver of a motor vehicle carrying livestock or bees. Although the member for Eyre has pointed out some problems that face primary producers with whom he is familiar, I believe that this provision will be of some assistance to certain primary producers.

I am pleased to note that loading and unloading time is not to be counted as driving time, as it was in the previous Bill the Minister introduced. The log-book is to be used, and indeed has been used, by the police in other States as evidence in speeding offences. If a driver fails to fill in his log-book, he will be guilty of an offence. If a driver errs in filling in the book, or if he does not enter the book correctly, it could be that, when he is going from point A to point B, the police could stop him, check the log-book, and use it as evidence against him in a speeding charge. I do not agree with this provision, and I hope that the Minister will assure me that this will not occur.

I repeat my support for the Bill, which is a step in the right direction, particularly in the interests of road safety. As the speed limit has been increased (although not to the speed that was expected originally), naturally certain precautions should be taken to protect not only the people in the State generally but the driver in particular. Over-tired drivers are a road hazard (not a medical hazard, as the national health scheme would be) to the public and to themselves. The member for Fisher referred to heavy-transport drivers who take pep pills to enable them to drive great distances, and the member for Bragg also referred to this practice. Some highly experienced drivers can drive for long distances without a break. No doubt some members drive their cars for periods of between six and eight hours, whereas some people might drive their car for two hours, become tired, pull over to the side of the road or go to the nearest hotel. If a driver becomes drowsy when driving long distances (and this is conduced by the problem of carbon monoxide as a drug), he should realize that monotony alone is enough to put him to sleep for long periods. He should pull in for a break in his journey. All these matters should be considered.

I refer now to the Report on Commercial Road Transport, in respect of which I again compliment the people who presented it to Parliament. It is now known as the Flint report. The committee consisted of several eminent people well versed in the commercial road transport industry. One of the members of the committee, Mr. James Crawford (Managing Director of Commercial Motor Vehicles Proprietary Limited), is a personal friend of mine and a fellow member of the Brighton council, and I am aware of his knowledge of the road transport industry. This industry covers a wide field, and I suppose that Mr. Crawford has contributed as much as any other member of the committee to the report we are now considering.

I reiterate my support for what I believe is a good Bill that has been introduced with the best of intentions. As

the member for Bragg and the member for Eyre have foreshadowed certain amendments to improve the Bill, I hope that the Minister will be flexible in his mind during the Committee stage.

[Sitting suspended from 6 to 7.30 p.m.]

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Interpretation".

The CHAIRMAN: There are on the file amendments to this clause to be moved by the honourable member for Flinders and the honourable member for Eyre to strike out "4" in the definition of "commercial motor vehicle" and "motor vehicle" with a view to inserting another figure. Subject to the opinion of the Committee, I propose to ask the honourable member for Flinders to move the first part of his amendment, which is to strike out "4". If that amendment is carried we will proceed further with the amendments on file.

Mr. BLACKER: I move:

In the definition of "commercial motor vehicle" and "motor vehicle" to strike out "4".

I move this amendment with a view to moving subsequently to insert "4.5". I do so for the reasons outlined in the second reading debate. The Minister, in his second reading explanation, states:

Much heavier vehicles are now used for long-distance haulage, and it is only the driving of these vehicles that the Government wishes to control.

My amendment takes care of trucks of the type I have mentioned, such as the Dodge 690 and the Ford F600, which are the trucks often used by primary producers. If a truck is fitted with a tray top it is exempted from the four-tonne limit. However, if that truck is fitted with a tipper body, the tare weight is increased considerably and, therefore, the provision regarding four tonnes does not exempt that vehicle. It seems wrong that one truck should be exempted and that another should be included because it has a different tip body or tray top on it. It has been suggested that other States, except Queensland, prescribe a lower weight and that Queensland provides for four tons, not four tonnes.

Mr. GUNN: I support the amendment. It is a realistic approach to a problem that will arise if the clause as it stands is carried. Most operators do not travel long distances, but they will be affected by the present provision. If the amendment is carried, I foreshadow a further amendment to increase the weight to five tonnes. That would widen the types of vehicle exempted so that people who had always carted for only a short distance would not be required to keep log-books or records at their business office.

Most people who could be affected by the clause are the small tip-truck operators or primary producers. They have older vehicles and heavy bins that fit on them. The amendment will give people time to modify the vehicles. If the clause as it stands is carried, in future people will fit aluminium bodies to trucks because aluminium is light in weight. That will also be caused largely by the expense incurred as a result of another measure that has been passed recently, and I ask the Minister to support this amendment because it will alleviate those costs. The Minister and his colleagues say that they want to look after the little people.

The Hon. G. T. VIRGO (Minister of Transport): I am touched by the words of the member for Eyre: at long last he has acknowledged the role that the Government is playing. However, as is not unusual, he has rather overplayed his hand. He has failed to acknowledge the content and wisdom of the committee's report. The report refers on page 32 to New South Wales. That is a Liberal-governed State that is about to embark on some of the most vicious anti-union legislation possible. That legislation will bring the whole of Australia to a halt industrially if that Government has the courage to introduce it, which I doubt. In New South Wales and Victoria the limit is two tons (2.03 t). In Queensland, four tons (4.06 t) is provided. In South Australia, to try to meet the needs of the people that the member for Flinders and the member for Eyre have spoken of, we have settled on four tonnes, the most liberal provision in Australia, despite the mutterings of the member for Glenelg and the complaints we get from members opposite. They were hypocritical in supporting the second reading if they now want to defeat the very purpose of the Bill. There is no way in which I could support this amendment or the foreshadowed amendment of the member for Eyre.

Mr. BLACKER: I cannot agree with the Minister on this point. I should have thought South Australia would be leading the field and should be able to offer a guiding light to the other States. This Bill was introduced for the very purpose of limiting the heavy long-distance vehicle. This clause in no way exempts the long-distance hauliers. It is the total tare weight, not including any trailer. If a trailer is attached, it immediately increases the tare weight. So the vehicle that this amendment proposes to exempt would be able to have only about a six-ton (6.1 t) load capacity. Therefore, we are not dealing with long-distance hauliers: we are dealing with the short-haul carriers. I cannot see that either of these amendments will have the effect the Minister states. If we go back 10 to 15 years to the time when legislation in other States was introduced, the Minister's remarks apply, but I hope we are living in 1973 and not a decade or so ago. Failure to accept this amendment is not setting the way for the people of South Australia but rather is standing in their way.

Mr. GUNN: I was disappointed at what the Minister of Transport said. He completely sidestepped the issue and indulged in some nonsense about the enlightened approach of the New South Wales Liberal Party Government—

The CHAIRMAN: Order! The New South Wales Liberal Party has nothing to do with this Bill. The member for Eyre.

Mr. GUNN: Ln replying to the responsible and realistic approach of the member for Flinders and me in this matter, the Minister referred to what has been done in other States. I do not think the Minister really understands the problems involved. I belong to an enlightened political Party—

Members interjecting:

The CHAIRMAN: Order!

Mr. GUNN: The Minister of Transport has failed to appreciate that many people will be seriously affected by this clause as it now stands. They will be forced to go through all the red tape and nonsense in the world, which is not necessary. As the member for Flinders told the Minister, if he was prepared to look at the legislation passed in the other States, he would benefit from it. If he is to take a proper and enlightened approach, he should accept this realistic amendment. The Minister has not done his homework; it is not for us to do it for him. I have taken some time to study this Bill and am aware of the grave effects it will have.

The Hon. Hugh Hudson: The only time you have taken is to work out how the votes will go in your district.

Mr. GUNN: The Minister of Education should be the last person to talk about voles in his own district because, after the activities of his own colleagues and Mr. Crean, he will certainly need assistance to retain his seat in this Chamber. The member for Flinders mentioned one or two makes of vehicle. I suggest the Minister look at some of the tip-trucks used by councils. For instance, let him look at Bedford tippers, which are used quite extensively. This Bill will have a greater effect on those than on some other vehicles. I have taken the trouble to inspect those vehicles, which are fitted with tip-trucks and they have a gross weight of more than 4½ tons (4.56 t). This legislation will discriminate against them. Surely the Minister can appreciate the short-sightedness of this clause. He introduced the Bill in the name of road safety. It is discrimination against road transport, because we know the Australian Labor Party's attitude—

The CHAIRMAN: Order! I ask the honourable member to return to the Bill.

Mr. GUNN: I support the amendment.

Mr. VENNING: It is pathetic to see this Bill introduced in this manner. As the member for Eyre has said, it will make the situation difficult for many primary producers. It is only creating unnecessary work for them. The Minister should report progress and confer with the relevant organizations to see whether he is justified in maintaining his present attitude. The amendment is reasonable. The Minister should consider it. rather than play around with his colleague on the front bench.

The CHAIRMAN: Order!

The Hon. HUGH HUDSON: Mr. Chairman, I take a point of order. The honourable member is reflecting on the front bench and the activities that he says go on on the front bench. I ask for a withdrawal.

Mr. VENNING: The Minister of Transport indicated that he was not concentrating on the amendment and what has been said by members on this side of the Chamber. I ask the Minister (who at present is playing around; I do not know quite what he is up to) to listen to and consider the amendments, that are moved. So far, he has not really considered the effects of any of this legislation. He is sticking to the beliefs of his Party and is not prepared to consider the views of members on this side of the Chamber who have a practical knowledge of these things and how they will be affected by the Bill. I urge the Minister to consider this amendment and not pass it off lightly as he has done with amendments on other occasions.

The Committee divided on the amendment:

Ayes (18)—Messrs. Allen, Arnold, Becker, Blacker (teller), Chapman, Coumbe, Eastick, Evans, Gunn, Hall, Mathwin, McAnaney, Millhouse. Nankivell, Russack, Tonkin, Venning, and Wardle.

Noes (23)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Corcoran, Crimes, Dunstan, Groth, Harrison, Hopgood. Hudson. Jennings, Keneally, King, Langley, McKee, McRae, Olson, Payne, Simmons, Slater, Virgo (teller), Wells, and Wright.

Pair—Aye—Mr. Rodda. No—Mr. Duncan.

Majority of 5 for the Noes.

Amendment thus negatived.

The Hon. G. T. VIRGO: I move:

In the definition of "commercial motor vehicle" and "motor vehicle" to strike out "in" and insert "or".

It has been discovered that an error has been made in the wording of the Bill, and that "in" had been used instead of "or".

Mr. BLACKER: I oppose the amendment. Originally, the Minister had suggested that primary producers would be exempt from the provisions of this Bill, and we have all accepted the Bill in the way it was printed, as, in that case, it would have exempted primary producers who were eligible for primary-producer registration.

Mr. GUNN: The Minister has pulled the greatest confidence trick of all time. This legislation had been circulated and discussed throughout South Australia as it was printed, and it was taken at face value. This amendment was not on file so that it could be discussed with those who will be affected by it. This is a shabby trick, and the Minister should be thoroughly ashamed of himself, because it seems that he has not known what is supposed to be contained in the Bill. If the Committee acts responsibly, it will reject this amendment out of hand.

The Hon. G. T. VIRGO: The outburst of the honourable member does not do him much credit, and I doubt whether he is fooling anyone.

Mr. Venning: We are trying to get through to you.

The Hon. G. T. VIRGO: If the honourable member for Rocky River thought that primary producers would be exempted from this legislation, he is more naive than I believed.

Mr. Chapman: They should be exempt, anyway.

The Hon. G. T. VIRGO: The honourable member would have that view, because he has a one-track mind.

Mr. Chapman: It is the right track.

The Hon. G. T. VIRGO: It may be for the honourable member, because it is a right-wing track and one of starve the workers.

Members interjecting:

Mr. McANANEY: On a point of order, Mr. Chairman. There is nothing in this Bill about starving the workers. With respect, Sir. you have pulled up Opposition members for doing this sort of thing yet you are allowing the Minister to make remarks not connected with the Bill.

The CHAIRMAN: I ask the Minister to confine his remarks to the Bill.

The Hon. G. T. VIRGO: The amendment is designed simply to clarify a typographical error. However, for some reason a few members opposite who have a one-track mind see some skeleton in the cupboard. Even if the clause stood in its present form, it would encompass primary industry. Are members opposite so naive as to think that primary producers are in a class all by themselves?

Mr. BLACKER: The important words are "for hire or reward". A primary producer carrying his own goods is not carrying them for hire or reward.

The Hon. Hugh Hudson: He is doing it for his own reward.

Mr. BLACKER: In no circumstances is a primary producer who is carrying his own goods carrying them for hire or reward. Until he obtains a cartnote for the commodity he is carrying, or until he delivers it, it is his own commodity and he is not carrying it for hire or reward. This is part and parcel of his occupation of farming. However, if he engaged a contractor to do this it would be a different matter.

Mr. EVANS: Last week, after the House adjourned, I was approached by a group of people regarding this definition. They said that they had received a legal opinion that, if the clause was passed as it stood, a person using a vehicle in the course of his own business would not be considered to be doing it for hire or reward. Although I am not saying that that interpretation is correct, many people will believe that the definition should be interpreted in that way. However, if this amendment is carried, it will change the whole concept of the provision. Many

people, some of whom have received legal advice on the matter, will be amazed at the Minister's change of heart tonight.

Mr. MILLHOUSE: There is no doubt that the interpretation stated by the member for Flinders is correct. The phrase that one uses in a case like this is "for hire or reward". A bus owner or a carrier plies for hire or reward. That is the phrase used to denote that someone is carrying another's goods, in the course of a business, for his own profit. If the Minister has made a mistake (as I think he has), that is his misfortune. However, he should be honest enough to admit that he has made a mistake and not bluster through the matter, pretending that the meaning of the definition is other than what it plainly is. I oppose the amendment, because I do not believe it is cither honest or honourable of the Minister at this stage, after the Bill has been kicked about (as I understand it has) throughout the community, without any notice to alter its sense radically.

Mr. BLACKER: The Bill was introduced on October 11 and, since then, with the Minister's kind permission, two members of the committee have attended two meetings in my district, and the provision, as it now stands, has been debated. I have sought legal advice on this matter and have done everything possible to see that primary producers would be exempted but, now that the Minister has amended the provision, he has changed the whole concept of the Bill.

Mr. RUSSACK: Although the Minister said the amendment was designed to correct a slight error, its effect will be major. I have been approached by people in my district who will be adversely affected by the Bill. They considered that only those persons who used vehicles for the carriage of passengers or goods for hire or reward would be involved. The amendment will cause the Bill to affect many people who otherwise would not have been involved. I strongly oppose the amendment.

Mr. HALL: What is the specific intention of the Minister in moving this amendment? Why is he dissatisfied with the definition as drafted? What is the basic reason for the apparent widening of this definition? The Minister appears to be widening the provisions of the Bill to include all vehicles, commercial or otherwise, but I have not heard him explain why he wishes to do this. The short title of the Bill should be changed if the definition is to include other than commercial vehicles.

The Hon. G. T. VIRGO: Obviously, the member for Goyder was not present when I moved the amendment. I repeat that the purpose of this legislation is to provide control of hours of driving for those people operating commercial motor vehicles. This clause defines a commercial motor vehicle. If hours of driving of commercial vehicles are to be regulated, the provisions should apply to the operation of all vehicles within the four-tonne limit we have applied either across the board or not at all. We are attempting to make the legislation non-discriminatory, so it is necessary to provide that this will apply to vehicles used for the carriage of passengers or goods for hire or reward or in the course of any business or trade. It is as simple as that.

Mr. HALL: If the provision is to apply to all commercial vehicles carrying more than four tonnes, why would the draftsman have been instructed to include the other definitions? It is beyond the understanding of members generally on this side and of back-benchers opposite to know why the other definitions were included if the provision was intended to be all embracing. It is unbelievable that suddenly it is found the word "or" has been left out. The Minister should admit his mistake, and concede that the early intention in the drafting of this Bill was that it would not include other than commercial motor vehicles operating for hire and reward. Otherwise, he will inconvenience a wide sector of the South Australian public. I ask the Minister to go back to the pencilled instructions somewhere in his dockets to find out what was intended. Because that will take time, I move:

That progress be reported.

Motion negatived.

Mr. HALL: Obviously the Minister was not listening. I invite him to stay in the Chamber and listen to the debate. Again, I move:

That progress be reported.

The CHAIRMAN: I cannot accept the motion, because 15 minutes has not elapsed since a similar motion was moved.

Mr. EVANS: The Minister should explain what group he intends to exclude. If he intends to include everyone, why have all the definitions? The only group he is exempting is the section that uses four-tonne trucks to tow large caravans. The Minister is protecting one group and not others.

The Hon. Hugh Hudson: How many caravans have you seen being towed by four-tonne trucks during the past year?

Mr. EVANS: In the second reading debate I referred to five in my district, one of which belongs to my brother. Originally, it was intended that a small operator who used the vehicle in his own trade would not be included in this blanket cover.

The Hon. Hugh Hudson: Where is that stated? What possible justification have you for that kind of approach?

Mr. EVANS: In the main, the people who operate in this field are the small operators, who do not travel great distances.

The Hon. Hugh Hudson: They'll have no worries, because they will conform to the provision.

Mr. EVANS: On the odd occasions when they drive farther than 62 miles (100 km) they must have a log-book. That was not the intention under the Bill as drafted or as explained in the second reading speech, but under the amendment the Minister is now including that group. I believe the member for Flinders had every reason to object in the first place, because I also received the same legal advice as he, namely, that the group would be excluded, but that is not the position under the amendment. Some will be exempt, however, and probably they will not like my raising this matter. Regarding some of the caravans used by Government departments and towed by the smaller trucks, the truck will not come within the definition but, when the caravan is added, it will. No doubt the Highways Department, the Engineering and Water Supply Department, and the Public Health Department's X-ray units and poliomyelitis units would come into this category.

The Hon. Hugh Hudson: You can't include the trailer in calculating the four tonnes.

Mr. EVANS: If the Minister reads on he will find that the trailer is part thereof.

The Hon. Hugh Hudson: You're not telling the truth; four tonnes refers to the vehicle itself, not to the trailer.

Mr. EVANS: What group is the Minister of Transport attempting to leave out of the blanket cover? Why not just include all vehicles that come into the four-tonne classification?

Dr. TONKIN: Two interpretations can be put on this matter. If there has been a typographical error, it should be corrected, but no doubt this would be regarded in some

circles as deliberate misrepresentation. However, I am not saying that it is.

The Hon. G. T. Virgo: Only by those with political ambitions to exploit a situation.

Dr. TONKIN: I wish the Minister would listen to a genuine attempt to sort out this matter. Undoubtedly it will be regarded in some quarters as a deliberate misrepresentation, and justifiably so.

The Hon. G. T. Virgo: In Liberal and Country League circles.

Dr. TONKIN: No, within the community generally. Perhaps the Minister intended what he has now moved as an amendment to be included in the Bill originally. If that is so, he must surely recognize the effect it will have on the Bill and that it has been read in a sense totally different from that which he now says was intended in the first place. If it is a genuine typographical error, the Minister should report progress and give members of the community an equal chance to study this legislation in its new light.

Mr. NANKIVELL: The Minister is being consistent in his utter disregard for the rural community. No Bill is introduced without the Minister singling out certain people for special treatment. In this case, he has discovered a loophole and is closing it up. This amendment is something new, because its impact is far wider than what appears to be necessary to close the stable gate. In this Bill provision is made for the unladen trailers to be included in the aggregate weight. If caravans and trailers are to be included in calculating the weight of a vehicle for the purposes of this Bill, the Bill goes much further than was originally intended and much further than the Minister outlined in his second reading explanation when he stated:

The Bill, however, differs in one major respect from the Victorian and New South Wales legislation, because the latter applies to all commercial vehicles over 2 tons (2.032 t), and this Bill will apply only to commercial vehicles of an unladen weight exceeding 4 tonnes.

That is the combined weight, because it includes the trailer.

He continued:

Thus, regard has been had to the changes that have taken place in the road transport industry over recent years. Much heavier vehicles are now used for long distance haulage, and it is only the driving of these vehicles that the Government wishes to control.

Now he seeks to broaden it to include everyone, even the person pulling a caravan behind a truck. The Mines Department and many others are involved.

The Hon. G. T. Virgo: Do you think the Mines Department acts contrary to this legislation?

Mr. NANKIVELL: The department tows caravans behind its trucks, but other people engaged in mining and drilling will now be required to keep a log-book. This amendment seeks a blanket control over vehicles more than 100 kilometres from their depot. The owner of a truck is obliged to keep a log-book in case at some future time the truck exceeds the distance of 100 kilometres from where it is garaged. This amendment will make it obligatory to keep log-books for all vehicles in this category. This was not the intention of the Bill when drafted, nor was it the interpretation given by me or other members in good faith at meetings we addressed on this matter. I am not opposed to the driving hours provision of the Bill in relation to long-distance hauliers, but I do not support the amendment.

Mr. BECKER: The Opposition viewed this legislation on the basis on which it was presented to the House. The clause exempted certain vehicles and was accepted in good faith. I ask the Minister to reconsider his decision.

Mr. GUNN: As a result of the Minister's attitude, members will never again be able to accept his word. Clearly, the Minister did not explain this matter in his second reading explanation. The subject has been canvassed throughout South Australia, and the Minister has sought to make this amendment at the last moment. He wants to broaden the scope of the Bill to cover every section of the community. People have taken the Minister's word on this Bill. Because this amendment is so significant, the matter should again be canvassed in the community. I ask for the Minister's co-operation. Obviously, he is concerned with road safety, as are all members. To allow the community the opportunity to understand fully what is provided by this amendment, I move:

That progress be reported.

The Committee divided on the motion:

Ayes (18)—Messrs. Allen, Arnold, Becker, Blacker, Coumbe, Eastick, Evans, Goldsworthy, Gunn (teller), Hall, Mathwin, McAnaney, Millhouse, Nankivell, Russack, Tonkin, Venning, and Wardle.

Noes (23)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Corcoran, Crimes, Dunstan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, Langley, McKee, McRae, Olson, Payne, Simmons, Slater, Virgo (teller), Wells, and Wright.

Majority of 5 for the Noes.

Motion thus negatived.

Mr. GUNN: In terms of the Minister's amendment, will it be necessary for the driver of every commercial vehicle with an unladen weight exceeding four tonnes to carry a log-book at all times in that vehicle?

The Hon. G. T. VIRGO: No.

Mr. NANKIVELL: Does it mean that a record of all movements of that vehicle will have to be kept at some central point?

The Hon. G. T. VIRGO: Yes.

The Committee divided on the amendment:

Ayes (23)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Corcoran, Crimes, Dunstan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, Langley, McKee, McRae, Olson, Payne, Simmons, Slater, Virgo (teller), Wells, and Wright.

Noes (19)—Messrs. Allen, Arnold, Becker (teller), Blacker, Chapman, Coumbe, Eastick, Evans, Goldsworthy, Gunn, Hall, Mathwin, McAnaney, Millhouse, Nankivell, Russack, Tonkin, Venning, and Wardle.

Pair—Aye—Mr. Duncan. No—Mr. Rodda.

Majority of 4 for the Ayes.

Amendment thus carried.

Mr. BLACKER: I oppose the clause. Road transport is a major matter in country towns and people involved in it have sought legal advice in this Chamber and outside on the Bill. We have gone ahead believing that this clause exempted primary producers, but the Government has misled us. Every truck owner is aware of the problem and will know that the provision has been changed at the last moment, without giving members the opportunity to take the Bill back to the people and explain that we were debating it on the wrong lines. The Minister of Education has raised another matter regarding calculating the tare weights of vehicles. Clause 3 stipulates that what is involved is the tare weight of the vehicle and trailer. There are vehicles on the market now, such as the one-ton (1.03 t) Holden utility—

The Hon. G. T. Virgo: We can't have commercials here.

Mr. BLACKER: I am referring to any type of one-ton utility with a gooseneck-type or tandem trailer, the wheel tare of which is in excess of four tonnes. A person

with a one-ton utility with this rig on it will have to use a log-book.

Mr. Nankivell: It includes horse floats.

Mr. BLACKER: Some types of horse float could come into this category. We are dealing no longer with the commercial vehicle but with the every-day user of the road with a trailer. This is most disturbing, particularly as we have been misled.

Clause as amended passed.

Clause 4—"Hours of driving."

Mr. ALLEN: I move:

In subclause (1) after "vehicle" first occurring to insert "(other than a commercial motor vehicle to which subsection (la) of this section applies)".

It is necessary to explain the content of proposed new subsection (la), which I will move to insert if this amendment is carried. It provides:

A person shall not drive a commercial motor vehicle that operates from a base of operation in this State situated north of 31° latitude—

31° latitude being a line running from east to west about 10 miles (16.1 km) north of Parachilna and about 5 miles (8 km) south of Kingoonya in the North—

or west of 134° longitude—

134° longitude being a line running from south to north about 20 miles (32.2 km) east of Ceduna—

in any of the following circumstances . . .

This amendment will give operators based outside this defined area 15 hours a day driving time in place of 12 hours, which is in the Bill. The reason is that the people in that area do not have the type of road that the hauliers and operators in the south of the State have, and they will not be able to drive as far in 15 hours in that area as people will in the lower part of the State. Several operators are based at Lyndhurst in the North of the State, and they operate in several directions, one being along the Strzelecki Creek track. Many goods are carried on that road, and a 15-hour driving day would enable those drivers to complete most of their checking whereas with a 12-hour day they would be camping in the desert in the heat of the summer. Let us assume that the same truck is based at Lyndhurst, on the Birdsville track, or at Marree going to Oodnadatta. A 15-hour day would help those operators considerably, for they are not interstate hauliers: they operate mainly in the North of the State.

Also, there is a mail route from Oodnadatta to various stations and the mail round cannot be completed in under 12 hours, whereas a 15-hour day would enable it to be completed. The Bill limits drivers to 12 hours driving a day, for it states only that they must have five hours rest; the Bill does not state what they should do with the remainder of their time. They could do almost anything without having rest, whereas the operators in the North would have their required rest because there is nothing to do on that part of the journey, anyway. These people would be able to drive the 15 hours without any more stress than people in the south would suffer in a 12-hour day.

The Hon. G. T. VIRGO: I acknowledge the case that the member for Frome has stated. Having said that, I do not want to dash his hopes too hard, but I cannot accept this amendment, for two reasons. Having acknowledged the legitimacy of the general claim he makes, I refer him to the last clause of the Bill, which provides that regulations may be made to provide exemptions from all or any of the provisions of the Act, etc. The position the honourable member has cited could be adequately and more tidily dealt with under that clause than by an amendment here.

The second point is that, from the member's description of the problem, it is clear that the amendment he has drafted does not effect what he wants, because it means that anyone who has a vehicle at a base north of 31° latitude or west of 134° longitude can do all these things. Therefore, a person who is stationed at Ceduna or Lyndhurst would be able to go not only north or west, as instanced by the honourable member, but also east or south; and that would be improper. We can deal with the specific cases mentioned by regulation in accordance with the terms of the measure. I would be happy to do that at the proper time for the honourable member.

Mr. ALLEN: I would prefer to see this in the Bill. However, if the Minister is prepared to promise that this will be considered in regulations, I am happy to leave it at that. I seek leave to withdraw my amendment.

Leave granted; amendment withdrawn.

Mr. WARDLE: The Minister has said this could be included in regulations. Is the Minister prepared to say that it will, in principle, be included in regulations?

The Hon. G. T. VIRGO: I said it could be included, because there is provision for it to be done; and I said I would sympathetically consider the member's points. I thought there was a lot in the case he stated. I do not want to give an unequivocal guarantee that I will put something in them, when at this stage we have not a specific issue.

Mr. BLACKER: I move:

In subclause (2) (6) to strike out "half an hour" and insert "fifteen minutes".

The reason for this amendment I mentioned in my second reading speech. It has been suggested many times that anyone checking a load is confined to his actual hours of driving. Under this clause, a driver has to stop for half an hour before he can resume driving. A carrier travelling from Port Lincoln to Adelaide with a load of wool should have the opportunity to spend 12 hours at the wheel. However, as the load will have to be checked about five times, each check taking, say, 15 minutes, an hour and a quarter's driving time can be lost, unless the driver waits for half an hour each time.

The Hon. G. T. VIRGO: Anything less than 30 minutes as a minimum time for a driver to obtain rest and refreshment would not be satisfactory. If the rest time is reduced by 15 minutes, no additional driving time will be provided.

Mr. BLACKER: If a driver has to check his load of wool at least five times during the journey, he will lose 1¼ hours of driving time. My amendment will allow the driver a chance to spend 12 hours driving, and the time spent in checking the load will not be included in the hours of driving.

Mr. GUNN: A responsible carrier will check his load, but the present provision means that the Lime spent doing this will be deducted from his driving time.

The Hon. G. T. VIRGO: I have checked, and the time not spent driving is not counted as driving time.

Mr. BLACKER: I understand that the time not driving is to be shown in the log-book, but this clause provides that any two periods of driving not separated by more than half an hour are deemed to be continuous. Therefore, if the driver stops for 20 minutes to check the load his driving time is deemed to be continuous.

The Hon. G. T. VIRGO: The driver must stop for 30 minutes.

Mr. BLACKER: If the carrier has to stop five times, he will stop for a total of 2½ hours.

The Hon. G. T. VIRGO: Yes, if he does not want it classified as driving time.

The Committee divided on the amendment:

Ayes (18)—Messrs. Allen, Arnold, Becker, Blacker (teller), Dean Brown, Chapman, Coumbe, Eastick, Evans, Goldsworthy, Gunn, Mathwin, McAnaney, Nankivell, Russack, Tonkin, Venning, and Wardle.

Noes (23)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Corcoran, Crimes, Dunstan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, Langley, McKee, McRae, Olson, Payne, Simmons, Slater, Virgo (teller), Wells, and Wright.

Pair—Aye—Mr. Rodda. No—Mr. Duncan.

Majority of 5 for the Noes.

Amendment thus negatived.

Dr. TONKIN: I move to insert the following new subclause:

(2a) Where the driver of a commercial motor vehicle is proceeding to a destination within a radius of 25 kilometres from the General Post Office at Adelaide and he has reached a point within that radius without having driven for more than 12 hours in the period of 24 hours immediately preceding the time at which he reaches that point, then he may, notwithstanding the provisions of paragraph *(b)* of subsection (1) of this section proceed to complete his journey to that destination.

Long-distance transport drivers could find that after nearly 12 hours driving they could be within 25 kilometres of the General Post Office and, if my amendment is carried and their destination is within that radius, they could travel a further total distance of 50 kilometres. That would bring them within a radius extending from the other side of Hahndorf around to Waterloo Corner and Virginia, the Elizabeth town centre, Morphett Vale and O'Sullivan Beach. The amendment will enable drivers who enter that radius before having completed 12 hours driving to continue on to their destination, and not, as stated earlier, find themselves having to park their vehicles only about 15 miles (about 24 km) from Adelaide. This practice would in many cases present a danger to road traffic and, being so close to the metropolitan area, these drivers could keep their vehicles off the road. The amendment will not only enable drivers to complete their journey to most major industrial centres around Adelaide but it will also contribute to road safety, as drivers will not be tempted to exceed the speed limit, knowing that once they reach the radius they will be able to complete their journey.

The Hon. G. T. VIRGO: Although I do not accept the amendment, I was not unsympathetic towards it until the honourable member said that it might induce drivers not to exceed the speed limit. He and I know that, subject to the conditions of the road, the maximum permissible speed is the minimum speed at which people drive. It would be unfair for a provision of this nature to apply to drivers approaching Adelaide without a similar concession being given to drivers approaching country destinations. It would be just as valid a claim that a person going to a country destination should have this concession. This is a new type of legislation, which will operate for the first time ever in South Australia. It should be permitted to come into operation principally on the basis of the application of the legislation in other States. If, after the legislation has been operating, it can be shown that there are deficiencies, appropriate amending legislation can be introduced.

Mr. MATHWIN: I support the amendment, which I hoped the Minister would accept and which would enable truck drivers who have not driven for more than 12 hours and who have reached a destination within 25 kilometres of the G.P.O. to complete their journey. It will also induce drivers not to exceed the speed limit. As truck drivers would otherwise be tempted to break the law to complete their journeys, the amendment would assist them.

Dr. TONKIN: I appreciate the Minister's assurance that these matters will be looked at later. Would the Minister have accepted the amendment if it had applied to a driver of a commercial motor vehicle who had reached a point within a radius of 25 kilometres of his destination? It is much more important in the densely populated metropolitan area, where road traffic is already a considerable hazard, to keep semi-trailers and large transports off the road as much as possible. I must persist with my amendment. Although I am disappointed that the Minister will not accept it, I am heartened by some indication that he is not unconscious of the problem.

Mr. ARNOLD: As safety is a major concern in legislation such as this, can the Minister say what the driver of such a vehicle should do if he should reach, say, Gepps Cross or some other area inside the metropolitan area? If the vehicle cannot reach its depot, where should it stop?

The Hon. G. T. VIRGO: The drivers are responsible people. They would regulate their activities in accordance with the terms of the legislation.

Mr. BLACKER: If drivers are stopped by the authorities, and if they have exceeded the stipulated hours of driving, they will suffer the consequences. I do not know of any place in the metropolitan area where such a vehicle can safely pull up.

Mr. MATHWIN: Like the Minister, I believe that drivers are responsible people, but on his argument it would seem that, after having driven for the number of hours specified, drivers would be in a state of collapse the minute that the time expired. The amendment is a good one, and it makes sense.

Amendment negatived.

The CHAIRMAN: The question is "That the clause pass": those in favour say "Aye", those against "No". The Ayes have it.

Clause passed.

Mr. McANANEY: On a point of order, Mr. Chairman, you did not look up and the member for Flinders was on his feet to speak to clause 4.

The CHAIRMAN: The question has been put and carried.

Dr. TONKIN: On a point of order, Mr. Chairman, the member for Flinders not only stood in his place but, as I understand it, he called for your attention.

The CHAIRMAN: I did not hear the member for Flinders, and I put the question.

Clause 5 passed.

Clause 6—"As to issue of authorized log-books."

Mr. BECKER: I move:

In subclause (4) to strike out "five hundred dollars or imprisonment for six months" and insert "one hundred dollars".

The penalty of $500 is one of the highest in Australia; imprisonment for six months makes this a criminal offence. Under the Victorian legislation an offence is committed if a person has in his possession an authorized log-book that has not been lawfully issued to him, an authorized log-book from which any page marked "original" has been removed, or more than one authorized log-book containing unused or cancelled pages; or if he does not truly and accurately record in his authorized log-book the particulars required therein, or otherwise fails to comply with the provisions of the Act or regulations. The maximum penalty for an offence is $200 except in the case of a person who obtains (or attempts to obtain) an authorized log-book by false statements or misrepresentation, in which case the maximum penalty is imprisonment for not more than six months. I think the penalty provided here is far too harsh.

The Hon. G. T. VIRGO: I do not accept the amendment. I am unaware of what the Victorian legislation provides, but I am concerned with what the South Australian legislation will provide. I remind the Committee that this clause deals with someone who forges or fraudulently alters a document. We are not treating it as a crime: it is a crime, and if members study the Statutes they will find that, these crimes carry heavy terms of imprisonment, whereas the penalty under the clause is extremely light.

Amendment negatived.

Mr. BECKER: As a result of the fate of my previous amendment, I do not intend to proceed with any other amendments to this clause.

Clause passed.

Clause 7 passed.

Clause 8—"Duty to produce log-books, etc., when required by inspector."

Mr. BECKER: I move:

In subclause (3) to strike out all words after "examination of" and insert "any log-book that the driver has been required to produce for the examination of the inspector".

The way in which I interpret subclause (3) is that an inspector may ask a driver to produce, say, the manifest for the load he is carrying. I believe that the manifest is the property of the consignor and the consignee and that the inspector has no right to examine it. I cannot see how the manifest relates to the inspector's duties. As the load on a vehicle going to another State could comprise, say, $600 000 or $700 000 worth of cigarettes or a large quantity of Scotch whisky, I think that the fewer people who know about the movements of such consignments the better. Unmarked vehicles are being used by the police on our roads today and the driver of one could put up a table tennis bat and order the lorry driver to stop, but the driver of a vehicle carrying a valuable cargo should not be stopped in these circumstances. As I consider that "any documents" is too far reaching, I ask the Minister and the Committee to support my amendment.

The Hon. G. T. VIRGO: The honourable member has no doubt been struggling to concoct some amendments and has not thought this one through too well. The inspector can ask for the log-book only, and no other documents. The inspector is a member of the Police Force or a person appointed by the Minister. As a member of the Police Force he has the authority of all South Australian legislation behind him and can ask properly for any papers, whether in accordance with this legislation or any other legislation.

Dr. Tonkin: You mean a driver's licence?

The Hon. G. T. VIRGO: He could ask for the driver's licence or the manifest, because he is empowered to do so under other Acts. An inspector is not only an inspector under this Act but also under other Acts. Although I have no strong views on the amendment, I think it is valueless as it stands.

Amendment carried.

Dr. TONKIN: Can the Minister say whether it is intended that inspectors or police officers shall be empowered to stop transports in the metropolitan area? I realize that they have the power to do so under the terms of the Bill, but will this be their practice? A transport could leave Port Adelaide, go up the Mount Barker Road, and be stopped several times by an inspector or police officer during that short trip, and the time taken could seriously count against the time of completion of the journey.

The CHAIRMAN: Clause passed.

The Hon. G. T. VIRGO: Are we still on this clause, Mr. Chairman?

The CHAIRMAN: We have passed the clause.

Dr. TONKIN: Mr. Chairman, the Minister was on his feet and addressed you with a call. Subsequently, you put the motion and passed it.

The CHAIRMAN: The honourable Minister of Transport.

The Hon. G. T. VIRGO: I am unable to give the honourable member the assurance he seeks. This is purely an administrative matter. I appreciate the problem and I am sure that police officers and inspectors would equally appreciate it. However, I do not think the position is as simple as the honourable member suggests, because, whilst he and I may know that a truck driver is travelling from Port Adelaide to Hahndorf, the inspector may think that he has come from Wallaroo and is going to Hahndorf. I do not foresee real problems of this kind. The police conduct a licence check every year and it is to their credit that there is an absolute minimum of interference. I think they are capable of handling this matter without undue interference.

Clause as amended passed.

Clauses 9 to 12 passed.

Clause 13—"Regulations."

Mr. BECKER: I suppose the Minister has not had the opportunity to consider the type of log-book that will be used, but I assume that it will be similar to the one used in New South Wales and Victoria. I am wondering whether consideration should be given to incorporating room for particulars of the co-driver on the same page, rather than have separate pages. I appreciate the point of having log-books uniform throughout Australia.

The Hon. G. T. VIRGO: I think that the last point the honourable member has made, namely, uniformity, is the overriding one, because drivers will require to renew log-books while they are in other States. I have not had personal experience of these log-books, although I have heard stories about them that I do not intend to repeat. All concerned are unanimous that the book is of a simple type and, as many drivers operating between the States are New Australians and as the book resembles the book used in Europe, on this score it is an extremely good type of book. I do not know whether the honourable member's suggestion could be given effect to, but the important thing would be to have uniformity.

Clause passed.

Title passed.

Bill reported with amendments.

The Hon. G. T. VIRGO (Minister of Transport) moved:

That this Bill be now read a third time.

Mr. GUNN (Eyre): I supported the Bill through the second reading but I was amazed at the attitude the Minister adopted in Committee.

The SPEAKER: Order! The honourable member for Eyre must realize that at the third reading stage he can only discuss the Bill as it came out of Committee.

Mr. GUNN: The Bill is in an unsatisfactory form, and [consider that the Minister's action in amending it to the form in which it now stands is not in the best interests of the majority of commercial transport operators in this State. I consider that his action would make Ned Kelly look like a Sunday-school teacher.

Bill read a third time and passed.

FRIENDLY SOCIETIES ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

SOUTH AUSTRALIAN MUSEUM BILL

In Committee.

(Continued from November 1. Page 1567.)

Clause 13—"Functions of the Board."

Mr. DEAN BROWN: Last week I was about to ask the Minister whether it was intended to put the land in the name of the board, the Government, or the Minister of Lands. I understand that, under the old Act; the land was in the name of the board rather than the Minister.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): It is intended to place the land under the control of the Minister.

Clause passed.

Remaining clauses (14 to 20) and title passed.

Bill read a third time and passed.

PETROL STRIKE

Order of the Day (Other Business): Adjourned debate on motion of Mr. Hall.

That in view of the gravity of the growing industrial turmoil and the inconvenience and economic loss it is causing South Australians, this House calls on the Government to directly intervene on behalf of the public, and to take action which will return the refinery employees to work forthwith,

which Mr. Coumbe had moved to amend by striking out all words after "That" and inserting the following:

> this House condemns the present industrial unrest whether occurring in this State, or elsewhere in the Commonwealth, and calls on all Trade Unions to adhere to the principle of conciliation and arbitration before instituting direct action, and that in view of the inconvenience and economic loss suffered by the public in this State the State Government adopt a more responsible attitude to industrial unrest.

(Continued from October 31. Page 1523.)

The SPEAKER: The honourable member for Goyder. The question is "Order of the Day (Other Business) No. 1: That the amendment be agreed to". The question is that the honourable member for Goyder has moved a certain motion to which the member for Torrens has moved an amendment. The question is "That the amendment be agreed to." For the question say "Aye". Those against say "No". The "Noes" have it. Now the question is "That the motion be agreed to." For the motion say "Aye", against say "No". The "Noes" have it.

Motion negatived.

ADJOURNMENT

At 9.54 p.m. the House adjourned until Wednesday, November 7, at 2 p.m.