

HOUSE OF ASSEMBLY

Tuesday, March 19, 1974

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

QUESTIONS

The SPEAKER: I direct that the following written answers to questions be distributed and printed in *Hansard*.

BAROSSA PASSENGER SERVICE

In reply to Mr. GOLDSWORTHY (February 27).

The Hon. D. A. DUNSTAN: Although the Angaston line is in good order and carries heavy freight traffic, there are no current proposals to reopen regular passenger services to the Barossa Valley. The district is served by road passenger services, and the requirements for a rail passenger service to and from the valley are not sufficient to warrant duplicating existing services. The possibility of introducing an experimental service will be kept under review.

UNDERGROUND WATER

In reply to Mr. RODDA (March 6).

The Hon. J. D. CORCORAN: With the exception of the Padthaway area, there have been no restrictions on the use of underground water for irrigation other than the requirement to obtain a permit for the drilling of new wells for this purpose. Since it was announced in October, 1973, that increases in the acreage irrigated in the Padthaway area would generally not be permitted, a land-use survey has been carried out in the area, new aerial photographs were taken in January, 1974, and hydrogeological investigation and assessment by the Mines Department is continuing. The Underground Waters Advisory Committee and the South-East Water Resources Investigation Committee are both studying the progress made in all areas, but it is too early to give a meaningful answer regarding the level of the underground basin.

RURAL YOUTH

In reply to Mr. GOLDSWORTHY (March 5).

The Hon. J. D. CORCORAN: The Minister of Agriculture has informed me that three rural youth advisers are employed by the Agriculture Department. Following a proposed reorganization of the extension activities of the department, my colleague expects that more effective use will be made of rural youth and other extension staff.

MOBILE LIBRARIES

In reply to Mr. MATHWIN (February 28).

The Hon. HUGH HUDSON: Following my reply to the honourable member's question on this subject in August last year, I referred the matter to the State Librarian for consideration by the Libraries Board. The board agreed to consider the establishment and operation of a demonstration mobile library, if the Government provided the necessary funds. A detailed proposal was considered and approved by Cabinet, and an order was placed with the Tramways Trust for the purchase of a surplus bus. Cabinet approval included the modifications necessary to enable the bus to be used as a mobile library, and these modifications are at present being undertaken in the trust's workshops. The experimental vehicle will be set up as a demonstration unit for use in council areas where subsidized libraries have not been established. It will enable councils to assess the need before taking independent action for the establishment of their libraries within the provisions of the Libraries (Subsidies) Act.

SCHOOL BOOKS

In reply to Mr. RUSSACK (March 14).

The Hon. HUGH HUDSON: The Australian Broadcasting Commission broadcast booklet is issued to all primary school students as part of their textbook issue. The A.B.C. delivered 60 000 copies to the State Supply Department by January 25. This was about half the full order. At this point the A.B.C. printing firm experienced difficulties and, in addition, the A.B.C. was involved in the changeover to its building in Collinswood, thus further complicating the matter of delivery. Most of the booklets have now been distributed, and delivery is expected to be completed to all schools by the end of this week.

RAIL FARES

In reply to Mr. MATHWIN (February 22).

The Hon. G. T. VIRGO: In explaining his question the honourable member claimed that his constituent had been told that a yearly ticket from Oaklands to Kilburn would cost \$190.20 from July 1, 1974. This statement is not correct, as the cost of the ticket from July 1 will be \$169.20. Likewise, the honourable member stated that a weekly ticket would cost \$3.60, whereas the correct amount is \$3.20. In the light of the above corrections, the comparisons with the cost of transfer tickets are lacking in value. In addition, the honourable member has overlooked the fact that transfer tickets have been provided to overcome anomalies not present in periodical tickets.

BUS SERVICES

In reply to Dr. EASTICK (March 5).

The Hon. G. T. VIRGO: There has been no rationalization by the Municipal Tramways Trust of the bus services that were previously provided by the recently acquired private bus operators, and these services, including those formerly provided in the Para Hills area by Elizabeth bus services (Transway Services Proprietary Limited) are being operated in the same manner and in accordance with the same schedules as before. However, services were also provided in the Para Hills and Ingle Farm areas by Lewis Brothers, who rejected the trust's proposals for acquiring their services but, nevertheless, withdrew all of them at short notice. In this case the trust has introduced its own services in these areas and, although some changes have been made, no weekend services have been withdrawn.

On the contrary, the trust is operating evening and weekend services on some of the routes that did not previously have such services. In addition, weekday bus frequencies have been improved in some cases. There have been some minor route variations to provide a more direct service to the city, but all areas previously served by Lewis Brothers are now within reasonable access of a trust service. An examination is being made of all services in order to determine the nature and extent of the improvements that should be made, but proposals being tentatively considered would require the construction of additional bus depots and the purchase of new buses, and it may be some time, therefore, before these proposals can be implemented.

NEW VEHICLE REGISTRATIONS

In reply to Mr. PAYNE (February 27).

The Hon. G. T. VIRGO: The Motor Vehicles Department does not supply details of new motor vehicle registrations to commercial firms. However, it has been the practice for more than 30 years to supply the Royal Automobile Association with details of new car owners, and it is considered reasonable to continue to supply this information to the officially recognized motorists' organization, as a community service. Despite intensive investigations by my departmental officers into the matter of the

literature from commercial firms that was received by the honourable member's constituent, I have been unable to establish how this occurred. I have been assured by the R.A.A. that the information provided by the Motor Vehicles Department is kept strictly confidential, and only R.A.A. literature is forwarded to new car owners. Neither the Motor Vehicles Department nor the R.A.A. supplies names of new owners to the two firms referred to by the complainant in this case.

HIRE CARS

In reply to Mr. SIMMONS (February 28).

The Hon. G. T. VIRGO: As a result of the honourable member's question, I have had a further report from the Metropolitan Taxi Cab Board on the use of unlicensed hire cars for wedding receptions. As I indicated, the board is well aware of the activities of the wedding reception organizations concerned, and surveillance of the situation is continuing. The board is reasonably confident that it will soon be able to take appropriate action against the offending parties.

HILLS DEVELOPMENT

In reply to Mr. EVANS (February 20).

The Hon. G. R. BROOMHILL: The process of study for, preparation of, and recommendation of the Supplementary Development Plan for the Hills component of the Metropolitan Planning Area, like any other development plan, has necessarily been a protected one and has not been able to be held to a firm time table. Preliminary consultations with the Stirling council are imminent, and consultations with other affected councils will occur soon. In the meantime, the State Planning Authority, in exercising interim development control powers, is pursuing a policy of discouraging flat development in the Hills area. The Government, as I have said, is considering ways in which achievement of such policies can be better assured through changes in the provisions of the Planning and Development Act.

The State Planning Authority has issued model planning regulations for the guidance of councils wishing to restrict building within prescribed distances of roads. The Stirling council is proceeding with regulations based on this model. Regarding allotment sizes, the State Planning Authority has issued model planning regulations to assist councils wishing to impose minimum allotment sizes and frontages in their areas. The Stirling council has been told by the State Planning Authority that the authority would not oppose minimum allotment sizes of 1 860 square metres (20 000 sq. ft.) in areas proposed to be sewerred, but would regard such minima outside the sewerred area as conflicting with the 8 hectare minimum allotment size in water catchment areas and with the 4 hectare minima in rural areas generally. The council has not proceeded further, and I am now corresponding with the council on this matter.

HACKNEY REDEVELOPMENT

In reply to Mr. BECKER (March 7).

The Hon. D. J. HOPGOOD: A report has been presented to the Government, and it is expected that both upgrading work and new construction will begin this financial year. A date cannot be given for completion, because some facilities in the area, for example, the Commonwealth Scientific and Industrial Research Organization animal nutrition laboratories, can be moved only over a reasonably long period when a new laboratory has been built.

EMBEZZLEMENT

Mr. BECKER (on notice):

1. How many cases of embezzlement from employers have been reported to the police each year for the past five years?
2. What were the total amounts involved and what were the smallest and largest single amounts?
3. What categories of organization were involved in these cases of embezzlement?

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

EMBEZZLEMENT

How Committed-	1972-73	1971-72	1970-71	1969-70	1968-69	5-year Total
On retail businesses	32	30	36	78	33	
By delivery drivers	8	6	62	24	22	
On private persons	3	—	—	3	1	
On businesses (general)	19	130	18	37	34	
Government departments	—	4	1	2	4	
Miscellaneous	4	1	2	4	4	
Total offences	66	171	119	148	98	602
Total amount embezzled	\$17 564	\$17 686	\$22 058	\$6 005	\$14 210	\$77 523
Smallest single amount	\$1	\$3	.50	.20	.40	.20
Highest single amount	\$6 336	\$6 559	\$5 872	\$1 306	\$5 010	\$6 559

ROAD SIGNS

Mr. GUNN (on notice): What consideration has the Government given to assisting councils to cover the cost of converting road signs to metric equivalents?

The Hon. G. T. VIRGO: At the time the Australian Government decided that Australia would convert to the metric form of measurement, it was announced that each authority would need to bear its own cost in connection with the conversion of signs.

LAND FEES

Mr. GUNN (on notice): Will the Government exempt councils from transfer fees when acquiring land for roads that are to be controlled by the Highways Department?

The Hon. G. T. VIRGO: Councils are rarely requested to acquire land for the Highways Department. In the isolated cases where this does occur, all costs are considered when the required funds are provided to the council concerned.

VETERINARY CADETSHIPS

Mr. GUNN (on notice): What consideration has the Government given to providing cadetships for the training of veterinary surgeons to alleviate the current shortage of veterinary surgeons in country areas?

The Hon. HUGH HUDSON: Four studentships for courses in veterinary science have been offered this year. Three of these have been taken up, and it is expected

that the offer of the fourth studentship will be accepted shortly. In addition, five veterinary science students hold South Australian Public Service studentships and, of these, two are expected to graduate in 1974, two in 1975, and one in 1976. The conditions of the studentship prescribe that, after completion of the course, the graduate will practise as a veterinarian in South Australia for a period of up to three years, depending on the duration of the studentship.

TON-MILE TAX

Mr. GUNN (on notice): When can it be expected that the Flint committee's report on the operations of the ton-mile tax will be presented to the Minister and become available to members of Parliament?

The Hon. G. T. VIRGO: It is expected that the Flint committee's report, dealing with the Road Maintenance (Contribution) Act, will be presented to me by the end of July, 1974.

NATIONAL PARKS

Mr. EVANS (on notice):

1. What moneys were spent by the South Australian Government during each of the years 1970-71, 1971-72, 1972-73 in acquiring land for national and conservation parks?

2. What percentage of the land set aside for national and conservation parks during these years was formerly privately owned, and what percentage was already held by the Crown?

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

1. Expenditure by the South Australian Government in acquiring land for national and conservation parks for 1970-71 was \$333 000; for 1971-72 it was \$362 000; and for 1972-73 it was \$603 000. The above figures include \$24 000, \$101 000 and \$63 000 respectively received from the Australian Conservation Foundation.

2. Will the honourable member again ask this question on Tuesday, March 26, 1974?

BASHAM BEACH

Mr. EVANS (on notice): Has the Government agreed to the subdivision of the Basham Beach area?

The Hon. G. R. BROOMHILL: No.

SUPERPHOSPHATE

Mr. GUNN (on notice): What plans has the Government to provide bulk superphosphate facilities at selected railway stations in country districts?

The Hon. G. T. VIRGO: The proposed establishment of facilities for bulk unloading of superphosphate at key railway stations in country districts is at present being considered. However, certain difficulties are yet to be resolved in relation to the capital outlay involved and staff required to man the facilities.

MARALINGA VILLAGE

Mr. GUNN (on notice):

1. What plans has the South Australian Government to use the facilities at the Maralinga village?

2. Is it intended to keep a caretaker resident at the village?

3. How much equipment has been transferred from Maralinga to the Community Welfare Department?

4. Will this area be opened to the public?

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

1. The Commonwealth and State Governments are in agreement regarding the use, salvage, and distribution of

Maralinga facilities. A group of Aborigines from Yalata Reserve are now at Maralinga retrieving equipment and dismantling buildings and facilities for community use at Yalata. The Mines Department has formulated plans for a comprehensive mineral survey of the derestricted Maralinga area, and will make temporary use of some buildings and the airstrip as a base camp for its operation. The Yalata Aboriginal Co-operative plans to seek salvage rights to the residue of facilities when maximum possible distribution has been achieved, and in return will tidy the area.

2. The Australian Government caretaker leaves Maralinga this week, but personnel from Yalata Mission will maintain a caretaking and oversight role.

3. The Community Welfare Department will not receive any Maralinga assets, but is adopting a co-ordinating role in an endeavour to ensure that Aboriginal groups and other eligible instrumentalities receive maximum benefit of moveable facilities.

4. Negotiations are in progress with the intention of transferring the part of the Maralinga land grant and such unused Crown land that is now derestricted but formerly comprised the major portion of the Maralinga area, to the Aboriginal Lands Trust of South Australia. The matter of public entry will therefore be determined by that body at the appropriate time.

WHYALLA BASIN

Mr. VENNING (on notice):

1. What was the date of the last reported pollution of the Whyalla basin by cyanide?

2. Who went to Whyalla to inspect this reported pollution and on what date was this inspection made?

3. Whom did the persons conducting the inspection contact at Whyalla?

4. What form did the inspection take and was an inspection made of the area in which a large quantity of dead fish was found?

5. What actions are being taken to avoid further pollution in the Whyalla basin area?

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

1. July 5, 1971.

2. Fisheries Department inspector from Wallaroo, July 7, 1971, and Director of Marine and Harbors on July 20, 1971.

3. Fisheries inspector—not known. Director of Marine and Harbors—General Manager and Assistant General Manager of Broken Hill Proprietary Company Limited at Whyalla.

4. Fisheries inspector—samples of water were taken from area concerned. Director of Marine and Harbors: the matter was discussed in detail with the B.H.P. officers referred to in 3.

5. While it was not proved that the B.H.P. cyanide dump was responsible, the dump was removed and the ground neutralized.

SCHOOL AIR-CONDITIONING

Mrs. BYRNE (on notice):

1. Why have high temperatures occurred during the recent hot weather in the new open-space areas that have forced-air ventilating systems at both the Banksia Park High School and Ridgehaven Infants School, respectively?

2. Is it intended to rectify this matter in both instances?

The Hon. HUGH HUDSON: The replies are as follows:

1. The high temperatures referred to have occurred in all open-space areas with forced-air ventilation. This type

of ventilation does not cool the air but merely provides some circulation. More conventional schools with rooms of much smaller area have some natural cross ventilation, which can be controlled by windows.

2. The matter has been under investigation for some time, and recommendations concerning the problem are being considered.

SCHOOL CROSSING

Mrs. BYRNE (on notice): Has planning commenced to install an authorized school crossing on Grand Junction Road, at the corner of Paroola Avenue, Hope Valley, to minimize the risk of accidents to children attending Modbury South Primary School and, to a lesser degree, Modbury High School?

The Hon. HUGH HUDSON: While the Education Department would support the provision of a school crossing in this location, it has no jurisdiction in the matter of providing school crossings. The organizations involved in supplying the facility requested would be the council, the Road Traffic Board, the South Australian Police Department, and the schools concerned. The latest request from the school council to the Tea Tree Gully council was made after its meeting on February 20, 1974. The Highways Department is now investigating the need for pedestrian crossing facilities for children attending the Modbury South Primary School and Modbury High School. The results obtained from the investigations carried out so far indicate that the final analysis will show that a crossing is needed. It will be some time before an installation can be provided, as preference will have to be given to similar works of higher priority.

NATIONAL PARK RANGERS

Mr. RODDA (on notice):

1. How many national park and wild life rangers are appointed to the South-Eastern districts?

2. Are these officers available to carry out regular inspections of parks and wild life reserves in the Penola district?

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

1. Five.

2. Yes, subject to other duties.

REGIONAL CONTROL

Mr. GUNN (on notice):

1. Does the Government, as a matter of policy, favour the establishment of regions in South Australia in place of existing local government areas and, if so, is it in favour of these regions taking over the responsibilities now under the control of State Parliaments?

2. If the Government does favour this policy, how long is it contemplated before this programme is completed?

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

1. The reorganization of council areas is the subject of a current Royal Commission.

2. Not applicable.

LAKE BONNEY

Mr. ARNOLD (on notice):

1. Was a survey undertaken by the Lands Department before laying "1080" poison recently on the eastern shore of Lake Bonney at Barmera?

2. What was the toxicity of the "1080" and was it single shot?

3. What effect has the "1080" had on indigenous birds and animals in the area?

4. If a rabbit problem existed, was control by means of a sporting body under the supervision of a national parks and wild life officer considered?

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

1. Yes.

2. .04 per cent. It was not "single shot".

3. None observed.

4. The degree of control necessary to give complete protection to the trees being established could not be achieved by the means suggested.

SOLATIUM

Mr. MILLHOUSE (on notice):

1. Is it intended to introduce legislation to increase solatium payable pursuant to sections 23a and 23b of the Wrongs Act, 1936-1972, and, if so, when and what increases are intended?

2. If increases are not intended, why not?

The Hon. L. J. KING: This question will be considered when the Wrongs Act next requires amendment.

DAWS ROAD

Mr. MILLHOUSE (on notice):

1. Are there plans to extend Daws Road eastwards into Springbank, and, if so, what are they and what effect, if any, will they have on the western part of Springbank Road?

2. If there are plans for this extension, when is it intended to put them into effect?

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

1. The Highways Department does intend to extend Daws Road eastwards to connect with Springbank Road. The proposal involves the construction of a short section of new road linking the existing junction of Daws Road and Goodwood Road, with Springbank Road at its junction with Daniels Road. The section of Springbank Road west of Daniels Road will be retained for traffic, but its connection with the Daws Road extension will be restricted to one-way traffic travelling in an easterly direction from Goodwood Road.

2. As the construction of this facility is a future proposal, no date has been programmed for this work.

UNLEY PRIMARY SCHOOL

Mr. MILLHOUSE (on notice):

1. Are there plans for alterations to Unley Primary School, and, if so, what are those plans and when is it intended to act on them?

2. Is it intended to acquire any property, or properties, in connection therewith, and, if so, which properties and when?

The Hon. HUGH HUDSON: The replies are as follows:

1. Discussions have been held between officers of the Education Department, Public Buildings Department, and the Town Clerk and Engineer of the Unley City Council to consider redeveloping Unley Primary and Infants School grounds. At this stage no plans have been drawn up, except for minor alterations to buildings.

2. See answer to 1.

FLINDERS HIGHWAY

Mr. GUNN (on notice): When is it expected that the Flinders Highway between Talia and Streaky Bay will be finally completed?

The Hon. G. T. VIRGO: Subject to present priorities remaining unaltered, and to the terms of legislation covering Australian Government aid for roads for the period

commencing July 1, 1974, it is expected that the Talia to Streaky Bay section of the Flinders Highway will be completely sealed late in 1975-76.

ALTERNATIVE SCHOOLS

Mr. BECKER (on notice):

1. What is the policy of the Government on the development and concept of alternative schools in South Australia, financed by the Education Department, for the general public, excluding the special school situated in the south-east corner of the city of Adelaide?

2. When will the Minister release to the public the findings of the survey carried out by the Research and Planning Section of the Education Department on alternative schools, which survey was centred around the questionnaire used by Swinburne Community School, Victoria?

3. What is the reason for the delay in releasing the feasibility study concerning alternative education?

4. What action, if any, does the Government intend to take following the findings of the survey?

The Hon. HUGH HUDSON: The replies are as follows:

1. The Government is willing to establish alternative schools either in their own right or as annexes to existing schools, so long as the cost a student place is not significantly higher than the cost a student place in other schools provided by the Government. Notwithstanding this, in those districts where there are unusually high numbers of children coming from disadvantaged backgrounds, the Government is willing to consider the establishment of alternative schools at a cost a student place higher than that in other schools.

2. Any work that was carried out by the Research and Planning Section of the Education Department on alternative schools was done at the request of the committee, which recommended to the Minister on the establishment of alternative schools in this State. The feasibility study, which was released nine days ago, was based upon this data. It is not normal practice to release working papers that are used in the preparation of reports, and it is not intended to make an exception in this case.

3. The feasibility study was released nine days ago.

4. All the major recommendations of the committee, which prepared the feasibility study on the establishment of alternative schools in South Australia, have been implemented.

WHEAT

Mr. BLACKER (on notice):

1. How much wheat has been bought from other States to meet the demand for rust-resistant seed wheats?

2. What varieties are being brought into South Australia?

3. Has the Agriculture Department changed its recommendation of wheat varieties for the respective zones throughout the State and, if so, what are the revised recommendations?

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

1. This information is not available, as growers enter into private contracts.

2. Kite and Condor.

3. No, but the advisory committee on wheat quality added the rust-resistant varieties Gatcher and Gamut to the list of wheats approved for receipt into the hard class in the 1973-74 season.

MONITORING FACILITIES

Dr. EASTICK: Can the Premier say what is the estimated cost of establishing the radio and television monitoring facilities announced by him today? Will the employment of any additional staff be necessary to monitor

the broadcasts, and will the reports that are to be compiled be immediately available to the public, including the Opposition? Today's announcement of the Premier's new propaganda monitor reveals that the recording equipment will be used to tune automatically into all of the major programmes in Adelaide each day. This will obviously require a multi-recording unit, as there will be many occasions when no fewer than four television stations and four radio stations will need to be monitored at the one time. To achieve this, something much more sophisticated than an ordinary, simple tape recorder will be required. Therefore, I should like to know how much the Government intends to spend on this new toy. I should also like to know whether the Government's already vast force of press secretaries, research assistants, media co-ordinators, publicity writers, and personal assistants is to be expanded to include a radio and television broadcast monitor. As I understand that summaries of media coverage will be circulated to all press secretaries, I presume this includes my own press secretary; I should like this confirmed.

The Hon. D. A. DUNSTAN: The Leader makes several assumptions that I must tell him are false.

Dr. Eastick: What? Isn't it a toy?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: As the Leader has not been in politics very long, let me recall to him a little history. During the period of leadership of the Government by his predecessor as Leader of the Liberal Party, that Government found it necessary to employ an officer to monitor radio and television broadcasts. In fact, her appointment was announced as being on that basis. Unfortunately, in this modern age a manual operation of that kind is a little difficult to achieve successfully, especially since there are about 1 200 radio news services a week in Adelaide. The recurring cost each year of an employee is a continuous strain on Government resources. Setting up the necessary electronic provisions to ensure proper monitoring to allow for answers on Government policy to be prepared economically will cost very much less. The total cost of the operation is about \$6 000 in capital and next to nothing in running costs.

Mr. Coumbe: Aren't you going to operate it?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: Obviously some clerical assistance will be required in addition to work presently done, but no separate cost of additional staff will be involved. The media co-ordinator (Mr. Crease) is already engaged by the Government on the press staff. The Leader has complained bitterly about the presence of press secretaries, research operators and the like. I point out to him that he has been given a press secretary and a research officer that were previously refused to me by a Liberal Government when I was Leader of the Opposition, and I notice that he does not complain about the expenditure of public money on that.

Members interjecting:

The SPEAKER: Order!

The Hon. J. D. Corcoran: We've given him—

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: Indeed, the Leader has the same provisions as are given to senior Government Ministers.

Mr. Goldsworthy: That was your bright idea.

The Hon. J. D. Corcoran: Are you saying that he doesn't need them?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I notice that the Leader has not made a speech about the economic lack of necessity regarding the provision from public funds for those officers.

Members interjecting:

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: Indeed, I have had requests from other groups for the same sort of provision.

Mr. Hall: And you denied them.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: Yes, but justifiably in that case.

Dr. Eastick: But you went a fair way, didn't you?

The Hon. D. A. DUNSTAN: Well, I gave help where I thought it was justified. I do not intend to make available to the Leader of the Opposition the reports made by Ministerial staff on public announcements or programmes that require Government answers, and I cannot conceive that the Leader would suggest with any seriousness that I should, any more than I would suggest that he should make available to me the reports that his press officer makes to him—not that they would be of much use to me.

Dr. Eastick: Is that a reflection?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: No, I am just telling the Leader the facts.

Mr. Coumbe: You're not down at the zoo now.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: Well, the honourable member is not roaring very well, either.

Mr. Goldsworthy: Did you get an award for last night's session?

The SPEAKER: Order! Honourable members know what is required of each and every one of them while a question is being answered, and those requirements will prevail. The honourable Premier.

The Hon. D. A. DUNSTAN: Thank you, Mr. Speaker. It is essential for the Government to be able to give accurate information to the media in the most economical and effective way. There are at present many services on radio and television in which statements are made from time to time, and misinformation occurs which ought to be corrected immediately by the Government or on which a further explanation should be given by the Government to what is an obvious misapprehension of facts or statements. Information about these matters sometimes comes to the Government too late for effective information to be given to the public. If this can be done promptly, and if direct lines are made available to radio and television stations, the material can be put on television and on news services at the earliest possible opportunity, and with the least possible trouble and cost.

Dr. Eastick: And without scrutiny.

The Hon. D. A. DUNSTAN: The public will have it, so I do not see why there will not be any scrutiny of it. It will be made available immediately for the public to scrutinize, so I do not know what the Leader is talking about. At present, if we want to get on radio and television news services with voice tapes, which are an essential part of public information services, we must make a separate call to each radio and television station.

Dr. Eastick: What's wrong with that?

The Hon. D. A. DUNSTAN: I am afraid that we just do not have the time. I suggest to the Leader that he has not the administrative duties of Ministers.

Dr. Eastick: You know—

The SPEAKER: Order! The honourable Leader is out of order.

The Hon. D. A. DUNSTAN: The Leader has no administrative duties, except those of administering what he has in the Opposition.

Mr. Millhouse: What he has—yes.

Members interjecting:

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: Although it may be possible for him to spend his time ringing separately each television and radio station, Ministers have much more work to do, and it is much simpler to put a statement on tape and have it merely sent through to each of the television and radio stations without the "beep" sounds occurring. At present, these sounds constitute one problem about making voice tapes on radio and television. It has been proved that this service is much less expensive, being one of the least expensive of Australian Post Office services. Having found that out, we thought that this was the least we could do as a service to the public. I realize that the Opposition—

Mr. Millhouse: You mean the L.C.L.

The Hon. D. A. DUNSTAN: I am speaking about the official Opposition. I realize that the Opposition is not keen that additional information be made available from the Government to make clear what is happening as regards Government decisions and services so that people will be fully informed. I realize that the Opposition does not want that to be available to the public. I am sorry for the Leader, but I must disappoint him on this. We intend to make the information available as a public service.

HOUSING PROGRAMME

Mr. COUMBE: Because of the report in New South Wales that, because of grave shortages of material and labour, the Housing Commission in that State cannot spend all the money allocated to it this financial year, will the Minister of Development and Mines, as Minister in charge of housing, say whether a similar position applies in respect of the Housing Trust, and will he also say whether the trust will be able to meet its originally planned schedule of house construction for the year ending June 30 next, having regard to the existing shortages of labour and material in South Australia?

The Hon. D. J. HOPGOOD: The position is a little hazy at present, but I imagine that eventually the reply will be "Yes", that we will not be exempt from the problem that has affected house construction in New South Wales; probably we will be in a similar, although marginally less serious, position than New South Wales in this respect. However, I will try to get more definite figures for the honourable member.

MOTOR VEHICLE ENGINES

Mr. DUNCAN: Will the Attorney-General arrange to have officers of his department investigate the advertising practices of Carisbrook Motors Proprietary Limited; Tudor Engines; Tudor Automatics; and Mr. B. J. Rout, Pankala Road, Para Hills? During the last week or so I have received several complaints from constituents about repairs and renovations made to motor vehicles by the firms I have mentioned. The substance of the complaints is that the firms are, in the local press in the Salisbury and Elizabeth area and also in the metropolitan daily press, advertising exchange engines, and obviously this is intended to mean that these engines are reconditioned exchange engines. In fact, although the prices charged are those that normally would be expected to be charged for reconditioned engines, the engines that these firms are installing in vehicles have been bought from wreckers and similar sources, and the

condition of many of the engines has been worse than that of the original engines in the cars. In these circumstances, I have asked my constituents to attend at the Royal Automobile Association to have these engines checked, and such checks have shown that the engines installed in these vehicles have not had any mechanical work done on them. In fact, all that has been done to them is that they have been installed in the cars concerned, and I ask the Attorney to have his department urgently investigate this matter to find out whether there has been any breach of the Misrepresentation Act.

The Hon. L. J. KING: I will have the matter examined.

MUNDULLA WATER SUPPLY

Mr. RODDA: Can the Minister of Works say whether his department has investigated providing a reticulated water system for the township of Mundulla or, if it has not done so, whether it will investigate this matter? Mundulla, a small township that has celebrated its centenary, is well maintained except that it derives its present water supply from a system involving windmills, and certain troubles are experienced in this regard in shallow regions such as this. I understand that an adequate underground water supply is available near the town, and most of the people to whom I have spoken about the matter, including the district council representative, ask that consideration be given to providing through this source a reticulated system for the township.

The Hon. J. D. CORCORAN: I shall be delighted to have a look at the honourable member's request, and I know the township to which he refers. It is normal practice for the district council concerned to approach the department to have a reticulated water supply installed in a township and, when this has been done, the department canvasses the views of local citizens to ensure that most of them favour the proposed scheme. If the department has not already done this, I shall be happy to expedite the matter. I see no problem regarding the provision of a supply, which no doubt would have to come from bores in the area, but I shall be happy to obtain a report and will let the honourable member know.

MAINTENANCE ORDERS

Mr. MILLHOUSE: Can the Attorney-General say what special arrangements, if any, are to be made to cope with the 400-odd maintenance complaints that are now likely to be heard? On the front page of the *Advertiser* this morning a report states that, as a result of a decision of the Full Court, at least 400 people face immediate prosecution for the non-payment of maintenance. I think all members in this place know that no complaints have been pursued over the past 12 months or so against those who are in arrear with payments of maintenance, because of the doubt about the lawfulness of the orders and, therefore, their pursuit. The Full Court has now come to a decision, which will be a great relief to many people, especially wives and former wives who have spoken to me in the last 12 months, asking what on earth they can do. The Full Court has come to a decision and, after reading the report in the paper, I believe that the decision is clear; but we must be practical about these things, and the 400 matters to come on for hearing will take some coping with. If the Attorney-General really means what he says (that he expects pending prosecutions to go ahead) it seems to me that special arrangements will have to be made in the Adelaide Magistrates Court and elsewhere to cope with the volume of work entailed; otherwise the rate of progress will be extraordinarily slow, either on these matters or on

general court business. I therefore ask the Attorney-General whether he will, in replying to my question, make a statement setting out just how it is intended to deal with this enormous back-log.

The Hon. L. J. KING: Of course, the position initially must be dealt with at the level of the Community Welfare Department, which is now in the process of examining its files to decide what action to take in each specific case. There may be cases where a warning letter or a letter of demand may produce the desired result but there will be others in which it will be necessary either to institute proceedings or to continue proceedings that have already been instituted, which will be the case in some instances. I do not know at present (and I do not think anyone can really know) just what effect this will have on the court list but serious problems will obviously arise when many cases are brought on suddenly. I will certainly confer with the Chief Stipendiary Magistrate to see what the difficulties may be in the courts and try to find some way in which they can be overcome.

GILLES PLAINS BUS SERVICE

Mrs. BYRNE: Will the Minister of Transport consider the extension of the Municipal Tramways Trust's Gilles Plains bus service to the intersection of Lower North-East Road and Lyons Road, Highbury? I first raised this matter in 1967, when the residents of the suburbs of West Highbury and Dernancourt expressed a need for the extension. Since then, considerable house building has taken place along the route, which covers about 1½ miles (2 km). This extension would provide a service by linking the area with the northern suburbs and schools en route, including private schools, and it would have the added advantage of interconnecting two bus routes. This area was within boundaries of the bus service run under licence from the M.T.T. by Bowmans Bus Services Proprietary Limited for which the trust assumed responsibility on Sunday, February 24, 1974.

The Hon. G. T. VIRGO: I will certainly have the matter investigated and, if a solution can be found, the request will be acceded to. I do not know what problems have caused the delay in acceding to the request. We are at present reviewing the whole system of bus operation. When we assumed control of the private operators on February 24 we introduced immediately what we call M.T.T. services on private routes that did not have such a service. The Bowmans service was virtually running an M.T.T. service but some other operators were not doing so. The M.T.T. service provides buses during evenings and at weekends whereas some private buses stopped running at 8 p.m. We remedied this sort of deficiency, but in doing so we had to use all the available resources of the M.T.T. When it is realized that it usually takes up to two years from the time a decision is made until the bus is actually on the road, members will appreciate the difficulties involved. Having explained the situation simply, I assure the honourable member that we shall be only too happy to look at the request to see whether we can accede to it.

ABATTOIRS

Mr. McANANEY: Will the Minister of Works ask the Minister of Agriculture for a departmental report on a statement made by two independent people in today's *Advertiser* about the possible loss at the Gepps Cross abattoir if it continues with the projected extension of the sheep-killing facilities? To me, those who have made this statement do not appear to have much practical knowledge of what is likely to happen next year in the agricultural

and sheep husbandry fields. They have based their findings on what has happened in two most extraordinary years, rather than on what has taken place over a long period and what is likely to happen over the next 10 years.

The Hon. J. D. CORCORAN: I will obtain a report on the matter from my colleague. I must say that my reaction to the article in this morning's newspaper was similar to that expressed by the honourable member.

Mr. NANKIVELL: Will the Minister of Works say whether a feasibility study was carried out by Samcor before it embarked on the present project to expand the mutton killing facilities at Gepps Cross? If it was, by whom was it carried out? Secondly, will he say whether the Government intends to question the action of Samcor, in view of the claim by the authors of the evaluation report as contained in today's *Advertiser*, that continuation of the present project will cause the abattoirs to lose about \$5 000 000 in the next 10 years and that the project should be abandoned, put in moth balls, or substantially modified to provide more flexibility, in view of the apparent more urgent need to increase facilities for calf and pig slaughtering?

The Hon. J. D. CORCORAN: I will get a report from my colleague for the honourable member.

PRIVACY BILL

Mr. HALL: Will the Attorney-General say whether the Government intends to proceed this session with the Privacy Bill? Having regard to this morning's announcement that the Government intends to smother the news media with handout releases of Government activities (and to achieve this it will use special equipment), and to the fact that the Privacy Bill will greatly inhibit objective reporting in South Australia, the two factors together could be extremely detrimental to the conduct of a free society in South Australia.

The SPEAKER: Order! The honourable member is commenting.

Mr. HALL: I do not wish to comment, except to say—
Members interjecting:

Mr. HALL: I do not wish to comment; I wish to draw attention to the extreme concern in the community as regards the full ramifications of the Privacy Bill. There has also been expressed to me—

The SPEAKER: Order! I draw the attention of the honourable member to a certain Bill on the Notice Paper for consideration by this House. Under Standing Orders, no honourable member may raise a matter anticipating the content of discussion on a Bill on the Notice Paper.

Mr. HALL: My question to the Premier was as follows: does he intend to proceed with the Privacy Bill? Perhaps in explaining that further, I can say that the Government has in its possession several important committee reports that it has refused to release to the South Australian community, and that refusal has caused great concern. It would obviously be a facade if the Government—

The SPEAKER: Order!

Mr. HALL: —intended to smother the news media with releases—

The SPEAKER: Order!

Mr. HALL: —while keeping such reports secret.

The SPEAKER: Order!

The Hon. L. J. KING: I will confine my reply to the question asked by the honourable member, disregarding the farrago of irrelevancies that masqueraded as an explanation of his question.

Mr. Hall: You want to—

The SPEAKER: Order!

The Hon. L. J. KING: The Privacy Bill will remain on the Notice Paper for the rest of this session to enable all interested parties (everyone whose interests might be affected by the Bill) to raise any points they wish to raise. All such points will be considered, including even such points as those made by the honourable member.

Mr. Millhouse: Why don't you give it to a Select Committee?

The Hon. L. J. KING: If the member for Goyder wishes to make a representation that the press should be exempted from the ordinary rule as regards respecting people's privacy and should be at liberty to pry into people's private affairs—

Mr. Hall: I didn't say—

Mr. Millhouse: Why don't you—

Members interjecting:

The SPEAKER: Order! If honourable members persist in interjecting, I will have no hesitation in warning them; they will then suffer the consequences.

The Hon. L. J. KING: If the member for Goyder desires to make a representation of that type to me (that the press should be exempted from the rule that will apply to everyone else with regard to respecting citizens' privacy and should be at liberty to pry into and disseminate information about people's private affairs irrespective of whether that is in the public interest), I shall be interested to hear whatever he can manage to say in support of such a proposition. I remind him that the Bill as it stands provides the fullest and most adequate protection of the freedom of the press to pursue its proper and legitimate function, namely, the gathering and disseminating of information on matters of public interest.

Mr. Millhouse: That's not—

The SPEAKER: Order! I warn the honourable member for Mitcham.

The Hon. L. J. KING: If either the member for Goyder or the member for Mitcham can think of anything at all to say in support of the proposition put forward by the member for Goyder, I shall be happy to listen.

Mr. Gunn: Why don't you—

The SPEAKER: Order! I warn the honourable member for Eyre.

The Hon. L. J. KING: To give the member for Goyder greater opportunity to think of an argument in support of such an extraordinary proposition, the Bill will not be proceeded with this session: it will remain open so that we can receive representations from all sources, even from the honourable member.

DISTRICT SECRETARIES

Mr. GOLDSWORTHY: Can the Minister of Works say what arrangements will be made for secretarial and typing work to be done for members while their district secretaries are on annual leave? In the screed sent to members in connection with the appointment of district secretaries, the bald statement was that no secretarial assistance would be available when the secretaries were on annual leave. I point out that, as secretaries will take four weeks annual leave, obviously district work cannot grind to a halt for that period. Indeed, it will be essential for some typing work to be completed in that time. Will the Minister of Works enlarge on the previous statement made or, if the position is as originally stated, will he reconsider the matter?

The Hon. J. D. CORCORAN: I accept the question as being reasonable. I think that the honourable member and other honourable members will appreciate that we are still trying to gauge what is absolutely necessary to service most adequately district offices in this regard. In other

words, we must learn by experience. As the honourable member has said, in the initial statement on the matter I said that no replacement staff would be supplied during the absence of the secretary on annual leave. I have had this experience, as my district secretary took leave in advance over the Christmas period. I experienced some difficulties. I have received letters from other members indicating similar difficulties. This matter is not a closed book. I am willing to review the situation, but there will be difficulty in obtaining comparable service from a replacement. In other words, the district secretary employed full time learns many tricks of the trade, and this facilitates the work.

Mr. Gunn: What do you mean?

The Hon. J. D. CORCORAN: I said that in fairness; there are tricks in this as in any other trade. Permanent district secretaries become most helpful to members, who rely on them to do many things that an inexperienced person could not be relied on to do. The honourable member said that the main problems concerned typing and answering the telephone. It could well be possible for members to find someone who could replace the permanent secretary during the holiday period and perform that work. Although I am not willing to give a definite reply at this stage, I will look into the matter to see what can be done to solve the problem.

STOBIE POLES

Mr. MATHWIN: Will the Minister of Works take action to see that all stobie poles still to be relocated along Brighton Road are placed either just outside the boundary fence and front gardens of properties or at least sited well back from the main road? In the recent grudge debate, I referred to the problem faced by residents in my district, particularly those living along Brighton Road, as a result of the relocation of stobie poles along Brighton Road. In all cases, except at corners (and then the same situation applies in the side streets), these poles have been relocated only 2in. (51 mm) or less from the kerb, and this applies right along Brighton Road from at least Gladstone Road to Sacred Heart College. They have been relocated to such a position; from Sacred Heart College northward they have still to be moved. I remind the Minister that some of these relocated poles are located within 2in. of the kerb, and some are proud of the road. Will the Minister therefore take action in relation to the stobie poles that have yet to be relocated?

The Hon. J. D. CORCORAN: I cannot recall a grudge debate having occurred in this place, although it sometimes sounded like it. However, I do recall grievances being aired recently on the motion to go into Committee of Supply. As the Highways Department is responsible for the relocation of these poles, I will confer with the Minister of Transport to see whether the honourable member's request can be complied with. I know that tremendous problems are experienced in the honourable member's district with stobie poles getting off the footpath and running into motorists!

DRINKING DRIVERS

Dr. TONKIN: Will the Minister of Transport say whether the Government intends to include provisions for the referral of persons convicted of drink-driving offences for medical assessment and treatment where indicated, when it introduces legislation, as announced, with a sliding scale of penalties for these offences? I believe that the assessment that over 60 per cent of all road fatalities are associated with high blood alcohol levels is accurate. Although there are a few isolated instances in which people

who have been drinking are capable, a far greater proportion involves persons with a chronic alcohol problem. As I have said in this House before, they are chronic alcoholics. I understand that in New South Wales the Minister of Transport (Mr. Morris) has approved a suggestion made by the New South Wales Health Commission that drivers found to have a blood alcohol content in excess of the prescribed amount will be advised to seek medical attention when apprehended or convicted of the charge. I believe that that course should be followed here.

The Hon. G. T. VIRGO: Last Saturday's announcement dealt only with the matter of penalties. However, I make clear that the problems associated with drinking and driving are continually being examined. I believe there is much merit in the honourable member's suggestion. Indeed, it has been discussed previously, although no finality has been reached. It is certainly being kept under observation and, as soon as we can get a clearer picture (and I do not think it is fair to say that we have yet got a clear picture as a result of blood tests) with further tests and figures, we will have a better basis on which to make decisions such as the one to which the honourable member has referred.

Mr. BECKER: Will the Minister say why legislation cannot be introduced this session in relation to the proposed new penalties for drinking drivers? I refer to a press statement on Saturday last headed "New penalties for drinking drivers proposed". In view of the present road toll, could not the Bill be introduced this session? If the legislation is not ready, why has the press statement been made?

The Hon. G. T. VIRGO: For the benefit of the honourable member, I point out that the procedure, from a Ministerial point onwards, as regards amending legislation is, first, for a detailed submission to be made to Cabinet, setting out exactly what the Minister intends to do. The same procedure is followed regardless of whether it is an amendment to the Road Traffic Act, the Wild Dogs Act, or some other Act. Once Cabinet has given approval, the principles to be embodied in the legislation have been determined and they can then be released publicly. That is the stage that has been reached on this matter. Regarding the introduction of legislation, it is not possible to introduce it in the time at our disposal this session. Other matters must be included in an amendment of the Road Traffic Act, and I should expect that these would be introduced fairly early in the next session of Parliament.

ROAD NEEDS

Mr. ALLEN: Does the Minister of Transport acknowledge that the statement made by the General Manager of the Royal Automobile Association (Mr. R. H. Waters), that South Australia was being regarded as the Cinderella State over its roads needs, is correct?

The SPEAKER: Order! The honourable member for Frome has asked the Minister of Transport whether a press statement is correct, and that line of questioning is inadmissible. The honourable member will have to reframe his question.

Mr. ALLEN: Is the Minister aware of a statement that appeared in the *Advertiser* last Friday, in which the General Manager of the R.A.A. was reported to have said that South Australia was being regarded as the Cinderella State in respect of its roads needs? In the *Advertiser* of Friday, March 15, the President of the Australian Automobile Association (Mr. M. Thompson) gave his views on the Commonwealth Government's new five-year programme, and at the end of that report the General Manager of the R.A.A. in South Australia said that South Australia was being regarded as the Cinderella State. He continued:

State road grants are allocated for a five-year period, and South Australia's proposed share for 1974-79 is 7.9 per cent of the total. In terms of population, motor vehicles and the general economy, South Australia represents about 10 per cent. To receive less than our fair share, after paying 10 per cent of Australia's road-user taxes, is nothing less than disgraceful.

The Hon. G. T. VIRGO: I saw the report to which the honourable member has referred and, although I agree with some of the remarks made therein, I do not agree with others. For instance, it is neither fair nor accurate to base criticism solely upon the statement that the proposed allocation is equal to 7.9 per cent of the total moneys available, because the Bureau of Roads has based its allocations to the various States on a needs basis. Indeed, that was the basis agreed to by all States long before this Government assumed office. Only a few weeks ago, I saw a photostat copy of a newspaper report almost five years old, in which the then Premier (Mr. Hall) and the then Minister of Roads and Transport (Hon. Murray Hill) were reported as having said on their return from Canberra worse things than the recent press statements and those of the member for Frome.

Mr. McAnaney: You took it like a lamb without making a fight of it.

The SPEAKER: Order!

The Hon. G. T. VIRGO: I am proud that, contrary to what the member for Heysen says, the present Premier applauded the then Premier (Mr. Hall) for his criticism when South Australia got such a shabby deal. The present situation is that South Australia has not got the worst deal: it has not got a deal at all. All it has at present is a report containing recommendations to the Commonwealth Minister which has been tabled in the Commonwealth Parliament and which has been circulated to all States and local government authorities. All States have stated a case to the Commonwealth Minister and, as far as South Australia is concerned, its allocation of 7.9 per cent is not the worst feature: there are other features about which this Government was unhappy and we have expressed our view to the Commonwealth Minister in the correct way, both by correspondence and at a special meeting that he called for that purpose. We are now awaiting the outcome of the Commonwealth Minister's deliberations and the decision made by the Commonwealth Cabinet.

RAILWAY DERAILMENTS

Mr. WARDLE: Will the Minister of Transport say whether any single factor is responsible for the derailments on the South Australian section of the Adelaide-Melbourne railway line and, if it is, will he say what is that factor? If that is not the case, will he say what several factors are responsible and what main measures are being taken to eliminate derailments?

The Hon. G. T. VIRGO: I think that those questions could better have been put on notice, but I will get information in reply to the numerous questions and give the honourable member a report.

MONARTO

Mr. GUNN: In view of the Government's decision to transfer to Monarto the Agriculture Department, the Environment and Conservation Department, and the Lands Department, will the Premier say what action will be taken against employees of those departments who refuse to transfer when Monarto is put into operation?

The SPEAKER: Order! This question has already been asked in this House and a reply has been given.

GRASSHOPPERS

Mr. VENNING: Will the Minister of Works ask the Minister of Agriculture whether his colleague is concerned about the large number of grasshoppers abounding in the northern part of the State at present? As I travel throughout my district, I find that there are many grasshoppers in the country areas, and that has been the position for a long time. Grasshoppers also abound at present in parts of the State beyond the boundaries of my district. Last evening, at a meeting at Wilmington, it was reported to me that grasshoppers were in large numbers in the northern part of the area beyond the District of Rocky River. True, Mr. Peter Birks, an entomologist, has been dealing with the grasshopper situation over a period. I ask whether the Minister is not concerned about the present situation regarding grasshoppers in that area.

The Hon. J. D. CORCORAN: I am certain that my colleague is as concerned as is the honourable member (if not more so) about the grasshopper nuisance throughout this State. As the honourable member has said, the grasshoppers extend beyond the boundaries of his district; they could not have caught up yet with the redistribution! However, I will get a report from my colleague and let the honourable member know what action has been taken to control grasshoppers.

PETROL STATIONS

Mr. DEAN BROWN: Will the Minister of Labour and Industry say whether he is aware that the reply that he gave to my question on March 5 about the rationalization of service stations was incorrect? On March 14 (last Thursday) a question was asked of the Premier about the rationalization of service stations, and the Premier, in reply, told members why the legislation had been proclaimed. On March 5, I asked a similar, albeit slightly different, question seeking information on the rationalization of service stations, and on that occasion the Minister replied that the information, although available, was confidential. In the light of the reply given by the Premier, it is obvious that the information is not available, and whether it is confidential is unimportant. I also point out that I wrote to the Premier's Department on two earlier occasions seeking this information and was again told that, for certain reasons, I could not have it. We have now found out those reasons and we appreciate that the reasons given then were incorrect.

The Hon. D. H. McKEE: I really do not know what the honourable member expects me to reply to, but I will find out whether a report can be obtained.

TRANSPORT POLICY

Dr. EASTICK: Will the Minister of Transport tell the House what is the present Government's open-road transport policy? Following the mischievous and misleading report that was fed to several country newspapers last week, the Minister said he recognized the difficulties associated with certain statements and the misleading nature of those statements. He also said his Government had an open-road policy from which it was not deviating and from which it would not deviate. Because what is the Government's open-road policy is not clear, I seek this information from the Minister.

Mr. Hall: What about the policy of the L.C.L.?

The Hon. G. T. VIRGO: I am pleased that the Leader has raised this matter. The first point I want to make clear is that what he refers to as misleading and mischievous statements in local newspapers did not emanate from me

or from the Leader. They were misleading and mischievous and they emanated from a member of the Upper House in an effort to get mileage.

The Hon. J. D. Corcoran: A cobber of Millhouse?

The Hon. G. T. VIRGO: That is a fair statement, too. In the past the same person has got much mileage from misrepresenting the Labor Party's transport policy, and obviously he is trying to do so now. Immediately prior to the 1970 State election the Premier said the Government's policy on transport was an open-road policy: we would not impose any controls at all on the road freight transport industry. Prior to the 1973 election, the Premier repeated that statement. Last week during a debate, I think in Committee, I said that the Government did not intend to deviate from that policy, and I repeat it today.

Mr. Hall: It's about as worth while as your policy on Dartmouth.

The SPEAKER: Order!

The Hon. G. T. VIRGO: It was the cohort of the member for Goyder who made this filthy claim in the South-Eastern papers, and I have no hesitation at all in refuting it as a complete untruth.

DRINKING HOURS

Mr. COUMBE: In view of a report recently released by the Australian Hotels Association advocating extended drinking hours in hotels on Sundays, I ask the Premier what is the Government's policy on this matter and whether he has considered that report.

The Hon. D. A. DUNSTAN: I have not received a submission from the Australian Hotels Association, and I do not know whether any other approach has been made to the Government. Of course, the Licensing Act is under the administration of the Attorney-General. I understand the association has spoken to him about the matter, but at this stage no proposition has come to Cabinet for alterations to the Licensing Act arising out of the submission. If eventually something came to Cabinet, it would not be a matter of specific Government policy, since the Government allows a completely free vote on such an issue. At this stage I know of no proposal to introduce a measure.

PARLIAMENT HOUSE DISPUTE

Mr. McANANEY: Can the Minister of Labour and Industry say whether picketing took place in the vicinity of Parliament House last week? If it did, what steps did he take to prevent it and, if no steps were taken, will he say why steps were not taken to stop this picketing? In no way do I wish to enter into an argument concerning strikes taking place in the precincts of the House: that has nothing to do with me. However, it is a matter of concern to every member of this Parliament (or it should be) when the free access of goods to the House is hindered by people who have no interest in that matter.

The Hon. D. H. McKEE: There was a slight dispute here last week involving a section of the workers on the job at Parliament House. However, this matter was resolved at a conference this morning. I can tell the honourable member that the dispute has been settled and that there will be a continuity of goods supplied to Parliament House, particularly for the honourable member's refreshment if he cares to go to the bar.

AUSTRALIAN GRADUATE RECORD

Dr. TONKIN: Will the Attorney-General investigate and report to the House on the activities of an organization called Australian Graduate Record Proprietary Limited whose given address is 36 York Street, Sydney? This organization has circularized certain people in the

community offering to enter in a publication to be called *Australian Graduate Record* full details of the qualifications and interests of various graduates in the community. In fact, it says that "clients, patients and associates in all professional areas are vitally interested in the background and qualifications of the people who advise and guide them".

Mr. Millhouse: There's an advertisement in the paper this morning and this afternoon; you need not go right through it.

Dr. TONKIN: Members have on other occasions received similar communications, and it has been appropriate in those cases to have information entered on the form in question, but there is no obligation on the person supplying that information to purchase a book or directory. This matter varies in the respect that anyone who sends back that—

Mr. Millhouse: *Curriculum vitae*.

Dr. TONKIN: I thank the member for Mitcham. It seems to me that the person who sends back the *curriculum vitae* must order the book. In fact, he pays \$15, which covers the cost of the book and the charge for inserting the details in it. I think this matter should be investigated lest it give rise to misunderstanding among other graduates.

The Hon. L. J. KING: I will look into the matter.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Criminal Law Consolidation Act, 1935-1972. Read a first time.

The Hon. L. J. KING: I move:

That this Bill be now read a second time.

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

The SPEAKER: Is leave granted?

Dr. Eastick: No!

The SPEAKER: Leave is refused. The honourable Attorney-General.

The Hon. L. J. KING: This Bill repeals a provision of the Criminal Law Consolidation Act under which the Court of Criminal Appeal is required to pronounce a joint judgment in all cases unless the court directs that the question involved in the appeal is a question of law on which it would be convenient to pronounce separate judgments. This provision was included in the principal Act with the laudable object of attempting to ensure that the criminal law should be plainly and unequivocally stated in all cases referred for determination by the Full Court. No doubt it was felt that an accused person, or any other person seeking to ascertain the law, should not be placed in the position of attempting to synthesize or reconcile separate, and perhaps conflicting, judgments. Unfortunately, in practice, the provision has not succeeded in achieving that end.

The judges of the Supreme Court feel that frequently they are required to seek compromises in drafting their joint judgment which are not fully satisfactory to some, or perhaps all, of the judges involved in the determination of the appeal. They feel that the public interest would be better served if each judge were, in the event of disagreement, permitted to state his point of view without regard to the restrictions presently imposed by the Statute. The present Bill gives effect to this view by removing the requirement in question. Clause 1 is formal. Clause 2

repeals subsection (2) of section 349 of the principal Act under which the Court of Criminal Appeal is prevented from delivering separate judgments except in certain limited circumstances.

Dr. EASTICK secured the adjournment of the debate.

CRIMINAL INJURIES COMPENSATION ACT AMENDMENT BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Criminal Injuries Compensation Act, 1969-1972. Read a first time.

The Hon. L. J. KING: I move:

That this Bill be now read a second time.

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

Dr. Tonkin: No!

The SPEAKER: Leave is refused. The honourable Attorney-General.

The Hon. L. J. KING: The Bill makes several separate amendments to the Criminal Injuries Compensation Act. First, the maximum amount that can be awarded under the principal Act is raised from \$1 000 to \$2 000. This is an amendment for which this House has already expressed its support. Further amendments are inserted under which provision is made for the case of an offence committed jointly by two or more persons. In this case an order for compensation will be enforceable jointly and severally against the convicted persons. A consequential amendment is made dealing with the enforcement of an order. At present an order is enforceable in the same manner as a fine, but some modification of this principle is required because fines are not normally enforceable jointly and severally. The court is therefore empowered to give such directions as it thinks fit relating to the manner in which the order should be satisfied and enforced, and is empowered to exercise any of the powers that it has to secure compliance for the order of a payment of a fine in order to secure compliance with the order, or with any direction given by it in relation to the enforcement of the order.

A new provision is inserted by virtue of which the Criminal Injuries Compensation Act will not be applicable in cases where the convicted person is insured against his liability for damages arising from the injury by a policy of insurance under Part IV of the Motor Vehicles Act, or where the injured person is entitled to proceed against the nominal defendant for damages in respect of the injury. Amendments are made under which a court is empowered to grant costs in all proceedings under the principal Act. The Bill provides that, where a payment is made from the general revenue in pursuance of a claim under the Act, the Attorney-General shall, to the extent of the payment, be subrogated to the rights of the person to whom the payment was made against the person convicted, or adjudged guilty, of the offence, and further, is subrogated to the rights of that person against an insurer or other person from whom he is entitled to indemnity, or contribution, in respect of liability arising from the injury.

The provisions of the Bill are as follows: clause 1 is formal. Clause 2 raises the limit of compensation from \$1 000 to \$2 000, and deals with the case of joint offences and injuries covered by policies of third party insurance, or by the provisions of Part IV of the Motor Vehicles Act. Clauses 3, 4 and 5 deal with the award of costs in proceedings under the principal Act. Clause 6 sets forth the rights of the Attorney-General where payment is made from the general revenue in pursuance of the provisions of the principal Act.

Dr. TONKIN secured the adjournment of the debate.

NATURAL GAS PIPELINES AUTHORITY ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from March 6. Page 2314.)

Dr. EASTICK (Leader of the Opposition): Although supporting this Bill, I point out that it is extremely necessary that replies be given by the Minister to several questions so that members may be clear about the Government's intention, particularly relating to the board. In the original Act, clause 4 (4) provides:

Subject to this Act, the Authority shall consist of six members appointed by the Governor of whom—

(a) two (one of whom shall be appointed the chairman) shall be appointed on the recommendation of the Minister;

(b) one shall be appointed on the nomination of the Electricity Trust of South Australia;

(c) one shall be appointed on the nomination of the South Australian Gas Company;

and

(d) two shall be appointed on the nomination of the producer company, if only one, or, if more than one, on the joint nomination of the producer companies.

In seeking to change that situation all the Minister has said is that there shall be a board of six members, that the Government will nominate the members of that board, and that one member shall be appointed by the Governor as Chairman. It is urgent that the Government indicate its intentions in this matter. Is the present Chairman, who has, to all intents and purposes and based on information that I can determine from investigation, performed his task admirably but who has had some difficulty in accepting the very divergent views of producers and users of the material and who has by common sense and a practical approach managed the activities of the authority since 1967, to be disposed of? If producers are not to have a direct representative (and there is only one producer at present, Delhi Santos), is someone with the expertise in this production to be appointed to the authority so that this experience is available immediately?

Also, recognizing that the Electricity Trust and South Australian Gas Company are the only two major users of natural gas, is someone conversant with their needs and who is an expert on the use of liquid petroleum gas and other components that are the integral part of the Redcliff project on the list that the Minister will submit to the Government? It is only with a frank and clear indication of the type of person who will become a member of the authority that the Minister can hope for this measure to proceed without close questioning. In accepting the provisions of the Bill and recognizing that it destroys the past arrangements with producers and users, one can understand that some persons involved in the authority will be concerned lest they lose their position. They are also concerned that their influence, their knowledge of the scheme from its outset, and the part they have played in it, will be set aside. I understand that this concern has already been expressed.

I also bring to the attention of the Minister his comments about the definition of "petroleum". It is significant that the Minister invited members to consider closely this definition which is a recognition by the Minister that this is a very wide definition. I suggest it goes beyond the definition normally recognized in this industry. Scientific books are much more definitive. McGraw's *Encyclopaedia* defines "petroleum" as follows:

A naturally occurring oily flammable liquid composed principally of hydrocarbons and occasionally found in

springs or pools but usually found beneath the earth's surface by drilling wells. Formerly called rock oil, unrefined petroleum is now usually termed crude oil.

This definition varies from the one we are asked to accept. The publication *Dictionary of Science*, which is recognized in the industry, defines "petroleum" as follows:

A natural oil found primarily in underground deposits consisting of hydrocarbon chemicals mixed with minor amounts of compounds containing sulphur, nitrogen and oxygen.

We are being asked to accept a definition of "petroleum" that includes a component of carbon dioxide and other elements and combinations of elements. Clause 4 defines "petroleum" as follows:

- (a) any naturally occurring hydrocarbon, whether in a gaseous, liquid or solid state;

The mere fact that the definition mentions its being in a gaseous or solid state, even though it mentions its being in a liquid state, is outside the true definition of "petroleum". The clause continues:

- (b) any naturally occurring mixture of hydrocarbons, whether in a gaseous, liquid or solid state.

The limitations to which I have referred are again clearly shown up in this paragraph. The clause continues:

- (c) any naturally occurring mixture of one or more hydrocarbons, whether in a gaseous, liquid or solid state, and one or more of the following, that is to say, hydrogen sulphide, nitrogen, helium and carbon dioxide.

Here hydrogen sulphide and helium are introduced into the definition, and they are two things (one a compound and one an element) which are beyond the normal definition as accepted within the industry. The clause continues:

- (d) any hydrocarbon or mixture of hydrocarbon produced by the refining of a substance referred to in paragraph (a), (b) or (c) of this definition;
- (e) any mixture of a hydrocarbon or hydrocarbons so produced with another substance or other substances;

or

- (f) any prescribed substance or prescribed mixture of substances.

The Minister has no doubt been advised to include in the definition the broadest possible concept of petroleum, but in doing so he has gone far beyond the normal definition of the word. I want to be sure that the Minister consulted with the industry about this extended definition, and that it is clearly understood within the industry and it will not lead to difficulties between users and producers in the future, particularly when negotiating with overseas companies. I do not want any confusion to arise in the minds of overseas experts who will be working in the petroleum industry in this State and of those seeking to interpret the definition locally. This is not a hypothetical situation but a real problem that has been a source of constant annoyance between American, English and Australian businessmen when defining even simple words. I want to be assured that the word "petroleum" is well understood by all parties concerned. I have already mentioned the difficulties that some producer organizations might have with the changed representation on the board. Before the American war of independence the Americans were saying, "No taxation without representation". In the context of this Bill one might say, "No recognition without representation".

The Hon. D. J. Hopgood: Should we have a tea party at Moomba?

Dr. EASTICK: There will be plenty of water to boil up there at the moment and there will be plenty of fuel to add to the fire, even if it is of a vegetable nature, gathered from the surface. The problem is aggravated by the claim by a producer organization that, with the repeal of section

13 of the principal Act, it is possible that the gas transportation contract which is now in operation and which gives a preferential right to use the pipeline may be disturbed. Taking that one step further, if that preferential treatment is disturbed, there is a real possibility that the contractual rights which can be effected by the user against the producer may lead to litigation. I believe we need to be very clear on that and to have the assurance of the Minister that this has been considered. Section 13 provides:

(1) If a pipeline operated by the authority is capable of conveying natural gas or any derivative thereof of any kind when delivered into the pipeline, the authority shall, to the extent that it is not precluded from doing so by reason of any existing and accruing liabilities and obligations of the authority under any agreement or otherwise for the conveyance through the pipeline of natural gas or any derivative thereof, if required by—

- (a) a person who being the holder of an oil mining licence or a petroleum production licence granted under any Act is producing natural gas for any derivative thereof of that kind;
- (b) a person who is a gas supplier within the meaning of the Gas Act, 1924-1965, of natural gas or any derivative thereof of that kind; or
- (c) any person who has purchased natural gas or any derivative thereof of that kind from a person referred to in paragraph (a) or paragraph (b) of this section,

The provision then refers to delivery of the natural gas or derivatives thereof, and so on. The Minister should indicate clearly that the Government and all parties involved understand that the contractual arrangements with the producer will not be disturbed by the provisions of this Bill.

The other clauses of the Bill are mostly formal and consequential on the main provisions to which I have referred. The thought has been expressed that, by providing that several additional products can use this pipeline, the problem could arise that the pipeline will not be available at the right time for the use for which it is then needed. In addition, some debris could be left of one type of material that could influence another type of material. I have no doubt that the technical and practical aspects of the matter have been considered by the Minister and his staff. However, I should like him to say that they have been considered. Several Opposition members have had the opportunity to visit and inspect the Bass Strait oil pipeline system, including the producing platforms in the strait and the shore installations. On that visit it became clear that a means exists whereby the product in the pipeline can be immediately cut off and the line cleaned by inserting a series of balls made of rubber or a similar material (neither the other members who visited the area nor I can remember the technical name) that completely block off the line, clear everything in front of them, and allow the next product to go through the line and not be contaminated. I expect that the technical aspects of using more than one product in the line have been cleared up.

Previously, the Government has announced that it is intended that there will be additional pipelines within this system. More specifically, it is expected that there will be a wet pipeline from Moomba to the Redcliff project area and, if necessary, beyond that area. I hope that, in concluding this debate, the Minister will deal with the matters that I have raised rather than leave them to be dealt with in Committee. I support the Bill.

Mr. CUMBE (Torrens): This Bill is fairly simple compared to the original measure introduced in this House in 1967. At that time, there was much controversy about the whole project not only with regard to finance but also

with regard to the route of the pipeline. Fortunately, those matters do not concern us now. However, I forecast that this Bill is the forerunner of a later Bill to relate to the Redcliff project. I believe that the Minister is getting out of the way some machinery matters before he alters the format of this authority with regard to the common carrier aspect. This was one of the problems faced in 1967, and we are likely to face it again this year. The definition included in the legislation seems logical; those who can recall their chemistry will know what it means. As the Leader has said, it is to be hoped that the Minister will spell this matter out clearly and unequivocally so that there will be no ambiguity.

As the Leader has said, section 13 of the Act is to be repealed. This is most important, because during the debate on the original legislation the whole question of the rights of various bodies was canvassed. We want the Minister now to give a clear undertaking that no existing agreements will be disturbed. I do not think for a moment that they could be disturbed by the Bill, but we want this undertaking. The original undertaking set out the rights of consumers and producers. As consumers, the Electricity Trust and the South Australian Gas Company had certain rights. When they exceeded a certain use of natural gas they received a rebate. The rights of producers were preserved, with the producers having certain obligations with regard to cut-downs and so on. We want a clear undertaking by the Minister that these important arrangements, which were discussed at length in 1967, will not be disturbed. It was on the basis of those arrangements that the whole agreement was signed, subsequent to the passing of this legislation, by the producers, the Electricity Trust and the South Australian Gas Company. In fact, the Gas Company was one of the first companies in Australia to sign this type of agreement.

Clause 5 amends section 4 of the Act. The Leader has dealt with this matter. In his explanation, the Minister referred to some difficulties that had occurred in the carrying out of the duties of the authority, and my inquiries support this statement. If the Minister is determined to go ahead with this provision (and I do not oppose it at this stage), he should first tell us from which organizations the members of the authority are likely to be drawn, as I think this is most important. Usually, when there is a provision of this type, the bodies from which the members of the authority are to be drawn and whom they will represent are specified. When the original legislation was debated, hardly any reference was made to the membership of the authority. Most of the debate centred around finance, the route of the pipeline, and the cost. It was then provided that two members of the authority should be appointed on the recommendation of the Minister, one of those members to be the Chairman. One member was to be appointed on the nomination of the Electricity Trust and another on the nomination of the Gas Company. Another two members were to be appointed on the joint nomination of the producer company. The producer company is now being struck out of the definition provision.

I suggest that at least one of the members of this authority should have some knowledge of the technological aspects involved in producing petroleum, whether gas or liquid. We should have on the authority someone with technical knowledge of the difficulties faced in actual production and knowledge of the marketing of the product derived from this field, or from whichever field may be used in the future. Although we are talking about Moomba, which I have visited, other fields may be linked up. Also, a member of the board should have a knowledge of the use of the

product and its distribution. These are major problems that must be faced: the use of the product (be it gaseous or liquid), where it will be used, and its distribution. These are technical matters quite apart from the management side. Another member of the authority will also need to have a sound knowledge of finance, and I suggest that at least one of its members should have fairly high qualifications in the engineering and chemical technological field. This is elementary and, indeed, desirable.

I have suggested the types of member of whom the authority should consist. These are practical suggestions meant to be a lead regarding the fields of endeavour from which the authority's members should be drawn. The present Chairman is acknowledged as a leader in his field of finance, and he is performing his job capably. Without indulging in personalities, I hope that he will be reappointed. I hope, too, that the Minister will consider the worthwhile suggestions I have made and that he will give the House a lead regarding the Government's thinking in this respect. When an authority of this nature is set up by an Act of Parliament, the organizations from which its members are drawn are usually specified. As the Minister will obviously appoint the members of the authority by proclamation, I will appreciate eventually hearing from him in this respect. The other matters contained in the Bill are mainly consequential. I presume that, when a member of the authority cannot attend a meeting and a deputy must take his place, that deputy will come from a discipline similar to that of the original member. Hoping that these matters will be cleared up, I support the Bill.

The Hon. D. J. HOPGOOD (Minister of Development and Mines): I thank honourable members for the attention they have given this Bill and for their helpful and constructive remarks. I was jotting down on a piece of paper the reply that I expected to give the Leader of the Opposition regarding the sorts of person that would be appointed to the new authority. I found, however, that when the Leader's Deputy rose to his feet he anticipated much of what I could have said. True, the Government will have to appoint to the authority persons with expertise in the various fields to which he referred. I refer particularly to the field of finance and economics because the expertise gained in those areas is essential to such an authority. It is important that there be on the authority someone who has a fairly intimate knowledge of mineral exploration in the energy field and a person who speaks much the same sort of language as the producers. It is also important that the marketing side not be neglected. I also suggest that the authority should comprise persons who have more than a nodding acquaintance with and a concern for environmental aspects that may arise as a result of the future construction of pipelines, and so on.

It will also be necessary for us soon to have a much closer acquaintance with the intentions of the authority under the Australian Government's control and the way our system must mesh in with the Commonwealth authority in this field, particularly in view of what the Commonwealth Minister has said about a pipeline grid, which would involve us in the Mereenie and Palm Valley field and the North-West shelf. Because of the assurances that we can then give to South Australian industry, it is important that the former eventually be connected to our own system. It is not intended to have a Commonwealth Government representative on the authority, any more than it is intended to have a direct representative of any Government, except the South Australian Government, on it. We simply want to be completely unfettered in the

recruitment of expertise to the authority. The Government is pleased with the service that has been given the people of this State by the Chairman of the authority, and we certainly have no quarrel with or criticism of the way he has performed his duties.

I turn now to the vexed question of definitions. The Leader and I could no doubt have much fun this afternoon swapping information on chemistry. I take his point that, if one wants simply to take a chemical definition of "petroleum", one is in a much more restricted area than in relation to the sort of definition incorporated in the Bill. One could probably take about three or four chemical or hydro-chemical substances, and one could throw around certain terms that would pin the whole thing down fairly specifically. However, that is not the point of a definition in an amending Bill or an Act of Parliament. In any Act of Parliament (and this is something of which I was made aware in my early Parliamentary days) the draftsman frequently sets out how a word shall be used. One often therefore finds that the cardinal sin of including, in the definition of a word, the word being defined, has been committed. If one is talking in terms of semantics, that is *ultra vires*, but it is not the sort of thing that worries us in this House. We are interested not so much in the word but in the usage of the word, and it seemed that, in view of the wider use to which the term should be put, it was more appropriate to use the word "petroleum" than to use the term "natural gas". In the original definition, the term "natural gas" was something with which the pundits could have taken issue, so we are not in a different position. It is simply a matter of finding a more convenient and apt peg on which to hang the wider usage we wish to incorporate in the measure.

I make absolutely clear that the Government intends that the pipeline authority shall continue basically to cart methane and heavier liquid hydro-carbons that will be necessary for the feed stock of the plant at Redcliff Point. I do not expect any large-scale divergence from that usage. It is important, however, that we have more leeway so that it is possible for the authority to cart, in an existing pipeline or in a future pipeline that may be constructed, the refined product as well as the natural hydro-carbons won from the ground. I am aware that the producers are a little apprehensive at present regarding the Government's intentions. I point out, however, that a responsible authority would not want to use a pipeline in such a way that would be detrimental to its future use, as might occur, for example, if sulphuric acid was passed through it. I am aware that under this definition sulphuric acid could be proclaimed as a substance to come under the general definition of "petroleum". However, the pipeline belongs to us: it is our property and we want to make the best use of it and take care of it. The pipeline authority is the trustee for the people of South Australia in this regard, and it would be irresponsible for any authority to act in a way that would prejudice the future proper and efficient use of the pipe.

The Leader has already given us a learned dissertation on how the pipes can be used flexibly for various sorts of liquid. I have also been asked to give the House an undertaking regarding the present contractual arrangements between the present producing companies and the Government. If approaches are made seeking revision of these contractual arrangements, they are far more likely to come from the producing companies than from the South Australian Government, which is extremely satisfied with the arrangements under which we have been operating for

some time. We are aware that from time to time there must be variation of these arrangements but, because of our present satisfaction with the situation, we would expect that these initiatives would come from the producing authorities.

The Deputy Leader will know what I am speaking about when I mention the problem of the producers as regards deferred amortization arrangements and the problems that they contemplate. That is a possible basis for alteration to a contractual arrangement, but the initiative for that must come from the producers. The State does well out of that situation and it is the producers that can contemplate problems later. I give the unqualified assurance that the Government does not intend to take initiatives for altering contractual arrangements, but we may have to listen to propositions for alterations coming from the producers. We are willing to do that, because the present producers are the only producers we have.

We are very much in the hands of the producing companies in the Cooper Basin. Ever since the decision was made to generate the bulk of Adelaide's energy requirements from natural gas, we have been very much in the hands of these people, and what has happened in relation to the cost of other energy sources, particularly fuel, has meant that we will be increasingly in the hands of these producing companies and the resource in the Cooper Basin. The South Australian Gas Company is receiving an increasing number of demands from industry to supply natural gas, methane for their energy requirements, and fuel which, through some other means such as using fuel oil, would cost much more. We are receiving an increasing number of requests from industries in the decentralized areas to increase supplies and extend pipelines to meet their requirements, and this means that we must get closer and closer to the producers in the bed that we both entered some years ago. Obviously, we must keep this situation as healthy and holy as we possibly can.

Bill read a second time.

In Committee.

Clauses 1 to 9 passed.

Clause 10—"Repeal of s. 13 of principal Act.

Dr. EASTICK (Leader of the Opposition): The Minister has said he recognizes that there may be contractual problems and he has said the Government would not be the initiating force. I ask him to assure the Committee that the Government will do all in its power to ensure that the contracts already entered into will be concluded with the goodwill with which they have been entered into. A series of events may arise and, by using common sense and the support of Parliament if need be, an untenable situation could be corrected so that there was no disadvantage to the people who entered into the contract in the first instance with the best of intent.

The Hon. D. J. HOPGOOD (Minister of Development and Mines): I am sure I can give that assurance and I give a little more emphasis to what I have said previously by pointing out that the producing companies have come into a category that can be called an essential service to the people of this State. Although they are under private ownership, they are largely in the position of being an arm of Government in the way they are providing an essential service under arrangements that come within the ambit of Acts of Parliament, in the way they must work together with the Mines Department, and in the way in which whatever costs they have had are immediately shown

up in costs to industry in this State and in costs to the consumer: so it is essential that any Government have not only a close but also an extremely amicable relationship with the producing companies. I repeat that they are the only producers that we have, and this Government cannot replace the expertise available to us through them. So we have a vested interest in being able to give the sort of assurance the Leader has requested.

Clause passed.

Remaining clauses (11 and 12) and title passed.

Bill read a third time and passed.

BOATING BILL

Adjourned debate on second reading.

(Continued from March 6. Page 2313.)

Mr. GOLDSWORTHY (Kavel): I say at the outset that much of this Bill will not cause any controversy in respect of the Opposition. However, this is the type of measure that sets up a series of provisions leading to the restriction of the activities of a certain section of the community and provides penalties that do not now exist. When this sort of legislation is enacted, there tends to be some resentment by sections of the community which enjoy freedoms and privileges that are to be circumscribed by it. One wonders how far one should go in a democratic society to increase prohibitions and to circumscribe the activities of citizens. As a Party, we tend to advocate freedom and to keep restrictions to a minimum.

Mr. Payne: As with reading material!

Mr. GOLDSWORTHY: It applies to most activities. However, if some activities are considered deleterious and harmful to the community, we believe it is our function to protect the community. We must consider the two aspects of this type of legislation: providing protection but not over-protection, and reducing freedoms that people now enjoy. This legislation has caused some consternation in the boating and sailing community. No-one will argue with the aims to make boating and sailing safer, but some aspects of this legislation are contentious. The Government has relied heavily for introducing this Bill on a committee report that was ordered to be printed on March 21, 1967. Although that report may seem by that date to be somewhat out-dated, that claim is not valid. Since then there has been a large increase in the number of craft now operating, although it is difficult to determine the actual number of power and sailing boats owned in this State. The figure in 1967 was about 10 000 but probably a more accurate estimate now would be about 25 000.

One advantage of the Bill will be that this number will be better determined because of the registration provisions, as an accurate check will be made on all craft operating in waters under the Minister's control. Some recommendations of that report have already been introduced into regulations under the Harbors Act. Obviously, the activities of water skiers must be prescribed and closely watched, because in confined waters with many boats travelling at high speed a high element of risk to the public is involved. I do not think those circumstances apply to other boating and sailing activities. On November 2, 1972, the Minister, when replying to a question from the member for Murray, gave some indication of what could be expected in this legislation, when he stated:

As I have said often, the other States and the Commonwealth decided, at the instigation of the Commonwealth, that there should be uniform legislation and reciprocity between States. I agree with that, because it would be

foolish for us to introduce legislation to effect these controls, only to find that some time later we would have to alter it. The legislation that I had drafted has been submitted to the working committee set up by the Commonwealth Minister for Shipping and Transport and State Ministers of Marine. At a meeting of Ministers held in Adelaide in early October the matter was discussed, and there is still a difference of opinion between the States whether there should be licensing of drivers, how the licences should apply, and what requirements should be provided for tests for drivers. General agreement on the registration of power craft has been reached, but there is some dispute about what craft should be registered. Victoria is the only State that has this type of legislation operating at present.

Despite what the Minister said in that reply, the legislation has been introduced, and in his second reading explanation the Minister stated:

Unfortunately, it seems that uniformity will not be reached for some time, and, as the Government believes no more time should be lost, we have decided to go it alone.

A valid conclusion is that there will be much contention as to what should be included in this sort of legislation, and it is conceivable that this Bill will cause some controversy. If State Ministers cannot reach agreement, it is unlikely that the people involved in this legislation will be completely happy with all of its provisions, and that is the case. General agreement exists about the need for this legislation but, from what the Minister said in his reply to the question in 1972 and from what he has acknowledged when introducing the Bill, this legislation will have to be amended in future if uniformity is to be achieved. It seems unlikely that other States will be completely happy with the provisions of this Bill.

I will comment later on the provisions relating to owner onus and on other matters that I consider are undesirable. Many members of the public tend to resent this sort of legislation which will inhibit some of their freedom and which will impose fairly severe penalties for offences that do not exist at present. If one considers the situation in other States, one can understand why it may be difficult to achieve uniformity. No uniformity exists at present. I understand that New South Wales provides for some limited registration of craft and some licensing requirements but does not provide for any safety regulations as contemplated by this Bill. These safety regulations appeal to the Opposition as being the most desirable aspect of the Bill. Victoria provides for boat registration and safety requirements, and I believe there is a similar situation in Western Australia and Queensland.

However, the lack of uniformity is obvious when one compares the provisions contained in this Bill with those that operate in other States. It seems to me that this Bill seeks to go further in some respects than does legislation in other States. It is difficult to assess the safety records of the States from the figures available from the Bureau of Census and Statistics. Total figures are given of the number of drownings but there is no breakdown concerning causes of fatalities. However, it appears from these statistics that the safety record in South Australia is as good as that of the other States where legislation exists on this matter. There is a whole range of variables to be taken into account in making a comparison, such as the nature of the waters used for sailing and boating. Even though the South Australian figures are no worse than those of the other States, they are disturbing. I seek leave to have a table, setting out the numbers of drownings in South Australia from January 1, 1973 to December 31, 1973, incorporated in *Hansard* without my reading it.

Leave granted.

DROWNINGS

Type of Drowning	Male						Female						Total	
	Under 5	5-10	10-20	20-40	40-60	60 and over	Under 5	5-10	10-20	20-40	40-60	60 and over	Male	Female
Drowned in sea	1	—	2	2	2	1	—	—	—	—	1	—	8	1
Drowned in river	3	2	—	1	—	—	—	1	—	—	—	—	6	1
Drowned in ponds/dams	1	—	1	—	1	—	1	—	—	—	—	—	3	1
Drowned in backyard pools	3	—	—	—	—	—	1	—	1	—	—	—	3	2
Drowned in 6in. water in bucket	—	—	—	—	—	—	1	—	—	—	—	—	—	1
Boating in sea	—	1	—	1	2	1	—	—	1	—	—	—	5	1
Boating in rivers	—	—	—	1	1	2	—	—	—	—	—	1	4	1
Washed off rocks	—	—	1	2	—	—	—	—	—	—	—	—	3	—
S.C.U.B.A.	—	—	1	2	—	—	—	—	1	—	—	—	3	1
Misadventure	—	—	4	2	—	—	—	—	3	—	—	1	6	4
Suicides	—	—	—	1	—	2	—	—	—	—	1	1	3	2
Total	8	3	9	12	6	6	3	1	6	—	2	3	44	15

Misadventure: 4 teenagers who crashed in car off Anderson bridge into Patawalonga Lake.
 3 teenagers who crashed in car off Point Jetty and car went into sea.
 2 men in semi-trailer who crashed off Ardrossan cliffs into sea; 1 diabetic in bath.

Mr. GOLDSWORTHY: It can be seen that only 11 drownings out of a total of 59 that occurred last year resulted from boating accidents. It is difficult to assess what effect this legislation will have, but I do not think it should be too severe. One of the major provisions of the Bill relates to licensing, whereby people will be required to take out a licence before they will be allowed to drive a power boat. Strong arguments can be made out against the licensing of all drivers of all craft. The Power Boat Committee report, dated March 21, 1967, on which the Minister has relied heavily, recommended that licences should not be required for drivers of craft which were not capable of a speed greater than 10 knots (18 km/h) and strong arguments can be advanced in favour of this exemption. The Minister says that as a result of the discussions with other State Ministers he has decided not to follow the original recommendation. If this licensing provision is included in the Bill many people will be disadvantaged severely. Boats capable of speeds of over 18 kilometres an hour provide the greatest hazard regarding damage to life or limb.

A large tourist industry has been built around the houseboats on the Murray River and these boats are not capable of speeds in excess of 18 km/h: they are not capable of anything approaching that speed. I understand that the Tourist Bureau is currently investigating the revenues that that department and the Riverland receive from the operations of houseboats, of which there are 48 at present. The safety record of houseboats on the Murray has been exceptional, and I do not believe there has been one death from this activity. It seems highly unlikely to me that tourists coming from other States or from overseas, or that even local people who decide to take a houseboat for a weekend, will take out a licence to drive a houseboat. I think some exemption should be included in this Bill to cover this type of craft; otherwise, a death blow will be aimed at that industry. I have been told that the industry is worth about \$1 000 000 a year to the economy of the State, in the business and so on conducted on the river; and in the revenue it produces for the Tourist Bureau. In some cases, people save up and buy small

boats, which do not create a hazard to the public, as they are incapable of the fast speeds of which speed boats are capable.

We agree with the clause in the Bill to provide special permits to operate power boats for children between the ages of 12 years and 16 years. Many people train their children to handle a boat at a reasonably early age. I believe that this sort of activity is desirable. The 1971 report of the Tasmanian Government Committee on Water Safety makes a fairly pointed reference to provisional licences, as follows:

It is a happy fact of life in Tasmania that our children take to the water at a very early age and this, added to our affluent society, gives children the opportunity of handling powered craft years before they are eligible to obtain a licence from the marine authorities. It is certainly not this committee's wish to deprive children of the facility to learn and gain experience in this way; rather, as we have said at the outset, our aim is to educate the child at an early age in correct procedures etc. However to ensure that these children have a firm basic knowledge of the "rules of the road", safety requirements, etc. we recommend the introduction of a provisional licence for persons between the ages of 12-17 years.

Although I do not think any reference was made to provisional licences in the report of the South Australian committee, they are referred to in the Tasmanian report, and I think this is a highly desirable provision. In looking through the South Australian report, it is interesting to note that there has been a considerable division of opinion among those who have given evidence about the licensing proposal. The report states how many witnesses appeared before the committee. On reading through the summary of proceedings, it is abundantly clear that there was nothing like unanimity among witnesses about the licensing provision. Therefore, this is an area of controversy in the Bill. One pleasing feature of this provision is that a person will have to obtain a licence only once; no annual renewal will be required. This provision will be generally accepted by those who own and use boats. As I have said, I believe we should exempt boats that are incapable of a speed of more than 18 kilometres an hour.

The registration proposals in the Bill have led to much discussion. Probably the most pertinent matter is the

cost of registration to boat owners. This year, the Minister has made statements about the registration fee. On January 9, the Minister is reported in the *Advertiser* as having said that boats would have registration numbers for easier identification. I believe that is desirable; in fact, the Opposition sees that as probably the most desirable consequence of registration. The Minister also referred to the registration fee.

The Hon. J. D. Corcoran: I did say \$2.

Mr. GOLDSWORTHY: Yes, and later the Minister said that the fee would be \$5. Therefore, boat owners cannot be certain what the fee will be. The Bill provides that some sort of estimate will be made of the cost of administering the legislation. However, this is cold comfort to boat owners, as so many imponderables are involved, including the structure to be set up for policing the legislation and the facilities considered necessary by the Minister and his department. Among boat owners are some people who are not as affluent as we might think and who save up to buy a small boat to be used for the pleasure of their families. Not all people own cabin cruisers; we must not consider boat owners to be a privileged section of the community. Their concern about the registration fee is warranted. I do not think that the terms of clause 36 will satisfy these people. Much will depend on how zealous the department is in applying the terms of the legislation.

In some States, a large instrumentality has tended to be built up to police boating legislation. I think it would be sensible and desirable if we provided for registration what is provided for licensing, namely, the payment of a fee only once. The most desirable feature of registration is that it enables boats to be identified. If a boat was required to be registered only once, this would discourage the setting up of a Government monolith, and we know that some departments delight in empire-building at the public expense. I expect that the provisions of this legislation will be policed largely by police officers and departmental officers who work near river and coastal towns, such officers already being employed at these localities.

For the reasons I have given, I think that the registration fee should be paid only once, and it could even be more than \$5. Boat owners have advanced a cogent argument regarding the charges that they must pay. I do not think motorists contribute directly (in the tax on the fuel they use) towards, say, the cost of police patrols that try to keep our roads safe. Certainly, the boat owners pay their taxes. Indeed, they are taxed most heavily already, along with all other users of motor spirit. Bearing this in mind, there are strong arguments for making the registration fee an initial one only, with no renewal provision.

It would indeed be desirable for boats to be readily identifiable. However, nothing is spelt out in the Bill regarding the way in which this will happen. It has been stated that the letters on a boat must not be obscured. However, that seems to be imprecise. The Queensland legislation refers to plain characters 3in. (76 mm) high. No doubt this aspect will be spelt out in the regulations if the Bill becomes law. I should also like to refer to some of the provisions that do not seem to the Opposition to be desirable. Clause 14 provides that boats shall bear a mark or number and, if the terms of the clause are not complied with, a boat operator will be guilty of an offence. It is not clear, however, what paragraph (d) means. Similar provisions in other States at which I have looked seem to be more precise. This should refer to clear daylight or something like that, because obviously

the mark or number would not be legible in the dark. The clause also provides that the number shall not be obscured. However, another boat or something else could obscure the mark or number. I do not think, therefore, that in such circumstances an operator of a boat would be guilty of an offence. This aspect should be clarified.

Clause 20 contains an undesirable provision. Subclause (1) gives the Minister complete power to cancel or suspend a licence, and subclause (2) gives the court a similar power. The Minister does not have the expertise to justify his being given this overriding power, which exceeds that of the court. The public is sufficiently protected by subclause (2), so the Minister should not have this power. Initially, it seemed to me that the penalties in the Bill were fairly steep and that it would be desirable to apply graduated penalties similar to those regarding driving under the influence. However, it has been pointed out to me that the penalties prescribed will apply to second and subsequent offences, and in those circumstances I am not as firmly opposed to the penalties as I was initially. It seems severe to impose a penalty of \$200 or three months imprisonment, which appears to apply to all offences including that of driving under the influence, despite the offences being of varying severity.

Clause 24, which refers to the overloading or unseaworthiness of a craft, is vague and will certainly need more specific reference in the regulations. The member for Chaffey may have more to say on this matter later. The Bill is not specific: it does not say how an officer will assess whether a boat is unseaworthy or overloaded. This provision therefore needs to be clarified. I find personally repulsive the fact that a police officer will be able to enter any premises, where he reasonably suspects a boat to be, for the purpose of determining whether it is seaworthy. This seems to be an unnecessary provision. A boat could be in for repairs; boats should therefore be examined when they are on the water. A police officer or an authorized person should not have unlimited power to enter premises and snoop around. If it was suspected that a boat had been used in the commission of an offence or involved in a collision or a fatality, it would not be difficult for the officer involved to obtain a warrant to enter certain premises and investigate the matter. However, it is unreasonable to give an officer power to enter any premises in which he expects to find a boat so that he can check its seaworthiness.

Clause 25 deals with what is probably the most serious offence under the Bill: that of driving a boat while under the influence of intoxicating liquor. It would be more desirable if this clause was worded similarly to the provision in the Road Traffic Act. The terms of that Act are well known and have been tested in courts. Magistrates, lawyers, and other people know what is meant, and it would be desirable to have a close correlation between the wording of that Act and the wording of this Bill. The measures and the offences are comparable. The Road Traffic Act provides that anyone who drives or attempts to drive while he is incapable of exercising effective control is guilty of an offence, but later phraseology similar to the provisions of this Bill is used. The penalty for a second and third offence does not seem to be too severe, but the penalty for a first offence certainly is. I concede that the penalties fixed are maximum penalties. Further, if the offence is repeated, there must be a sufficient deterrent.

Clause 27 gives the Minister authority to impound a boat and then dispose of it. It seems to me that in those circumstances the boat should be in waters under the

control of the Minister. It is unrealistic for the Crown to take a boat from the middle of someone's dam or lake. The legislation is aimed at control in waters under the Minister's jurisdiction, and the Minister should have power to impound only a boat that is in those waters. I also consider that the Minister should be required, before he disposes of a boat, to inquire extensively if necessary to find out who owns it, but that is not required in the Bill. Clause 28 (1) provides:

A person who is the owner, or has the actual control for the time being of the boat, shall, at the request of a member of the Police Force, or an officer authorized in writing by the Minister, disclose the name and address of any person whom he knows to have been the operator of the boat at any time specified in the request.

Again, that is not the same phraseology as is used in the Road Traffic Act, and it seems to me that the only circumstance in which the owner would know who the operator of the boat was would be if the owner was present. The words used in the Bill seem inappropriate, and the owner can know who is operating the boat only if he is there, looking at it. The word "believes" would be a better word to use. If the owner allows another person to operate his boat in his absence, he will not have field glasses on the person operating the boat. I think also that the use of the words "truthfully answer" in that provision would be more sensible.

Dr. Tonkin: Unless he knows, he will not be able to tell the inspector anything.

Mr. GOLDSWORTHY: That sums up the point. A person can know who is the operator only if he is present and, if the Minister does not want to find out who is the operator, that tends to detract from the severity of the Bill.

The Hon. J. D. Corcoran: He cannot truthfully answer unless he knows. It is not good enough to just believe.

Mr. GOLDSWORTHY: I am saying that he cannot know unless he is there.

The Hon. J. D. Corcoran: If he doesn't know, he can't believe.

Mr. GOLDSWORTHY: A person who lent his boat to a neighbour and then went off and mowed the lawn might say, "I believe my neighbour is operating the boat." I do not know whether the Minister realizes how narrow he is making that provision. Clause 34 places the onus on the owner in a severe and unjustified way. The report of the Power Boat Committee, made in 1967, states:

The committee feels that, for any system of policing or control of the activities of private pleasure boats to be effective, it must be possible to charge some person with an offence and thinks it reasonable that the owner of such craft should be held liable for any offences of a certain type committed by the driver of the boat unless that owner is prepared to discharge his onus by nominating in whose care he had placed the craft at the time in question.

The Bill goes beyond that recommendation and it is sweeping in its application. Clause 34 (2) provides:

Where an offence is committed by a person in relation to the operation or use of a boat, the person registered as the owner of the boat shall also be guilty of an offence and liable to the same penalty as that prescribed for the principal offence unless he proves that he could not by the exercise of reasonable diligence have prevented the commission of the offence.

That is far more sweeping than the owner-onus recommendation of the committee to which I have referred. The committee recommended that members of the Police Force and authorized officers should be able to pinpoint who was operating the boat. Clause 28 covers that completely, requiring the owner to disclose the name of the person he

knows to have been operating the boat. Under this clause, if he does not know, he is guilty of an offence. That is completely unjustified in terms of our concept of British justice.

Dr. Tonkin: It's just another take-over of civil liberty.

Mr. GOLDSWORTHY: Has the owner to watch someone through his field glasses? The whole tenor of that provision is contrary to what we consider reasonable. If the Minister does not agree, does he not believe that clause 28 adequately covers what is required in terms of the owner-onus provision in the 1967 report, on which he has relied so heavily in drafting this legislation? We also consider another owner-onus provision to be unjustified. Clause 35 (2) provides:

In any proceedings in which it is alleged that a motor boat has been operated or used in contravention of any provision of this Act, it shall be presumed, in the absence of proof to the contrary, that the person registered as the owner of the motor boat was the operator of the motor boat at the material time.

That provision seems to place a heavy and unjustifiable onus on the owner of the boat. This is the sort of legislation which, if it goes too far, will be resented by members of the community. Obviously, from the Minister's statements the Bill contains matters of controversy, because State Ministers in their negotiations could not reach uniformity. It seems that many of those who gave evidence to the committee in 1967 were not unanimous about licensing and registration of boats. We support some of the Bill's provisions, because we are interested in increasing boating safety, but much will depend on how sensible are the safety regulations. The Opposition believes that some provisions of the Bill can be improved, and I hope that in Committee these improvements can be effected. I support the second reading.

Mr. ARNOLD (Chaffey): This Bill is another example of the Government's over-legislating in order to solve a specific problem. I believe in the principles on which the legislation has been based; that is, to register motor boats, license drivers, and provide regulations for boating safety. I have no arguments with these excellent principles, but the Minister has gone overboard with this legislation, which will create resentment among the boating public. About 15 years ago the South Australian Water Skiing Association introduced a voluntary method of boat registration for identifying boats and owners, in order to protect owners and drivers from a small minority of irresponsible people who operated speed boats. Each club in the association was allotted a prefix, followed by a number: this was registered by the association and was clearly identifiable on all boats owned by members of the association. This scheme was accepted completely by the public, and I believe it has given much protection to responsible speed boat operators. Very little cost was involved: the registration was recorded, and if the boat changed hands the registration number was reallocated or transferred, and the records were corrected. I see no reason why this simple scheme could not be operated by a Government department.

I consider that the annual registration fee is, as the member for Kavel has said, an exercise in empire building, and we do not know where it will stop. The Minister said not long ago that the fee would be about \$2, but within the past week he has been referring to a fee of \$5. If this legislation is to cover all power boats, it will involve small dinghys with low powered outboard motors, and these owners will have to pay the annual registration fee. Many of these people have had to struggle for years in order to purchase these small craft, and this section of the

community will be hardest hit. The fee will not worry the average boat owner: he will pay it grudgingly, but whether for \$5 or \$10 he will write a cheque. If this legislation has been introduced in the interests of safety and not as a revenue raiser, I believe the Minister will accept our suggestions concerning boat registration fees.

The licensing of drivers is another major issue of this Bill. I believe that it should not be a requirement under the legislation to be licensed to drive a boat with a maximum speed of less than 18 km/h. If it is provided that all power boats must be operated by a licensed driver, we will virtually defeat much of the work that has been done by the Government and individuals to promote tourist activities by the establishment of the houseboat industry on the Murray River and the small daily-hire boat services available in tourist areas throughout the State. At present children can hire these small putt-putt boats, as the member for Kavel called them, but, under the legislation, they will not be able to do so, and that industry and the houseboat industry will virtually be finished. I do not know whether the Minister discussed this aspect with those involved in these industries before preparing this legislation.

It is obvious that, if a group of people hire a houseboat on the river for a week and each person is required to have a licence to drive the boat, this situation will cause problems. One person will not drive the boat for five or six hours a day, so that each member of the group will have to be licensed. During the 13 years that these craft have been operating in South Australia, there has not been one serious accident. This may be an amazing situation, but is a good indication of the fine design and construction of these craft. To make it mandatory for anyone driving a houseboat to have a licence means that that industry will be killed overnight. Many people using houseboats come from other States and overseas, and, under this provision, they would have to travel to Adelaide in order to pass the necessary examination.

The Hon. J. D. Corcoran: Do you think they will have to come to Adelaide?

Mr. ARNOLD: Probably. If it is to be a revenue-raising measure (although the Minister has said that it will not be), there is no point in issuing a licence if a person does not have to pass a test. I believe that a test should be passed in order to enable a person to operate a craft that has a speed of more than 18 km/h. It is the high-speed craft that causes danger in the community. I have sailed and driven numerous types of craft since I was in primary school, and I have gained much experience over the years. I am sure it is the high-powered fast boat that is likely to cause trouble, especially to other people. Very few accidents are caused by yachts or slow craft, and I believe the test for a licence to operate a boat that travels at more than 18 km/h should be a practical test given by people with a vast experience of power boats to see that the person concerned has the ability to operate this type of craft. There is nothing to stop a person purchasing a high-powered craft, never having been in a speed boat before, and taking it to the water and driving it straight away. There is no substitute for experience, and the provision for the issuing of provisional licences to children between the ages of 12 years and 16 years is a good one, because there is no better time to learn to drive a vehicle of any type than when one is young. Young people on farms and rural properties have the opportunity of starting to learn to drive vehicles on that property from the age of 11 years or 12 years under the supervision of their parents, and they are competent drivers by the time they reach 16 years and are allowed to go out on the road. I

do not think there can be any argument against that. I agree fully with the provision that will enable 12-year-old children to have a provisional licence.

In most yacht clubs senior members operate rescue craft whenever they are available to do so, but often no specific member of the club is available. Yacht clubs are voluntary organizations and whichever senior member is available will operate the rescue craft. When juniors are on the water, especially if the waters are a bit choppy, a club could find itself in a situation suddenly of not having a licensed driver available to operate the rescue craft. During the summer months the Barmera Yacht Club on Lake Bonney finds that many of the senior members of the club are involved in harvesting or irrigation and are not available on some Saturdays when there is racing, but the juniors still race and every senior member of the yacht club must know how to operate the rescue craft. The clubs could not afford to pay for drivers of rescue craft. The Minister should see whether some provision can be made for exempting operators of rescue craft if a licensed driver is not available. I think this would be desirable.

Clause 4 transfers the provisions of section 667 of the Local Government Act to this legislation. Clause 8 provides for the regulation of boating. It seems that the Minister will have power to declare zones for specific types of boating. I believe the relationship existing between water skiers and boat operators on the Murray River is far better now than it was 10 or 12 years ago. I refer to the understanding existing between amateur fishermen and skiers. If the Minister zones the Murray into certain areas for fishing activities and other areas for water skiing, power craft will be congregated in a limited area. Obviously, the more dense the congregation of power boats in an area the more risk there is of accident. If the craft are spread over a greater area, the fear of collision is reduced considerably. I hope the Minister will explain later what he intends to do about zoning.

Clause 11 provides for the registration of power boats. I believe this will lead to the empire building which so often occurs within Government departments. The Minister has said that it is necessary for him to collect an annual registration fee to cover the cost of policing the provisions of the legislation. I agree with the comment of the member for Kavel that the power craft involved, especially the high-powered craft, use large quantities of fuel and indirectly contribute considerably to the fuel tax. Boat operators are also paying trailer registration fees, the same as are paid by anyone else travelling on the roads. Anyone involved with water skiing knows how much fuel is used in a day when using a high-powered boat.

Part III deals with the licensing of operators. I believe it is essential that there be practical tests prior to the issuing of licences. I believe it would be a complete waste of time to give an oral test and then issue a person with a licence. I do not think that will prove anything. It is better to have a licence that proves one's competency in operating a power craft with a speed in excess of 18 km/h. Any holder of that licence should have proved to the testing authorities that he was competent. Once we have that type of licensing, we will be getting somewhere with regard to safety and, after all, we have been told that this Bill has been introduced in the interests of safety. Therefore, let us stick to the basic principle behind the Bill.

Part IV of the Bill deals with the general provisions. Clause 23 (3) provides that all accidents must be reported to the police or the Director of Marine and Harbors: that refers to accidents involving all boats, not just power boats.

I believe that the Minister should exempt from that provision yachts engaged in internal club or regatta racing. These clubs have conducted races for many years. In nearly every race, there is some jostling as the yachts round the buoys, yet over the years there have been few accidents. The safety regulations and rules of racing laid down by these clubs are a safeguard for the craft participating. It would be a complete waste of time if these people had to report every accident and bump that occurred in competitive racing. Over the years, these organizations have shown that they apply adequate standards. All racing is conducted under specified rules, with offenders being automatically disqualified.

Clause 24 relates to unseaworthy boats. No indication is given in the Bill that will help a police officer or authorized officer to determine what constitutes an unseaworthy or overloaded vessel. I do not know whether the Minister intends to set this out in regulations, as is done in Victoria, but certainly the Bill makes no reference to it. I believe that the Bill should stipulate that guidelines will be set out in regulations to indicate what constitutes overloading of a boat. Obviously, a police officer who has no personal interest in boating will have no idea whether a boat is overloaded. Such a person may not be interested in boating (and that is no reflection on him), but under the Bill he has the power to determine whether or not a boat is overloaded. There are one or two internationally accepted methods of determining overloading. In relation to small craft up to 10ft. (3 m), two adults are allowed to be carried, and one additional adult is permitted for every 2ft. (.6 m) of extra length, up to 20ft. (6 m). Under this method a police officer or authorized person could determine fairly accurately whether a boat was overloaded.

Another method, which is slightly more complicated, provides for varying conditions depending on wind speeds. First, in smooth conditions, with wind up to 10 knots (18 km/h), the length of the boat on the waterline is multiplied by the length of the beam of the boat on the waterline, and the resulting figure is divided by 14. This gives a fairly sensible idea of the carrying capacity of the craft in those weather conditions. In conditions from 10 knots to 20 knots (36 km/h), the same factors are taken and the resulting figure is divided by 20 to obtain the carrying capacity for a small craft in choppy conditions. For rough conditions of 20 knots and over, the same factors are divided by 40. Those two methods have been used for many years by people in the boating field to arrive at a safe calculation of the loading capacity of small craft. In Committee, we will move to provide that, by regulation, some criterion is clearly set out to indicate to police officers and authorized persons what constitutes the correct carrying capacity of small craft. Clause 24 (7) provides:

A member of the Police Force, or a person authorized for the purposes of this section by the Minister, may board any boat, or enter any premises or place where he reasonably suspects a boat to be, for the purpose of determining whether the boat is seaworthy.

Under this provision, to all intents and purposes it is an offence to own an unseaworthy boat. However, under the Road Traffic Act, it is not an offence to own an unroadworthy car; it is an offence to use such a car but not an offence merely to own one. I suggest that in most cases when a craft is at home it is unseaworthy. The moment the drain bungs are pulled out a craft is unseaworthy, and most of the time on shore those bungs are out. I agree that it should be an offence to operate an unseaworthy craft, but I do not agree that it should be an

offence, as provided in the Bill, to own such a craft. A boat builder may have in his premises for repair 20 boats; under this provision, it is virtually an offence for him to have them there. We will certainly attempt to amend that provision. Clause 27 refers to wrecks and abandoned boats. Subclause (4) provides:

The Director may sell, dispose of, or otherwise deal with, a wrecked or abandoned boat forfeited to the Crown under the provisions of this section.

That is all right, so long as adequate time is given in which to try to find the owner of that craft. Clause 29 provides that a boat shall not be driven in excess of 8 km/h within 30 metres of persons swimming or bathing. Certain exemptions will have to be given in this respect, as the operators of yachts find it almost impossible, having completed a race, not to come within 30 metres of someone in the water. The number of people swimming at our beaches makes it most difficult for boats to come ashore and, when a reasonably strong south-westerly is blowing, it is almost impossible for a yacht to come into shore safely at less than 8 km/h. Certain aspects of the Bill must therefore be considered by the Minister. The Opposition is trying to approach this Bill realistically and responsibly, and it hopes to get the Minister's co-operation in Committee on certain amendments that will be moved in the interests of everyone in the State. Although I agree with the principles on which this Bill is based, the Minister is trying to over-legislate and, in doing so, is placing an unnecessary restriction on the liberties of the people in South Australia.

Mr. WARDLE (Murray): Because of the interest I have had in this subject for many years, I should like to express a few thoughts regarding the Bill. As the former Minister of Marine will recall, I asked many questions during his term of office regarding the introduction of this legislation. The present Minister would also realize that I have been interested in this subject largely because of the accidents that have occurred on the lower end of the Murray River and because several lives have been lost in boating accidents in my district.

I would begin where the member for Chaffey left off in his expression of the general principles of the Bill. This applies also for the member for Kavel, who led the debate for the Opposition. I agree that in principle the Bill is a good one and that it will protect the public against boat owners who are unwilling to regulate their speeds and behaviour according to the principles that ski clubs have tried to generate on the river. I compliment those clubs on the attempts they have made to regulate the conduct of people on the Murray River. The offending group would indeed be small compared to the number of people who use our waterways, and this is largely because of the efforts made by persons like the member for Chaffey and the leaders of various ski clubs.

The two inspectors at present operating on the Murray River (Mr. Geue at the southern end of the river and another inspector at the northern end) have been most patient in conducting their tremendous education campaign. I have noticed them working on weekends among the ski boats, and especially among people who are strangers to the area, who are unaware of the rules of the river and who, because they are not tied to a certain club, consider that the river is theirs on which they can do as they please. It is this small percentage that has caused difficulties over the years, and it is because of them that it is necessary to introduce legislation such as this.

The Opposition will require much information from the Minister in Committee. Indeed, some of the clauses to which my colleagues have referred are difficult to interpret,

and it is therefore difficult to see what is intended. I refer, for instance, to clause 34, on which more information will be required by the Opposition. I am certain that on the river, just as it is on the roads, it is speed that kills. A close examination of all fatalities that have occurred on the river has shown that speed has been a cause. I therefore have much sympathy with the opinion expressed by the member for Chaffey regarding the licensing of persons whose boats are incapable of travelling at more than 18 km/h.

The term "putt putt boats" has been used. I think it is naughty to use such a nautical term. I feel much more closely allied to the type of craft that operates in my district: I am concerned about the aquacat, drivers of which may not be able to be licensed under the Bill. I hope that the Minister will say in Committee what he considers to be the future of the drivers of these vessels. The member for Chaffey referred to houseboats which form a big industry in this State and from which people are getting much enjoyment when travelling on the river. Difficulties are being experienced regarding licences for drivers of these vessels. Most people who own a speed boat find that, if they have friends or members of their family visiting them, those people want to drive the craft. Licensing is therefore important. It is terribly important that a person knows how to operate a speed boat. Therefore, in order to obtain a licence to operate such craft the passing of an oral examination should only be one aspect: surely a practical test should also be important. I imagine that the Minister has in mind police officers or certain other trained persons conducting such tests on our inland waters. I hope it will not be necessary, however, for everyone to come to the metropolitan area to undergo a test to obtain a licence to operate a speed boat.

[Sitting suspended from 5.30 to 7.30 p.m.]

Mr. WARDLE: The member for Kavel has treated the legislation in detail, and the member for Chaffey has told us what he considers is good in the Bill and what he considers is not good. I do not agree with the member for Kavel regarding penalties: I consider that they ought to remain as they are in the Bill. Possibly, courts will have before them people who have committed first, second or third offences (although we hope that that does not happen) and I consider that the court needs the latitude it has been given. Obviously, a court will not impose the maximum penalty for a first offence but it ought to have latitude in dealing with subsequent offences.

Mr. Rodda: You would make the offender pay?

Mr. WARDLE: Yes, I believe in that, especially if the offender has committed an offence twice, three times, or more times than that. Surely the objective of the law is to try to teach such a person to behave more responsibly. Clause 34 (2) provides:

Where an offence is committed by a person in relation to the operation or use of a boat, the person registered as the owner of the boat shall also be guilty of an offence and liable to the same penalty as that prescribed for the principal offence unless he proves that he could not by the exercise of reasonable diligence have prevented the commission of the offence.

I, and other people who are vitally involved in the boating industry, have had difficulty in imagining a situation in which this provision would apply. It will be interesting to hear from the Minister what he contemplated when he inserted this clause. If the owner is responsible to observe a skier, he ought not to have his eyes in the direction in which the boat is travelling and, therefore, he ought not be in a position where he can see the driver of the vessel

erring or creating a hazard. If it is his responsibility to be watching his skier, he will not be doing his job by trying to watch the skier and also the driver.

I do not know whether I am reading into that provision something that was not in the Minister's mind but obviously, if a person lends his boat to someone who takes it about 10 miles (16 km) upstream, surely once the boat has gone from the owner's sight the owner cannot be responsible for how the other person acts. If the owner is in the boat with the driver and another seven or eight people are on board, all of whom take a turn at driving the boat, and it is obvious to the owner that a driver is not paying attention and is taking a risk, I consider that there is a responsibility on the owner if he does not give advice or instruction when he sees that the driver is disobeying the regulations of the river and is a hazardous driver. That is the only valid point. In all other situations that one can imagine, clause 34 (2) seems to be completely out of keeping with what we understand to be the principle of democracy and the principle that a person is innocent until proved otherwise.

I repeat that I agree with the basic principles in the legislation, and I am pleased that it has been introduced in South Australia. Probably 90 per cent of boat owners already have been doing what this legislation will require of them, whether they have had their boats on inland waters or coastal waters. However, it has been necessary to introduce the Bill to be able to control the other 10 per cent. I support the measure.

Dr. TONKIN (Bragg): I do not think that any member could fail to support the principles in this Bill. The idea that safety on the water is as important as safety on our roads is paramount, and no-one can object to the objectives of the Bill. I join with my colleagues in paying a tribute to the various boating organizations in the community which, for many years, have been promoting water safety. I refer to the coastguard organization, the yachting clubs, and the small boat clubs, which have been conducting courses in seamanship, boat handling and boat safety. They should be congratulated on their work.

As the member for Murray has said, probably 90 per cent of boat owners or people who use boats are well aware of the dangers involved in merely being on the water. With a little knowledge, they can be prepared for those dangers and can cope with them. It is the minority that gives rise to trouble, injury, and sometimes tragedy. Councils have power to make regulations regarding the water and traffic on it, and the seaside councils specifically have done an extremely good job in this regard.

Mr. Mathwin: Hear, hear! I agree with that.

Dr. TONKIN: My colleagues have dealt well with the provisions in the Bill. These provisions prescribe rules to be observed by persons operating or in charge of boats or passengers in any boat or class of boat. They also require the operator of a boat to prevent or restrict any pollution and they prohibit the throwing of litter or waste, matter from any boat. Litter is a topical subject and one of my colleagues probably will deal with it at greater length. There is something to be said for requiring the provision of a receptacle to contain litter.

The Bill also prohibits air pollution and prescribes speed limits to be observed by operators of boats. Clause 37 (1) (f) provides that regulations may require equipment prescribed in the regulations to be installed in or carried upon boats, or any class of boat, for the safe navigation of the boats, the safety of the occupants of the boats, the prevention of fire, or the suppression of noise or any other nuisance. Recently tragedy has been avoided narrowly.

More by good fortune, with the work of the coastguard and the water police, we have seen people who have got into difficulties at sea being rescued, but it has been astounding to hear afterwards that they went to sea without any form of distress signal, without any form of tool kit, and in many cases totally unprepared for the emergencies that came upon them.

No matter how short a trip may be planned, and, no matter how safe the water conditions may appear when people set out on their trip, circumstances can change rapidly; anyone who has been on the gulf waters and has experienced a line squall while sailing will know exactly what I mean—and it is cold in the water when the boat finally tips one in! Regulations are to be made for the restriction or prohibition of water ski-ing, surfboard riding, or other aquatic activity. Provision is contained in the regulations for the recovery of fees for the purposes of the Act, as well as for the registration of marks and labels, and power to grant exemptions subject to conditions relating to various bodies and various activities. There are provisions for penalties. These are all workmanlike procedures and I have no quarrel with them. Clause 36 deals with all those matters, and must be read in conjunction with clause 26, the operative clause of the Bill. Clause 26 (1) provides:

A boat shall not be operating in waters under the control of the Minister unless it carries the prescribed equipment.

These safety regulations are vital and important and I am sure no-one will quarrel with them, but while they will help control the irresponsible driver and boat owner (and there are not many of them) I am not entirely happy (in fact, to put it more bluntly, I am disturbed) about the way some of the other items in the Bill are drafted. I can only think the Bill has been drafted in a hurry.

The member for Murray has dealt with the rather equivocal wording of clause 34, and I agree with him that it is possible to guess what the Minister is driving at, but it is not spelt out in the Bill. I am sure it is not spelt out in the Bill in the way he wants it, because I believe it has an objectionable meaning, a restrictive meaning. It is a definite imposition of restraint on human rights. I believe, first, that there must be licence exemptions for craft travelling at less than 18 kilometres an hour and I support the remarks of the member for Kavel and the member for Chaffey. I agree with the member for Chaffey that South Australian houseboats on the Murray River are unique and something of which this State can be extremely proud. When people come from oversea countries wishing to see in a limited time some part of the outback of Australia, something typical of the Australian way of life, a few days on a houseboat on the Murray River will give them a taste of almost every facet of Australia and its way of life.

Because I believe that registration must come for the purposes of identification and for the enforcement of safety requirements, I agree that it is necessary. However, in sailing circles when one buys or builds a new boat (a sailing dinghy or a yacht, whatever the class) a new number is allocated to that boat. That number goes on the sail and remains the number of that boat for the rest of its days, until it is broken up or destroyed. There is no change; if the boat changes hands, the number also changes hands. That is all organized on a voluntary basis. If one wishes to build a yacht of a certain class, it is necessary to pay one fee, almost a royalty fee. The number allocated goes on the sail, and that is it. There is no further charge. This has been organized by the association.

The Hon. D. H. McKee: You sound like an old salt.

Dr. TONKIN: I wish I had more opportunity to get out on the water now. It is an activity that has been rather curtailed in the past three or four years. I believe the matter to which I was referring is an important one, because the work of the South Australian Yachting Association has proved beyond doubt that this system will work. This system of allocating a number to a boat on a once-only basis, leaving the number as a way of identifying that boat, will work, and I believe it will work equally well under the terms of this legislation. We are not aiming to set up a money-making concern and I trust we are not aiming to set up a large bureaucratic organization.

Mr. Gunn: Empire building.

Dr. TONKIN: Empire building, if you like, but we are not aiming to set up an organization for the annual registration of boats, a perpetuation of bureaucracy, and an annual collection of fees simply raised to finance the activities of a department working to collecting the annual fees: and so the circle goes around and around, with more and more people involved in non-productive activity. In my view and in the view of other members on this side it is unnecessary activity. Let there be a once-only registration, and let that number be applied to the boat; in fact, in some sailing craft it is necessary to have the number carved on the boat so that it cannot be destroyed. It remains with the boat, which is branded. This can be done, and it should be done by this legislation. I shall strongly support moves by my colleagues in this direction and I hope we will have the support of members opposite. It is a reasonable and necessary point of view. I am not happy with some specific clauses, and being in a charitable frame of mind I will assume that the drafting was done hurriedly, or not thought through.

The Hon. L. J. King: Are you not habitually charitable?

Dr. TONKIN: I am habitually charitable; sometimes I am a little more cynical than at other times. However, I do not like some of these specific clauses. I refer, for instance, to subclauses (2) and (3) of clause 23, which provide:

(2) The operator shall supply to the operator of any other vessel involved in the collision or casualty, any injured person, and the owner of any property damaged thereby, a written note of his name and address.

(3) The operator of a boat involved in a collision or other casualty in waters under the control of the Minister shall as soon as practicable—

(a) where the collision or casualty results in death or personal injury, give the information required by this section in relation to the collision or casualty to a member of the Police Force at a police station near the place of the collision or casualty;

and
(b) whether or not the collision or casualty results in death or personal injury, give the information required by this section in relation to the collision or other casualty to the Director.

Let us look at the provisions of the Road Traffic Act and compare these provisions. They go so far beyond those of the Road Traffic Act that it is simply not true! I think all members well know the position regarding traffic accidents. It is not incumbent on the driver of a vehicle involved in an accident to make any incriminating statement to the police other than to give his name, perhaps show his driving licence, and give the name of his insurer: it is up to him whether or not he makes a statement. Most people do so because, as law-abiding citizens, they want to do the right thing. Under this legislation, operators of boats shall give information not only to a member of the Police Force but also to the Director of Marine and Harbors. Although I have nothing against the Director, why should the liberty

of individuals be encroached on to the extent set out in this provision? I suppose that, in isolation, this is not important but, with other encroachments, it represents an attack on one of the fundamental principles of our freedom. I am more than surprised to find this provision in the Bill, and I cannot believe that the Minister seriously intended that it should be included.

Under clause 20 (1), where the holder of a licence is convicted of an offence under this legislation or of any other offence that in the opinion of the Minister shows him to be unfit to operate a motor boat, the Minister may revoke his licence. Although I have nothing against the Minister, I cannot see why he should have the right to usurp the authority of the properly constituted courts of this country. I should like the Minister to say in what other sphere this sort of provision applies. What other Ministers have the absolute right of veto, regardless of whether the court decides that a licence should be revoked? I hope the Minister will comment on this matter when he replies in this debate. What right does he have to a total veto? I suggest that he has no such right.

Mr. Mathwin: The only qualification he has is that he's a schooner sinker.

Dr. TONKIN: Although that has Gilbert and Sullivan overtones, I do not intend to go into it. Clause 24 (7) provides:

A member of the Police Force, or a person authorized for the purposes of this section by the Minister, may board any boat, or enter any premises or place where he reasonably suspects a boat to be, for the purpose of determining whether the boat is seaworthy.

I believe that that is also an intrusion on privacy. I agree with what the member for Chafley said about this. On most occasions when a boat is stored on premises it is so that work on repairs or general maintenance can be carried out. I do not think that this provision is fair. I do not think that, as a member of the legal profession, the member for Elizabeth could uphold it. I look forward to his support and that of the Attorney-General when we test this matter further in Committee. Other matters concerning entry to premises have been raised this session. Although I will not canvass them, members know what I am speaking about.

I am also disturbed by clause 30, which provides that a member of the Police Force or a person authorized in writing by the Minister may require a person operating a boat to give his name and address. That is reasonable, a similar provision having been included in the Road Traffic Act. However, under this Bill, all passengers in the boat are also required to give their names and addresses. If it is not good enough to have this type of provision in the Road Traffic Act, why should it be included in this Bill? This is just another small intrusion into the rights of privacy of the individual. I shall be surprised if the Attorney-General does not support what I am saying, as he is supposed to be the chief sower of seed in the common law in matters of privacy. Personally, I believe that what he has been doing lately is to uproot the rights of privacy of the individual from the soil of the common law. He is supposed to be extremely concerned about protection. What is contained in clause 30 (1) is another small incursion into the rights of privacy of the individual.

Mr. Duncan: It's a small incursion.

Dr. TONKIN: The point I am making is that, although these matters taken separately may be regarded as small (that is certainly how the member for Elizabeth would regard them), together they make up an obnoxious aspect of this Bill. The member for Murray and other members on this side have spoken about clause 34, which I believe

is one of the worst provisions in the Bill. Another bad provision is clause 35 (2), which introduces the principle of owner onus. Legislation dealing with parking offences went some way in this direction, but now we see the realm of duplicate guilt introduced. Although I am no lawyer, that is how I read it. This provision means that two people may be found guilty of the one offence. I shall be grateful if the Attorney-General can correct me on this, as it seems to me to represent a total denial of what we have come to consider to be justice in our society. Although members on this side will support what I am saying, members opposite are committed to vote for the Bill. I wish they would think about what they are doing. These provisions in the Bill go much further than merely dealing with safety on the water. I hope that the Government will accept reasonable amendments.

The member for Murray has outlined the case of a boat owner who is towing a water skier whom he is watching, as is his duty. He cannot look in two directions at once. Another case is that of an owner who may have been injured and may be incapable of exercising any great influence on the driver of the boat. That owner will have to go into court, with the onus on him to prove that he could not have prevented the commission of an offence. Since when has the onus of proof been put around that way? It is a reverse onus. None of these provisions is in accordance with the normal practice of the law, as I am sure the Attorney-General and the Minister for Marine know well. I wish the Bill could have been drafted in a less objectionable form, because safety on the water and in boats is something that concerns us all.

We all favour any measure that will prevent tragedy on the water. However, we cannot let our concern for that aspect obscure the need to preserve civil liberties. We do not have to obscure civil liberties, as we can obtain the safety provisions intended by this Bill without including objectionable provisions. I sincerely hope the Minister will be reasonable about the matter and not insist on the Bill as it has been drawn. In some respects, I believe it is a good Bill. Although the intentions behind it are admirable, it is a great shame that its laudable aspects have been so completely obscured by these objectionable incursions into the rights and privileges of private citizens in this State.

Mr. MATHWIN (Glenelg): I support the Bill in principle (and that should make the Minister happy), but I believe that he must answer many questions concerning it. I also believe that certain amendments should be made to the Bill to make it workable, sensible and capable of doing the job the Minister intends it to do. This Bill is not at all unique. It was all very well for the Minister to say in his second reading explanation that uniform legislation was desirable, but he could not wait: he decided to go it alone. Similar legislation has been operating for some time in certain local government areas, and several seaside councils have had a system of registration of boats for a long time.

I hope that when the Minister introduces regulations he will take note of what has happened in certain areas where the registration of boats has operated for many years. The boat registration number must be of sufficient size that it can be seen from a certain distance so that the owner may be identified. It was obvious to certain councils that they had to have a boat registration system and control, particularly over water ski-ing, which can be dangerous if carried out in shallow waters where people are swimming and children are using snorkels. Some councils have set aside certain areas of

water to be used by water skiers. Particularly in the Brighton area, water skiers must be at least 300yds. (274.3 m) from the shore line. Accidents have occurred to water skiers, particularly in areas where young people were swimming. The Minister's second reading explanation states:

As honourable members realize, lives can be just as easily lost from unpowered boats, and for that reason we have decided to extend the life-saving equipment provisions to this type of craft. The equipment it will be compulsory to carry will be set out in regulations under the Boating Act.

What would happen in the case of a little Holdfast trailer capable of travelling 8 km/h, equipped with a Very pistol, life raft, etc.

Mr. Goldsworthy: It could well sink.

Mr. MATHWIN: Yes, even before it got away from the shore, and it might well be carrying children. What would happen in the case of a family type craft? Could it contain the whole family, in addition to all the equipment required under the regulations? This makes the whole situation quite ridiculous. The Minister also said that licensing would act as a deterrent to irresponsible people. However, a similar deterrent does not work regarding motor vehicle licences in respect of a person who regularly loses his licence for speeding. If a deterrent on the water works only as well as it does on the road, it will not be much good.

I should like to know what the Minister has in mind regarding houseboats on the Murray River, which are a tourist attraction. The Minister in charge of tourism has done little good for this State's tourism. This Bill is a means of strangling one of the State's few successful tourist attractions, and we have a shocking record for encouraging tourists to this State. Tourism in South Australia has been almost a complete failure. The Minister should agree to accept certain forshadowed amendments regarding houseboats.

The Governor may, by proclamation, set aside certain areas for boating and other specified activities, but what does the Minister intend doing with regard to local councils that have already provided such areas? Will he override them, be the king pin and decide where these areas will be located—the Minister with his slim knowledge and in some cases his nil knowledge of local conditions? Regarding the registration of motor boats, it would be remiss of me if I did not remind the Minister that last year, when we were told about the possible registration of boats and drivers, the Government said that, next summer (I presume that that is the one we have just had), legislation would be introduced for the control of boats and that the fee would be about \$1 or \$2.

Mr. Evans: There's been inflation in the meantime.

Mr. MATHWIN: Yes, and galloping inflation encouraged by the Commonwealth Government. The fee has been inflated to \$5, and the scheme is not yet operating. As it will be an annual fee, it will probably involve the setting up of another Government body. It is all very well to say that some unemployed people want work and that a horse can be led to water, but it cannot be made to drink. The \$5 fee is somewhat exorbitant. Part III of the Bill deals with the licensing of motor boat operators. Will the Minister, when replying, tell me what he has in mind regarding houseboats on the Murray? Also, what has the Minister in mind, especially in relation to the young people of this State who hire boats on the different waterways, such as the Torrens River? Must they be licensed? Will they have to take out a licence costing 50c as do the people at Sovereign Hill when they

want to prospect in the little stream? Will all the children who travel in boats on the waterways in our parks and gardens have to take out a licence? Neither the Bill nor the second reading explanation of it gives a clue regarding the Minister's intention in this respect. The definition of "boat" is as follows:

"Boat" means any vessel that is used or is capable of being used as a means of transportation on water but does not include a boat used for transportation for monetary or other consideration of passengers . . .

That definition therefore covers all boats, be they sailing boats of 6ft. (1.8 m) or more in length, holdfast dinghies or catamarans. A definition is also given of "waters under the control of the Minister". Does this mean that the Minister is going to override councils with his professed knowledge of local conditions? Can he not get enough authority without pushing himself on to this section of the community?

Clause 9 deals with the holding of functions and regattas, which are to come under the Director's control. Is the Director to confer with councils that have permitted regattas to be held, or is the Minister going to override them all? Part III deals with the licensing of operators of motor boats. Clause 18 (5) provides that, if the holder of a licence becomes subject to any physical or mental disability that may impair his capacity to operate or control a motor boat, he must notify the Director of that fact. Therefore, a person who has been sailing all his life must, when he gets old and slow, go to the Director and tell him that he is incapable of operating or controlling whatever boat he normally sails. If he does not comply with that provision, he will be liable to a maximum fine of \$100.

Part IV contains general provisions, and includes clause 23, which relates to casualties. When yachts are sailing in a regatta and a collision occurs, a warning flag is hoisted. However, according to the Minister those who participate in this sport must report any injuries to the police. One of my friends recently sailed in a 505-class race; he went overboard and had to have three stitches inserted in his cut leg. According to the Minister, he would have had to go to a police station and report his accident. He would also have had to tell the Director that he had been injured, which is absolutely ridiculous.

I imagine that when the Minister lays down what equipment must be provided in boats, he will say that they must have a couple of biro's and a waterproof writing pad so that, if one had a collision when sailing in, say, a 505-class yacht or a catamaran, one would have to stop and write down the circumstances of the collision, as well as note the names and addresses of any persons injured in the collision. All this information would then have to be given to the authorities when the race was completed. The 505-class world series was recently conducted at Seacliff. Could one imagine the competitors in that race, who came from all over the world, getting into their waterproof jackets if they had an accident and putting all their writing materials in their mouths so that they could swap details? Also, before their biro ran out, they would have to get the names and addresses of any witnesses. They would, therefore, have to get those details from, say, the pilot of a helicopter flying overhead who witnessed the accident. Such a witness would also have to sign a statement.

If Gilbert and Sullivan were alive now, they would make a fortune with something like this. If one does not comply with these provisions, one can be fined up to \$200. One can see, therefore, that this clause is a little off-beat. Clause 24 (1), relating to unseaworthy boats, provides:

A member of the Police Force, or a person duly authorized for the purpose by the Minister, may order that a boat which he considers unseaworthy or overloaded be not operated in any waters under the control of the Minister.

Let us remember that some police officers would not know the blunt end of a boat from the sharp end, yet they are given power to order that a boat that they consider unseaworthy must not be operated. As the member for Bragg said, not only the driver of the boat but also the owner can be affected by this provision. Clause 24 (7) provides:

A member of the Police Force, or a person authorized for the purposes of this section by the Minister, may board any boat, or enter any premises or place where he reasonably suspects a boat to be, for the purpose of determining whether the boat is seaworthy.

During the winter a boat may be kept in a garage, and its sails may be taken down; in such circumstances the boat is obviously unseaworthy. Clause 26 (1) provides:

A boat shall not be operated in waters under the control of the Minister unless it carries the prescribed equipment.

Just what is the prescribed equipment? Under club rules, boats are already required to carry safety equipment. Boat clubs require crew members to wear life jackets approved by the Australian Standards Association; this applies to rescue craft, too. As the member for Chaffey said, if there is a sudden blow and a yacht must be helped in an emergency, anyone (within reason) will do so. Clause 29 (1) provides:

A person who, in waters under the control of the Minister—

- (a) operates a boat;
- (b) rides upon water skis, a surf board, or other similar device, or causes any water skis, surf board or other similar device to be towed or propelled;
- or
- (c) is towed by a boat, or causes any person to be towed by a boat, at a speed exceeding 8 kilometres per hour within 30 metres—
- (d) of any person swimming or bathing:

What will happen when sailing craft, particularly catamarans, are coming in with the wind? What about Mr. Jim Hardy, who won the world series in a 505-class yacht? He came right into the shore to win the race. I do not know how the Minister will police clause 37, which forbids the throwing of waste matter from any boat.

Mr. Rodda: What if the boat is sinking?

Mr. MATHWIN: Precisely. Some people may have tins or bottles of liquid refreshment, and they may have a drink while they are fishing. They may sink a can or a bottle and it will go down to the bottom. How will the Minister police this? Will he have someone travelling incognito who will try to trap these people? I support the legislation in principle, but I hope the Minister will agree to some amendments that will make the legislation workable. At present, the Bill is strictly Gilbert and Sullivan legislation.

Mr. PAYNE (Mitchell): I support the Bill. The Minister and the Government are to be commended for introducing this legislation, which provides for protection for two classes of people in South Australia: first, the great majority of boatowners, passengers and others who are engaged in some form of sensible and responsible aquatic behaviour, whether it be swimming, surfing, or boating; and, secondly, those who are senseless and irresponsible in their aquatic behaviour.

The licensing requirements of the Bill provide protection for responsible people. One would expect that, when these people tried to obtain a licence, their responsibility would show through and they would obtain one. However, the irresponsible people, when trying to obtain a licence,

may be hard-put to disguise their irresponsible behaviour. I am not saying that they could not disguise it, because we could draw a parallel here with other legislation, and some people have shown that they can disguise things for a time.

However, if any of these irresponsible people obtained a licence, there would be means of ensuring that, if they did not act responsibly, they would not retain the licence. The registration provisions will benefit the responsible people in the activity of boating who are behaving correctly. For example, boats will be more readily identifiable if they have numbers on them, and I think we all agree with that provision, because it will enable the irresponsible persons to be identified and it will only benefit responsible persons.

Mr. Goldsworthy: It's going to cost them money, though.

Mr. PAYNE: The honourable member may think that. The fee has not been stated yet, but the Victorian legislation provides registration fees for different classes of boat, and I understand that the fees there are about \$5. That fee does not seem to prevent people from registering or buying boats in Victoria, which is under another type of Government, so one would expect that the same position would apply in South Australia. Surely legislation must be good when it will operate for the benefit of people who will abide by the law and have an effect on those who do not abide by it.

Mr. Goldsworthy: And the number on the boat will have that effect?

Mr. PAYNE: I am suggesting that the fact that a boat can be identified much more easily than has been the case will have a salutary effect. Recently I wished that a boat had been identifiable. A few weeks ago I was in Wallaroo, and I also visited Port Broughton. On that occasion I saw one of the worst cases of boat behaviour that I had ever seen. I speak with a background on this matter, having spent several years in the Royal Australian Navy at a time when, in the exigencies of war, many things that were done regarding the behaviour of boats could be excused.

On the occasion to which I have referred I saw two young people (and I assume that now they will have to obtain a permit, as distinct from a licence, to drive a boat) operating an aluminium craft with a fairly powerful outboard motor at the rear. Their sole joy, on what was a beautiful sunny day for outdoor activities, was running down harmless shags that were trying to alight on the water. These people used the power of the boat to run over the shags until the birds were confused, and I think that one shag drowned. That was shocking behaviour, but there was no way of doing anything by way of identification, because the boat did not have any marks on it.

Mr. Hall: How would the Bill deal with that?

Mr. PAYNE: I suggest that at least a boat will be able to be identified in future. All I can say of that boat is that it was a yellow aluminium craft, with an outboard motor, and I think that many boats in the State would fit that description. If the boat had had a registration number, the matter could have been taken up.

Mr. Hall: Are shags protected?

Mr. PAYNE: I understand that the member who is interjecting has not spoken in the debate, and he will have an opportunity to do so.

Mr. Hall: Answer the question. It's a simple one.

Mr. PAYNE: I have the same time for my speech as the honourable member will have, now that he is no longer Leader of the Opposition, and I ask him to allow me to use that time in my way.

Mr. Millhouse: That means you don't know the answer.
The DEPUTY SPEAKER: Order! The honourable member for Mitchell.

Mr. PAYNE: The Minister, in his second reading explanation, stated that he had stayed his hand for a long time before introducing the Bill, because he was hoping for uniformity throughout Australia on this matter, and probably we would all support that. It may be interesting to point out what stage attempts to reach uniformity have reached.

I have a report, dated October, 1973, prepared by the Association of Australian Port and Marine Authorities, and a table in that report is headed, "Control of pleasure craft and adventurers: the views of State marine and boating authorities." That table shows that at present three States favour registration or already have legislation for it, either in Statute law or by regulation. Those States are Victoria, Queensland and South Australia (and we have introduced the Bill). There is less unanimity regarding the licensing of operators, or at least there was at the time of preparation of the report. Two States agree fully on licensing and other States want more information, or are still considering the matter, or do not agree with it (as in Victoria).

The views of all States regarding minimum safety equipment are listed. New South Wales, Victoria and, surprisingly, Queensland agree and support the recommendation fully. Naturally, South Australia also agrees. In Western Australia the agreement is in principle at least, so there is a reasonable amount of unanimity regarding small craft.

We have complete unanimity regarding the ambit of control and safety legislation to cover all vessels not covered by existing law concerning small craft. All States either agree in principle about that or already have legislation in operation. Another matter dealt with in the report is the management of boats, and many parts of our Bill refer to that. Clause 25 (1) (a) refers to a person who operates a boat recklessly or without due care. The table in the report deals with careless management and whether an offence of this kind should be created in legislation. New South Wales agrees in principle, Victoria agrees that the proposal has merit but sees possible problems in enforcement and wishes further to canvass the idea, Queensland does not agree, while South Australia and Western Australia both agree. There is a fair degree of unanimity, but I do not think it would be reasonable to say it is greater than that.

Another category was canvassed in what I assume was a humorous manner by the member for Glenelg. That category is listed as the power of responsible authority to give directions to an operator, and the member for Glenelg referred to a police officer who might be exercising authority conferred on him by the provisions of this legislation in giving instructions that a certain craft should not be allowed to proceed because it was overloaded or in some other way likely to be unseaworthy or dangerous. The member for Glenelg seemed to find this humorous.

Mr. Mathwin: You were not listening.

Mr. PAYNE: I was listening closely.

Mr. Mathwin: You are on the wrong clause.

Mr. PAYNE: The honourable member said that the police officer would not know the blunt end from the sharp end. I have no difficulty in detecting the blunt end of the member for Glenelg: it is on top of his shoulders. If one thinks about his remarks, one realizes that this is a case of absolute irresponsibility. I would rather see a police officer err on the side of caution, preventing a boat from going out and thus saving a life. I can assure the

honourable member that the position of a police officer under this legislation does not worry me. Those officers with whom I have had contact are responsible people and if there was any doubt in their minds I am certain they would act responsibly and decide carefully what should be done. The member for Glenelg should have thought about his remarks before making them. I have sought to show the House, in quoting from the table, that the Minister, in staying his hand, waited as long as he dared in this vital area of boating control and safety. In his second reading explanation he said that he had held off because he was hoping for uniformity. I have shown that in October, 1973, what he had hoped for had not been achieved, but the report mentioned that further discussions were to take place on these matters. Clearly, the Minister had to do something and could not hold off any longer. With the support of the Government, he has produced good legislation. However, that does not mean that it is perfect, nor did I hear the Minister suggest that in his explanation.

Mr. Venning: That's what you're saying, though.

Mr. PAYNE: I am always amazed at the amount of support I seem to get from members opposite when I am on my feet. I find four or five of them trying to give me ideas by interjecting. Let me assure them that I need no help from them. I have plenty of ideas of my own.

The DEPUTY SPEAKER: Order! Interjections are out of order.

Mr. PAYNE: If I would not be out of order, I should be only too pleased to dispose of them if they would do me the courtesy of interjecting one at a time, as I am unable to sort them out in the general hubbub and background noise that goes on among members opposite. Whenever they are under pressure or under fire and cannot handle the situation, they interject in an effort to drown out the ideas, coming from any speaker, that might have some merit. An outsider could come into the House at any time when they are interjecting and say, "That man is trying to say something reasonable", because all that Opposition members can do when they are under fire or under pressure is drown out Government speakers. I am not even attempting to provoke interjections. I rose to my feet to be reasonable and to show that we have before us legislation for the benefit of the people of the State. Members opposite have agreed that this is so, yet when I say it they suddenly find something wrong with it. It amazes me.

Dr. Tonkin: Are you a pot or a kettle?

Mr. PAYNE: I am not at all perturbed about a little opposition; I am quite confident that I can handle it. On occasions I have been known, quite wrongly under Standing Orders, to interject. When members are discussing a measure such as this, a measure which, even on first examination, can be seen to have considerable merit and to be vital to the safety of the people of this State, a little more responsibility should be shown in the type of interjection thrown in. In reply to the member for Bragg, I suppose I would have to say I am a casserole dish; I am neither a kettle nor a pot.

The Bill has some important features that may have been overlooked by Opposition speakers, who, in the main, have tried to be reasonably responsible in their approach to this measure. To my mind, one or two important things have been overlooked. First, the control will now be under one Act, administered by one Minister. Surely this should result in some improvement. Instead of the various requirements of the legislation appearing in three or four

separate Acts and under the jurisdiction of several Ministers, they will be consolidated and placed under the control of one Minister. This should lead to better administration.

Another aspect that appeals to me is the clear setting out of the power of the Minister to set aside areas for specific aquatic pursuits. Problems are increasing with greater attendances at beaches and greater diversification of leisure activities, with people wanting to enjoy their time at the beach or on the river. More people are using surf equipment and more are swimming nowadays. In future, more problems will arise. One or two near misses have occurred in South Australia, with open animosity about who should have done what and where. The legislation clearly covers such cases. The licensing requirements seem sensible and reasonable, drawing a parallel with motor vehicle legislation and taking the age of 16 years, yet not being rigid, as a 14-year-old who has the necessary ability or is sensible is not excluded; permit driving is allowed. This is a reasonable provision for which the Minister should be commended. It allows for family-type boating activities, as mentioned by the member for Murray. The last matters to which I have referred appeal to me as being of great importance.

The member for Murray made his points calmly and reasonably. Although I did not agree with everything he said, I was willing to listen and I did not interject. He referred to practical testing before a licence was issued. I point out to him that clause 17 (1) provides that an applicant shall pass to the satisfaction of the Director such oral, written, or practical examinations as may be required. Therefore, although the honourable member may have wanted to make sure that practical tests are given, that possibility already exists in the legislation. The member for Bragg tried to make play about the fact that, under the legislation, a boat owner who is involved in a collision or casualty at sea shall be required to give certain information. He spoke about the word "shall" as though it was something new in legislation of this type. I point out that the wording of section 16 (2) of the Victorian Motor Boating Act of 1961 is not dissimilar, for it provides:

In addition to complying with the provisions of the last preceding subsection the operator of any boat involved in any collision, accident, or other casualty on any Victorian waters resulting in the death of or injury to any person shall as soon as possible report full particulars of the circumstances . . .

Apparently the word "shall" in provisions of this type is at least 13 years old, and it has seemed satisfactory to the Victorian Government, which is of a different political complexion from this Government. Therefore, there does not seem to be much in what the member for Bragg has said. As most members know, this is just a choice of word to ensure that the intent of the law is clear.

The member for Glenelg referred to what would be in the regulations under this legislation. I will not bore honourable members by quoting again from the Victorian Act, but wording similar to that in our Bill is used in sections 21 and 22 of the Victorian legislation. In that Act, the equipment that is to be carried on a boat is not laid down: the provision relates to equipment "as prescribed". That is a term of the type we are used to. Apparently, as an Opposition member, the member for Glenelg felt he had to say something, and perhaps he thought he could make a noise about that matter. Although he might have made a noise, what he said was not very sensible.

I am convinced that this legislation is necessary. As far as I can see, the draft of this Bill provides for all the contingencies that I can foresee in this area. In comparing our legislation with the Victorian legislation, I have found many parallels. Although this Bill goes further in its licensing requirements, it is the responsibility of the Government of a State to decide what is necessary in this respect. This Government has made its decision on that matter. For the reasons I have given, I have much pleasure in supporting this Bill.

Mr. HALL (Goyder): This Bill is typical of the all-embracing restrictive measures brought in by this Socialist Government.

Members interjecting:

Mr. HALL: Members opposite laugh, but they have given no substantive evidence to support the Bill's being as restrictive as it is. There has been only emotion, and no evidence or statistics have been produced in support of this legislation. Considering the importance of the Bill and the dire restrictions it imposes on people's livelihood or recreation, I believe it is one of the most poorly supported measures I have seen introduced. No evidence has been given to support it. The member for Mitchell made an emotional speech in which he spoke about harmless shags being chased by a yellow aluminium boat with a large outboard motor on the back.

Mr. Rodda: Do you think he'll make the front bench?

Mr. HALL: I do not know, but that sort of argument does not make much sense. This Bill is reserved for Her Majesty's assent; it is not being sent to the Governor for his assent. Clause 2 (3) provides:

This Act shall not come into operation until Her Majesty's pleasure thereon has been publicly signified in this State.

I wonder why this is. Why is this Bill different in this respect from other Bills? Is it that it is so restrictive of personal freedoms, venturing for the first time into people's leisure to restrict and inhibit them? Is there some legal reason? There must be a reason why this Bill must go to the Palace to receive assent. Frankly, if it is to be as restrictive as it is at present, I hope it gets lost on the way. I wonder whether the Government has opened its mouth rather more widely than it usually does, or as the Premier usually does and as he did on the *This Day Tonight* programme this evening when he got angry with the interviewer. Clause 7 (2) provides:

A proclamation may be made in respect of any waters notwithstanding that the whole or any part of the waters subject to the proclamation lie more than three nautical miles beyond the boundaries of the State.

Who is to say that the Minister's word will prevail in that regard? We can imagine what court cases there may be in future to decide whether the Minister will have jurisdiction out to goodness knows where to restrict people and their freedom, to chase them and hound them on the high seas.

The Hon. J. D. Corcoran: That's good stuff for the Senate campaign!

Mr. HALL: The few remaining Ministers on the front bench are holding the fort while the Premier licks his wounds after this evening's disgraceful display on television.

The DEPUTY SPEAKER: Order! I draw the honourable member's attention to the fact that we are debating the Boating Bill. Any reference to what was on television is out of order. I ask the honourable member to confine his remarks to the Bill.

Mr. HALL: I appreciate that. I was remarking on the wide ramifications of the Bill and on the claim the Minister makes about the width of his jurisdiction on the high seas.

The more Ministers opposite talk about the Senate campaign, the happier I will be. This Bill starts off with the assumption that everyone who owns a power boat in South Australia, even though it is run by a three horse-power motor, is crook and that these people must have some evil intent in pursuing their recreation, because all boats will have to be numbered before they can be used for recreation. Registration must be renewed after 18 months in the first instance, and thereafter every year. People will have to get a licence to take out a power boat whether it is a boat of 8ft. (2.4 m) with a two horse-power motor on the back or a big fibre-glass speciality with a 110 horse-power motor. We heard the great emotional argument from the member for Mitchell that we must have licensing to stop people in aluminium boats from chasing down shags that are too slow to get out of the way. Surely the Minister can expect better than that from one of the back-benchers. One has only to read the Government's day-by-day announcements to see how far it is encroaching on personal freedoms, and it does that in the name of personal freedom; that is the devilish part of it.

The Hon. Hugh Hudson: Would you move for legislation to remove motor vehicle registration?

Mr. HALL: It is amazing how the Minister will try to divert an argument. I pay him a compliment: he is clever at this sort of thing.

The DEPUTY SPEAKER: Order! Interjections are out of order. I ask the honourable member for Goyder to confine his remarks to the Bill under discussion and to ignore interjections from Government members or from the side on which he is a member.

Mr. Millhouse: But the Minister was provoking him.

Mr. HALL: The Minister's interjections are not worth taking notice of. Registration should not be required of the innocent owner of a slow boat used for recreation. There is not the slightest statistical reason for this, so where is the Government's support for the legislation? Let the next speaker tell us what no-one has told us yet.

Mr. Keneally: I take it that you're opposed to the legislation?

Mr. HALL: That is the kind of inane remark we get from an honourable member who will not get up and say whether he supports the Bill.

Mr. Millhouse: Is the Minister going to reply to the Bill?

Members interjecting:

The DEPUTY SPEAKER: Order! If the honourable member for Goyder will not address the Chair, I will call on the next speaker.

Mr. HALL: I was waiting for interjections to cease and I was hoping for your assistance, Sir, in helping to make them cease. I hope that the Minister will take note of the Liberal and Country League amendments that have been placed on file. It is one of the rare occasions during the session on which I support what I have seen of most of its amendments. However, one must assume that, on occasions, but not often, the L.C.L. would be right. The deficiencies in the Bill were so evident and the failures so elementary that even the L.C.L. could see them. In this regard, I look forward to supporting some of the L.C.L. amendments on file.

The SPEAKER: Order! No amendments are before the House.

Mr. HALL: No, but some have been placed on file by the messengers.

The Hon. Hugh Hudson: You're out of order in referring to them.

Mr. HALL: I will not refer to them again. The registration requirement should be for a much longer period than the Bill provides. I compare this Bill to the legislation dealing with the registration of firearms. I do not know how long the registration of a firearm lasts, but it is a long time; in fact, I believe it is indefinite. However, there is an obligation on the licence holder to notify the registrar of any change of address and ownership. I see no reason why there should not be a similar reasoning in relation to registration of boats. In fact, I believe that no small boat capable of a slow speed should need to be registered. A person could own an experimental craft. Amateur boats are used along the foreshores, and anyone who uses the beaches knows this.

Mr. Keneally: Sometimes slow craft can get in the way of faster boats.

Mr. HALL: If the honourable member wants them removed, that is his business, but my sympathy is, and always has been, with the small man, not with the person who can override those who possess fewer worldly goods. People who cannot afford large craft should be permitted to use small craft for pleasure and should not be driven from the beach by the high-powered boats the honourable member seems to favour. I do not know who was responsible for the drafting of the Bill, although I take it that the Minister had the largest hand in it and, of course, he takes responsibility for it, but he has failed to recognize the requirements relating to the registration of firearms. Firearms are dangerous and are registered according to law; a similar procedure should apply to boats, whereby a licence number is issued and a register kept.

The administration of the Act would be less costly if the time factor was, say, five or 10 years, indefinite or dependent on a change of ownership or the condition of the craft. Regarding licences, the procedure should be much the same as that for registration. Obviously, the object must be to have safety equipment included in craft that venture on to the seas or inland waters of significance, and a person must demonstrate his ability to drive a high-powered craft. Also, a method of detection must be devised in cases where offences are committed against innocent persons.

All this could be accomplished without the restrictive nature of the Bill. We could require the carriage of safety equipment and flares and policing by means of simple legislation. The Bill covers aspects of policing by the Police Force, but that does not require a suffocating piece of legislation which inhibits people: all it requires are certain standards to be policed. A person's ability to drive could be covered by the issue of a licence for an indefinite period, and the method of detection should apply to high-powered boats capable of avoiding surveillance after they have caused damage.

Evidence to support the Bill has simply not been presented by the Government, which again has acted unilaterally and without proper consultation with other State Governments. That is not good for a State Government. The continual action by this Government ahead of or often behind action by other State Governments is not good for the continuation of State Governments. The very least that should be done is that members should support the foreshadowed substantive amendments. I look forward to voting for the second reading and for some of the amendments to be moved, but I reserve my final decision on the Bill until the amendments have been moved in Committee.

Mr. BECKER (Hanson): I support the second reading of the Bill, which takes a step in the right direction in

providing certain measures covering water safety. Although much research has been done in this area over many years, no action has been taken. One can imagine the difficulties the Minister experienced in having this legislation drafted to cover all aspects of boating. A boat is defined as meaning any vessel that is used or capable of being used as a means of transportation on water. It therefore seems to cover every type of boat that has ever been invented, be it a canoe, paddle boat, a yacht, a wind-powered boat or a motor boat. The Government is really expecting a little too much when it asks the House to accept legislation, the really important issues relating to which are left to regulation.

Although the Opposition agrees with the principle of the Bill, it considers that before approving it *in toto*, it would be wise if it knew what was to be covered by the regulations. On the western boundary of my district are many water ski-ing clubs, sailing clubs and boat ramps, and I can foresee the difficulties that will be experienced in declaring certain waters and having the regulations covering certain areas. For instance, the upper reaches of the Patawalonga generally comprise calm waters. However, at the outlet power boats are launched on its northern side, and on its southern side is a sailing club. At times, yachts and power boats all go to sea together. The course is set for the sailing clubs, and power boats tear right down the middle of it. As a result, difficulties will ensue, and problems will be experienced in policing the legislation.

Most of our boat ramps can be operated 24 hours a day. I cannot therefore see how we can possibly provide sufficient personnel and the necessary patrol boats and detection equipment in order to police the legislation. There is no limit regarding the time at which power boats can go out to sea. Indeed, some of the best fishing is done on the change of the tide, which could occur in the middle of the evening. One runs into real problems regarding wind-powered boats. Clause 37 gives the Minister a discretion to allow certain dispensations. I should like to see included in the regulations a provision that certain sailing and boating clubs shall be recognized. All sailing clubs in the metropolitan area (and this would probably apply throughout the State) are linked with the South Australian Yacht Racing Association, which has strict rules and regulations. Each sailing club conducts its regattas under strict rules. No wind-powered boat in an organized sailing club is permitted to go to sea unless its occupants are wearing life jackets; no-one would argue against that. The Glenelg Sailing Club has four rescue boats; Henley Beach has three; and Holdfast Bay has two. These clubs have already set standards in relation to safety regulations and controls. However, often "Ocker the idiot" will set out with a small boat containing three or four or five people and with only 3in. (76 mm) of freeboard, and go to the middle of the gulf. In this respect, we must consider the attitude that we are going to adopt.

The sailing clubs, the Coastguard and the Sea Rescue Squadron have until now been doing this work with only little recognition. I therefore appeal for the recognition of these organizations. Strict discipline and control are enforced in the sailing clubs, and all clubs train their junior members through the holdfast training section. At Glenelg, the young people are trained on the Patawalonga, and they are forced to experience all conditions: they must tip over their boat and right it again, and they must also undergo a basic course in seamanship. What a wonderful area this is in which to commence training

youngsters of about seven years of age. They then graduate into open-sea exercises and bigger vessels.

Many people were lucky enough to witness one of the best world-class sailing series, the fireball championships, that were conducted at Glenelg recently; 114 started in the international series in the first week, and in the second week 30 boats from 12 countries competed for the World Cup. On this occasion the sailing clubs provided no less than nine rescue boats, which were on hand in case of emergency. The sailing clubs are already safety conscious and have conducted education programmes. I appeal to the Minister to recognize this; perhaps, too, the Minister of Recreation and Sport could recommend the allocation of money to these organizations to enable them to continue this programme.

There is no way in the world in which I can be convinced that the annual registration fee will be pegged at a certain figure (I believe it is intended to be \$5 annually). The administration of this legislation could be extremely expensive, especially when one considers the vast Murray River and the many miles of coastline and rivers in this State on which boats can be sailed. Whether policing will involve the Police Department or the Marine and Harbors Department, at least 20 patrol boats will be needed to do a fair and reasonable job in this respect. Indeed, I do not think even that number would be sufficient. One must also consider the voluntary organizations such as the Coastguard. For some time, its members have been providing boats for the sailing clubs. They have also conducted seamanship courses, which have cost about \$8 or \$9. This is a unique education programme, and I hope that the high degree of efficiency necessary for one to pass the basic seamanship course will be a sufficient basis for one to obtain a licence. Of course, we rely on volunteers to conduct the course. The coastguard provides boats that patrol the coast. The South Australian Sea Rescue Squadron is the only sea rescue organization, apart from the coastguard and water police, that can put to sea immediately to undertake wide-scale search operations.

This Bill is necessary to control the activities of the few irresponsible people who use our waters. I believe that 95 per cent of the people using our waters do the right thing, but the other 5 per cent have created the need for this Bill and, in doing that, they have created additional costs for boat owners. Many boat owners already have what they consider is adequate safety equipment. Who is to say what is adequate? If I went out in a power boat equipped with a tool kit and the engine broke down, I would not know which tool to use or what to look for. A fire extinguisher, flares and mirrors are necessary, but we must have the penalties for their misuse. Because the Sea Rescue Squadron is sometimes called out as a result of a false alarm, I believe that there should be heavy penalties for the misuse of flares. Often, when "flares" are spotted they turn out to be the spotlights of fishermen who are trying to lure fish.

Once this Bill is passed and the regulations are framed, there must be an education programme. When a person is granted registration and a licence, he should receive an explanatory pamphlet. Indeed, each member of the public should be aware of what is required. It is surprising that the legislation should control even the speed of surfboards; I do not think it is possible to do so effectively. If a person is surfing on the South Coast and a good wave comes up, what does he do? Does he let the big wave go, because he might break the speed limit? Of course, not!

I support the provision providing for the Minister to have power to zone beaches. The Surfboard Riders Association and the Surf Life Saving Association of Australia are keen to come to a mutual agreement; once the surf lifesavers have put up their flags on the beaches no person will be allowed to ride a surfboard in the defined area. The Surfboard Riders Association is keen to be recognized; it is administered by responsible young people who are only too willing to do the right thing. Of course, it is desirable that surfboard riders should join the association, which has its own disciplinary rules. I believe that the surfboard riders could co-operate with the Surf Life Saving Association to prevent accidents. We recently had an instance of people being hurt by surfboards. Of course, it is not always the fault of the surfboard riders: sometimes it is the fault of people who will not swim between the flags on the beaches.

Over the years the boating community and the general public have been saved large sums because these organizations have been willing to introduce controls. We have several power boat clubs which in their own way have tried to control their sport and educate people in the care and maintenance of boats. However, this sweeping legislation will affect people who enjoy boating. A boat is not a cheap item. It has often been classed as probably the last line of luxury for the average working chap. In my district it is not unusual for three or four people to club together and buy a small fishing boat. Some retired pensioners may own a 12ft. (3.6 m) or 14ft. (4.2 m) fishing boat, but there is no provision in the Bill for concessions for pensioners. Because we should not make the cost of boating prohibitive for retired people, the Government should consider giving some concession to them.

I have had to buy two life jackets for my own children so that they can go sailing, and I have found it difficult to decide what type of jacket to buy. One type is suitable for a power boat and another type is suitable for a sailing boat. Standards have been set for life jackets, but I am not convinced that the authorities have come up with the best possible life jacket for our coastal waters. If fire extinguishers are to be insisted on for power boats, we must have a fire extinguisher available that can be serviced at reasonable cost. Fire extinguishers are not cheap, and then we have such matters as anchors and oars. Much as my principles and beliefs are opposed to price control in all areas, I do not want the boating community to be exploited, but I think they will be. When Governments pass legislation that insists on certain things being done, there is always a chance that a section of the community will be exploited, and I do not want a sharp increase in the price of safety equipment. If necessary, we could bring it under price control, or ask the Commonwealth Government to reduce sales tax in this area. In fact, we should do anything that contributes to saving life.

The people who will be mainly affected by the legislation will be those who for many years have enjoyed using our waters. I think there have been 106 boating fatalities in South Australia since records have been kept. That is not a bad record, but it is 106 too many. I should like to think that this legislation would prevent accidents and save lives but I would not be convinced of that until we had an educational programme for all sections of the community, regardless of whether they would be using a boat now or in future.

I do not know whether skin divers will be covered by the regulations. Irrespective of whether a skin diver goes out for pleasure, fishing, or underwater photography, he

should be required to tow a white and blue swallow-tail flag 12in. (305 mm) by 10in. (254 mm). An officer of the Water Police, who has had experience in these matters, has suggested that this be required when people are diving in boating areas.

Mr. Millhouse: Where's this dealt with in the Bill?

Mr. BECKER: I cannot see it in the Bill, but it may be in the regulations. If it is not in the regulations, I suggest that it should be there. If the member for Mitcham is not concerned about safety, let him say so.

Mr. Millhouse: That's stupid.

Mr. BECKER: Well, he should shut up. I said that it should be a requirement to tow the flag in boating areas. The honourable member ought to listen.

Mr. Millhouse: Why don't you introduce a Bill on it?

Mr. BECKER: Another suggestion made by a professional diver was that, when diving from boats, a larger flag 36in. (.9 m) by 30in. (.76 m) should be flown so that boats will not run over the diver. Many accidents have occurred in this area and, if the matter has not been considered, I hope that it will be.

The Bill defines boating areas, and divers can enter those areas. Therefore, if we are considering water safety in general, we ought to act on this matter. I am pleased that provision has been made regarding the control of litter. When the s.s. *Kawatta* and the m.v. *Minnipa* ran on the Gulf trip, a person could follow the course of the ships by going to the gulf and seeing the empty bottles. This type of thing has been occurring, and much litter on beaches has been thrown up by people using the water.

In relation to litter, we should consider litter not only on land but also wherever boats are used. However, I do not remember a campaign being conducted in relation to litter at sea and people could take out to sea all the rubbish they wanted to take. It is time we acted on this matter and I ask the Minister to ensure that, when the legislation is passed, the people will be warned in clear terms that they are no longer permitted to litter at sea.

I can understand the difficulties that have been experienced regarding the matters in the Bill. I should have liked the legislation to be uniform throughout Australia, but that is not to be and I appeal to the Minister to continue negotiations with the other Ministers so that we can achieve a uniformity that will allow all people to know what is required when they use the water anywhere around this great continent.

Mr. VENNING (Rocky River): I have not had the opportunity to own a small craft or to enjoy the pleasures that one brings, but I know much more about the 15 000 tons (15 240 t) to 20 000 tons (20 320 t) ships that bring to this country what the people require and take away the commodities that give Australia a balance of payment that allows the rank and file to purchase boats of the type dealt with in this legislation. I was asked, in an undertone interjection by the Attorney-General, how many boats were operating on the Rocky River: be it known that the member representing the Rocky River has metaphorically successfully sailed down the rapids of that river and at the same time has preserved the principles involved in this legislation.

The SPEAKER: Order! Is the honourable member reading his speech?

Mr. VENNING: I support the legislation.

The SPEAKER: Is the honourable member reading the speech?

Mr. VENNING: Well, you are the Speaker. I am not reading it.

The SPEAKER: Standing Orders prevent an honourable member from reading his speech.

Mr. VENNING: I thought you were the Speaker, Mr. Speaker. I support this legislation. My Party has considered it closely in a committee and we have decided that it has sufficient merit to support it. My colleagues have examined those aspects that we consider need amending and they have placed those amendments on file.

The SPEAKER: Order! No amendments are before the House.

Mr. VENNING: That is correct, but they have been placed on file.

The SPEAKER: Order! No amendments are before the House.

Mr. VENNING: Aspects of the Bill need amending. I will not go into great detail about the measure, because several other members have taken their full speaking time to do that. However, I will speak about three aspects. First, for identification purposes I consider there must be licensing of boats from the small craft to the larger ones. It should be necessary to register boats on only one occasion, and not to re-register them as is the case with motor vehicles. For vessels not capable of travelling at over 18 kilometres an hour, the driver should not have to be licensed. This provision would have wide application and would greatly assist many aspects of boating that do not involve any danger. I refer to craft on the river, house-boats, and so on. In Committee the Bill should be amended to remove its obnoxious aspects, and clause 34 should be completely withdrawn or rewritten. It is another part of the Bill that is most obnoxious and in Committee we should consider seriously its withdrawal or its redrafting. I support the Bill and I hope that in Committee the amendments foreshadowed by my colleagues will receive the serious consideration of Government members.

Mr. MILLHOUSE (Mitcham): Before the Minister replies in this debate, if I can catch his attention—

Mr. HALL: There is no Minister there.

Mr. MILLHOUSE: There is no Minister on the front bench. I want to raise a couple of points with him and I hope he will be able to reply. First, may I say that the proposals for this legislation have been about the place for many years; indeed, I can remember that, when he was a Minister, the member for Torrens was messing about with proposals for the registration of boats. We never came to any finality on it because it was a most difficult thing to do. Everyone is willing to concede the necessity for safety, but how to go about it is another thing. I do not blame this Government for spending so long in bringing a Bill into the House. It is a difficult thing. However, I must say that, like my friend the member for Goyder, by and large I support the amendments that are on file; but more of that later.

Let me come to the various points. I have read with attention the second reading explanation and I note that the Minister has expressed a pious hope that, by reserving this Bill for Her Majesty's signification, he will get over any problems that may arise under the British Merchant Shipping Act. I wonder whether he will. I believe there are quite serious constitutional problems concerning this Bill and so far as I know (and I must admit I have not listened to every word uttered by members of the Liberal and Country League—that would be asking too much) this matter has not been raised. Let me put one case to the Minister.

Mr. Goldsworthy: Is it the Army or the Bible tonight?

Mr. MILLHOUSE: Sometimes I think the member for Kavel does not like me. Let me get on with the example I had in mind, after that rude interjection by the honourable member. Under the British Merchant Shipping Act, vessels are required to be registered, and many vessels are registered. Many vessels that sail out of ports in South Australia are registered at other ports; for example, a friend of mine has a vessel registered at Perth. Other boats are registered at Melbourne or Sydney, wherever there is a Registry under the Act. What will happen regarding these boats? Do they come within the definition of "boats"? Clause 10 provides:

(1) This Part shall not apply to—

(a) any motor boat that is for the time being required to be registered, and to bear an identification mark, under the provisions of any other Act or law;

I do not know whether there is a requirement in those cases, but I ask the Minister what view he takes of a boat registered in a port outside South Australia. Will it come under the provisions of this legislation? That is only one of the problems under the British Merchant Shipping Act, and whether or not we get over that by registration and Her Majesty's signification of assent, I do not know. Apparently, the Minister thinks we will, but he did not go deeply into it in his explanation, so I doubt whether he is as confident as he pretends. The other matter I raise concerns clause 7 (2), which provides:

A proclamation may be made in respect of any waters notwithstanding that the whole or any part of the waters subject to the proclamation lie more than three nautical miles beyond the boundaries of the State.

This refers, of course, to the proclamation of the waters to which the Bill will apply. I would have thought that, whatever our jurisdiction might be, it did not extend beyond the three-mile limit. I am thinking now of the States. The Commonwealth Government claims to have a wider jurisdiction, but I do not believe we have the constitutional power to legislate outside the three-mile limit. Of course, if the Commonwealth Government gets its way it will not be very long before the whole of this Act is surplusage, because the Commonwealth Government will have taken it over.

Whether or not the Labor Party agrees with that has not been stated in this debate but that, too, is a wide area of problem and confusion. I should like the Minister to explain why he has had inserted in the Bill clause 7 (2) with its attempt to legislate outside the territorial limits, as they have always been understood, of the States. I do not believe we can do it, and it may well throw doubt on the validity of the whole of the legislation, in whatever form it may go through eventually, if it contains this point.

I am not concerned to go over the ground covered again and again and again tonight in this debate on safety and the pros and cons of the Bill, but I think these constitutional matters are fundamental and go to the root of the legislation. I doubt that, in the form in which the Bill has been introduced, it is worth going on with it at all.

The Hon. J. D. CORCORAN (Minister of Marine): Very briefly, because I consider this to be a Committee Bill, I simply inform the House, and the honourable member can raise the points he has mentioned under the appropriate clause—

Mr. Millhouse: Why can't you deal with it now?

The Hon. J. D. CORCORAN: Because I do not feel disposed to. I do not want to. I will not be baited or be drawn out by the member for Mitcham.

Mr. Millhouse: Because you can't.

The Hon. J. D. CORCORAN: I will choose my own time. Besides the member for Mitcham, other members have spoken in this debate, and I appreciate all that has been said. I want to say simply that I consider this to be a Committee Bill, and specific inquiries can be dealt with in Committee. I have said constantly and consistently that there are three reasons for the registration of craft. First, we need to have a proper system of identification of craft, as provided by registration. Secondly, we believe (and the committee recommended this to the Government in 1967) that the mere fact that a person can be identified because of registration will be a deterrent. Thirdly, there is the matter of the fee. Some comment has been made about whether it will be \$2, \$5, or some other sum. In fact, the reference to \$2 was with regard to the administrative side of registration, whereas the \$5 referred to the cost of policing the provisions of the legislation.

One of the recommendations made by the committee was that, if we were to have registration of power craft, it would be necessary to police effectively the regulations made under the legislation. I agree with that, but I do not think it would be reasonable or fair to spread the cost of this policing across the board, and the Government shares my view. Therefore, the reason for the registration fee is that it will go towards the cost of administering and policing the requirements of the legislation. We cannot raise a sufficient sum for this unless we have an annual registration fee. I say now that, if that feature of the Bill fails, the Bill will not be acceptable to the Government. There must be an annual registration fee.

Mr. Chapman: You can't police the few fishermen you have now, let alone all the boats in the State.

The Hon. J. D. CORCORAN: That is all the more reason why we should see to it that the provisions of this legislation are policed effectively, and that is what we intend to do. That is why the Bill provides for an annual registration fee, but a once-for-all licence fee. The Government does not consider it necessary to have an annual licence fee, because there is no need to police that aspect, and the work involved can be paid for out of money raised from registration fees. Although licences will be checked, there is no need for an annual licence fee. Licences will be issued on a once-for-all basis. In certain circumstances, they may be revoked, or people can be tested from time to time, if that is considered necessary.

The third feature of the Bill is its requirement regarding safety equipment. Generally, members who have spoken have said that most people who own vessels that go to sea are safety conscious, already having most of the equipment that will be required under this legislation. If that is so, there will be little added cost as a result of these provisions.

The Government has not introduced this Bill, as the member for Goyder has suggested, for the sake of control. We are aware that, where no controls have existed in the past, people do not readily accept controls. However, members of this House, especially when a loss of life is involved in an incident on the water, have requested the Government to take legislative action. Not only members of this House but the media and the public generally have also requested the Government to take action.

We have had for a long time a committee report on this matter. I have explained to members several times why the Government has delayed introducing this legislation. I am not willing to guess how long it would take to achieve uniformity among the States on this matter. Members

who have dealt with six State Ministers and a Commonwealth Minister know just how difficult it is to get uniformity in all respects; it is almost impossible. Although at the beginning I thought we could achieve uniformity in this area, it became apparent that it was a long way off if, in fact, we could ever achieve it. As a result of our experience, we decided to go it alone and introduce this legislation. I sincerely believe (and members on both sides have recognized this) that unfortunately there is a need for some form of control.

Mr. Arnold: We readily accept that point.

The Hon. J. D. CORCORAN: The debate seems to centre around the way we go about achieving this. I have had the report of a committee that was set up specifically to inquire into this matter, and I have had the advice of officers who are involved in this type of activity or who know something about it. We have had discussions with people involved in the industry. As the legislation before the House is the result of all these consultations, I sincerely believe it will achieve what we want to achieve: an effective means of registration and licensing and of providing for safety equipment to be carried on boats.

Dr. Eastick: Has the industry had a chance to look at the legislation?

The Hon. J. D. CORCORAN: On two occasions. When I refer to the industry, I am referring to the people involved in this sport, in the sale of pleasure craft, and so on.

Mr. Goldsworthy: Did you give them a copy of the Bill?

The Hon. J. D. CORCORAN: Yes, about two years ago, when the matter was first discussed. We did not proceed with it then, and there have been slight alterations to the draft proposals. Discussions were held with representatives of the industry for about a fortnight before the Bill was introduced on this occasion.

Dr. Eastick: Is that enough time?

The Hon. J. D. CORCORAN: I do not suggest that these people had all the time they would have liked. However, with great respect, I suggest that we should not allow people to take legislation away; the people who have to study legislation properly and in depth are the members of this House. At the same time, I appreciated that, because of the nature of this Bill, it was only fair that some indication of the proposals should be given to those people affected by them.

Dr. Tonkin: Members of the committee who looked into it did not agree with all parts of the legislation.

The Hon. J. D. CORCORAN: Committees are not always unanimous, but there is such a thing as a majority decision. Members of the committee represented various interests, too. It stands to reason that, because of the various interests, unanimous decisions are not always possible, but largely the decisions represented the majority view of the committee. If my memory is correct, there was no minority report.

Dr. Tonkin: I understand that the Chairman of one committee refused to accept a minority report.

The Hon. J. D. CORCORAN: The honourable member may have been told that by the Chairman of that committee; I am not aware of that. Be that as it may, I am giving members the background of the events that led up to the introduction of this Bill. As I have said, it is a Committee Bill. In Committee we can argue the pros and cons of what the Government believes should be done, as opposed to what the Opposition, as indicated by its amendments on file, believes should be done. I hope we can proceed with that immediately.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Interpretation."

Mr. MATHWIN: In his second reading explanation, the Minister said, in effect, that the definition of "boat" was confined to boats not used in the course of commercial undertakings. Does the definition of "boat" include a sailing vessel of any size, such as a Holdfast trainer, dinghy or catamaran?

The Hon. J. D. CORCORAN (Minister of Marine): Yes. The definition is necessary so that the prescribed safety equipment must be carried in every type of vessel. If we were concerned in laying down the scale of safety equipment to be carried in power craft, the definition would have been different. Any boat of any description will be required to carry the prescribed safety equipment, according to its size and length. The Government believes that all vessels capable of going to sea or travelling along inland waters should be required to carry the necessary equipment.

Mr. MATHWIN: Will there be different sets of regulations for different sizes of sailing boats? It would be easier to carry equipment in a sharpie than in a Holdfast trainer or a heron, which are only small craft. Will the regulations define each type of craft?

The Hon. J. D. CORCORAN: The regulations will be drawn up and be subject to the scrutiny of Parliament. In addition to the scale of equipment required to be carried, the Bill provides that the Director may use his discretion to exempt any person from the requirements with regard to any type of vessel. In certain circumstances or under certain conditions it would not be practicable for a craft to carry any of the equipment. For instance, regarding yachts in racing events, it might be proper that the only safety equipment to be carried would be the life jacket.

Mr. Mathwin: A person wouldn't want a Very pistol in a boat used on the Murray River.

The Hon. J. D. CORCORAN: No, nor would it serve any useful purpose for a power craft, when racing, to carry cumbersome and unwieldy equipment.

Mr. COUMBE: I am most interested in rowing, which would be exempt. Rowing is carried out on many waters, including the Torrens River, which comes under the Minister of Works. It is also carried out on the Port River, which comes under the Minister of Marine, and the Kings Cup is rowed for on the Murray River. Will regulations be introduced to exempt rowing clubs from having to observe these laws, and what must a rowing club do to obtain an exemption when practising or taking part in a regatta?

The Hon. J. D. CORCORAN: A rational approach will be taken in regard to this matter. An exemption would be granted so that it would be unnecessary for a rowing club to apply to the Director each time it holds an event. As this is new legislation, undoubtedly there will be anomalies. The only way we can get the legislation into shape is by putting it into practice. As long as I am Minister, we shall be as sensible and practicable as possible in administering the legislation.

Mr. BECKER: Will the Minister bear in mind that the Glenelg Lions Club conducts a monthly bath-tub derby.

The Hon. J. D. CORCORAN: I will consider that matter. Clause passed.

Clauses 6 and 7 passed.

Clause 8—"Power to regulate boating and other activity within waters under the control of the Minister."

Mr. COUMBE: The matter of enforcement has been raised. In the past there has been argument about who

would carry out the enforcement activity. Various parts of the Bill provide that a police officer or other authorized person shall be responsible for enforcement. Can the Minister say whether the police will carry out this work, together with Marine and Harbors Department personnel, whether they will require additional patrol boats, and what cost and staff will be involved. These important aspects must be considered in regard to the fee to be charged.

The Hon. J. D. CORCORAN: The honourable member raised the question of the Minister's authority to issue a proclamation in respect of any waters, notwithstanding that the whole or any part of the water lies more than three nautical miles beyond the boundary of the State. As the member for Mitcham pointed out earlier, this is a matter in which there is a grey area at present. However, it would have to be subject to challenge by someone before being proven invalid, and that may occur. The provision is there because many waters come properly under the Minister of Marine, such as inland waters, over which I have jurisdiction, but it would be subject to challenge. It is the Government's intention that the Police Force shall use the powers it possesses, but it will be required to act not as a primary source of inspection but to assist, where possible, in policing the legislation.

At present, the department has three patrol craft (two on the Murray River and one at Port Adelaide) and three or four officers. It is intended that the number of craft shall at least be doubled (we may therefore have six or seven patrol craft) and that the number of full-time inspectors shall be increased from three, possibly to 10. These officers will be based at various points throughout the State where it is considered they can be used most effectively. The initial capital cost will be about \$60 000, as well as salaries and wages, and the annual cost thereafter will be about \$100 000. However, I do not want to be held rigidly to the staff numbers to which I have referred this evening, as they could vary.

It has been suggested that many retired seafaring people would be willing to help with the examination and instruction of persons wishing to obtain licences. Initially, the Government wants to educate rather than prosecute the public, and I intend that this shall happen wherever possible. Although I have not yet discussed the matter with the Director, I hope to obtain a team of people to work in a part-time capacity and who will receive some remuneration to help implement the legislation.

Mr. Becker: What about the coastguard education courses?

The Hon. J. D. CORCORAN: They will be co-ordinated not under direction but by voluntary effort and, indeed, the department will be looking to such organizations to help it. Obviously, the legislation will have to be given much publicity and, if the Bill passes, the Government will have until September or October to set up the machinery, and this will be done under the aegis of the Marine and Harbors Department. Although consideration was given to the Motor Vehicles Department's handling the registration and licensing provisions, the Victorian authorities advised against this, as such a procedure had led to chaos and confusion in Victoria. For that reason, it was decided that the Marine and Harbors Department would have this responsibility. It has been stated this evening that this could lead to empire building and, indeed, a build-up of the bureaucratic machine, but I assure members that I do not consider it will be necessary greatly to increase clerical staff numbers as a result of this legislation, especially because the computer is at our disposal.

The Government is not certain how many vessels will be involved but, based on the Western Australian figures, it is considered that from 25 000 to 30 000 vessels could be affected. One of the problems facing us is accurately assessing the registration fee to be charged because, if 35 000 craft are involved, the Government will be receiving more money than is needed. If that happens, it will certainly be taken into account the following year. Only sufficient money to police the Act will be raised in this way, and the Government has the responsibility of deciding what the registration fee shall be.

Dr. Eastick: Do you mean in the first instance?

The Hon. J. D. CORCORAN: I cannot say what the figure will be initially, because I do not know how many vessels will be paying the fee.

Dr. Eastick: But it is not intended to make money out of the scheme initially?

The Hon. J. D. CORCORAN: No, and I do not think this will happen, as in the first 18 months expenses will certainly exceed the total registration fees collected.

Dr. Eastick: What if there's a deficit?

The Hon. J. D. CORCORAN: The Government will have to carry it and not, as the Leader implies, make it up in the following year. If the Leader reads the Bill, he will see that in this respect we are tied specifically as to what it will cost to set up the administration.

Mr. WARDLE: Do I detect from clause 8 that an attempt could be made in the regulations to zone certain inland waters?

The Hon. J. D. CORCORAN: It is not intended to zone inland waters, so far as I know. The reference to "proclamation" refers more to certain sports. For instance, speed boats may want to use a stretch of the Murray River near Murray Bridge, which could be proclaimed for that purpose. This applies to any sport, and that is the intention of the clause rather than to zone the whole State.

Mr. ARNOLD: I refer to the development of shacks along the Murray River. If the area within, say, a mile or two either side of shack sites was zoned as a fishing area and, in order to get to the ski-ing area, ski boats were restricted to travelling at, say, 18 kilometres an hour, the likelihood of accidents would be increased, because the density of boats will increase the likelihood of hazards.

Mr. RODDA: I refer to the matter of water kites. This sport, which attracts intrepid young people, is practised in the Minister's district and in my district. The sportsmen come an awful buster if something goes wrong. Can the Minister say whether this sport comes within the ambit of the Bill?

The Hon. J. D. CORCORAN: Water ski-ing is subject to regulations under the legislation, and I think a water kite would come into a similar category. At this stage I do not know whether any council by-law or any provision of the Marine Act controls such an activity, but we will certainly consider the matter.

Mr. RUSSACK: The Minister referred to experienced people who were to assist in an education programme. Is it intended that these people will be retained so that they can instruct members of various organizations? The following letter deals with this point:

I, as the Secretary of the Wallaroo and District Trailer Boat Club, have been asked by our members to write to you in regard to the proposed legislation of boating safety. We as a club are in favour of water safety but not the proposed legislation put forward by Mr. Corcoran for all boats to carry the safety equipment as he has suggested. We feel that unless boat owners know how to use and maintain this equipment and know in what weather to put to sea, there will still be lives lost.

Will the Minister make available experienced people who can lecture to organizations such as the organization referred to in that letter?

The Hon. J. D. CORCORAN: We want to use education in every form we can to assist us in getting the legislation into operation. I shall be perfectly happy to look at the honourable member's proposal. Whilst I have not discussed in detail with the Director of Marine and Harbors exactly how it will be done, we will be doing our best to instruct people in the use of safety equipment. Some items of safety equipment would be useless if people did not know how to use them.

Mr. CHAPMAN: On March 6, in reply to a question from me, the Premier said:

There is no way of establishing the position of offshore boundaries as between the States and the Commonwealth . . .

Later in his reply he said:

Neither Commonwealth nor State can know for certain exactly what type of administration is valid in an offshore area.

On the basis of that reply, can the Minister state what waters are under his control, and how he can justify administering those waters?

The Hon. J. D. CORCORAN: As Minister of Marine, I have control over all territorial waters in the State; I have control over harbors, including the Murray River (which is regarded as a harbor) but not all of the Torrens River. As I pointed out earlier, the situation could be challenged. I share the worry about the fishing industry that the honourable member expressed in his question to the Premier.

Mr. COUMBE: The Minister has dealt with the type of equipment, staff and procedures that will be involved. Of course, the Minister and his department will take some time to get all the arrangements organized. It will be equally important, of course, for the boating community to be informed of the requirements, and this will necessitate an education programme. In fairness to the people who will have to pay licence fees, can the Minister state when the legislation will come into operation?

The Hon. J. D. CORCORAN: Because senior departmental officers have been involved for so long in drafting the legislation and examining likely regulations, they have carefully considered the necessary administrative machinery. Therefore, I do not think it will take us as long as the honourable member may think to set the machinery in motion. Probably, it will not be possible to proclaim the Act for at least three to four months, but I will not delay the implementation of necessary administrative procedures to await Her Majesty's assent. I will anticipate approval and get on with the job. That does not mean that I will have to purchase equipment or appoint inspectors. I am speaking of administration procedures about licensing and registration.

Mr. Coumbe: Will you have purchased the equipment?

The Hon. J. D. CORCORAN: Not necessarily. We can have it on tap. I expect that by September this year we will be geared to issue registration and licences. A publicity programme will be needed to inform people of the requirements, and that will be undertaken.

Mr. MATHWIN: Can the Minister give me information about what I see as an overlapping of authority in different departments? The Minister of Marine has control of the foreshore and along the beach, and the Beach Protection Board, under the control of the Minister of Environment and Conservation, applies for 300 metres from high tide and a similar distance inland. The Minister of Local Government also has authority regarding the foreshore and

along the beach area. Now we will have another authority, and I ask who will have complete control.

The Hon. J. D. CORCORAN: For the purposes of this measure, the Minister of Marine will control boating and matters related to it. Under this Bill I will not be concerned with reclamation. The powers that have been vested in the Minister of Local Government on these matters will come under the Minister of Marine. We will not have a series of councils making by-laws.

Mr. MATHWIN: Does the Minister contemplate that the load regarding the granting of licences will become heavy and that perhaps then he would have to consider making a charge on any organization that wished to have a licence for a specific purpose?

The Hon. J. D. CORCORAN: There is no intention of that at this stage. As I have said, the charge would be through the registration and administration and policing costs are taken together. There is no need to make a specific charge.

Clause passed.

Clause 9 passed.

Clause 10—"Application of Part."

Mr. WARDLE: Will the Minister say whether at present any boats are to be exempted under subclause (1) (b)?

The Hon. J. D. CORCORAN: I referred earlier to the speed boats that race around a circuit. They are not the normal powered craft. That sort of vessel would need exemption from parts of the legislation, if not all, not necessarily in regard to registration but regarding safety equipment. The provision allows the Director, by proclamation, to do this. I think that a dinghy attached to a professional fisherman's vessel will be registered with the same number as the fishing vessel registered under the Fisheries Act, and it will be registered free of charge. Proclamation could exempt that type of vessel.

Mr. Coumbe: It has a motor, has it?

The Hon. J. D. CORCORAN: Yes, and it goes from the vessel to the jetty, and that sort of thing. I do not know of any other type and I have not gone into detail. The provision is there in case an anomaly occurs. The power would be used at the discretion of the Minister, or the Governor, on the recommendation of the Minister and the Director. I have not any specific vessel in mind or any vessel engaged in a specific activity.

Mr. Wardle: What about aquacats?

The Hon. J. D. CORCORAN: Possibly they could be exempt, because children under 12 years of age can operate them. Under this provision, we can get that sort of flexibility in the legislation.

Mr. HALL: I should like information about what this registration provision will mean to dinghies that may or may not be used as power boats. Some people own no more than an outboard motor and they will use the dinghy wherever they can. I know people who own an outboard motor, and they will take it with them and set it on the stern of a dinghy.

The Hon. J. D. CORCORAN: A dinghy that they hire from someone?

Mr. HALL: Well, they get it. Many people own a dinghy for which they have no means of propulsion and the outboard motor could be used to make easier a trip to a fishing spot. Throughout the State there are thousands of dinghies, and what I have said occurs frequently. The dinghies last for a long time and they are not designated as power boats when they are bought, but they become so by the attachment of outboard motors.

The Hon. J. D. CORCORAN: It is a powered craft once it has the outboard motor mounted on it. That vessel must be registered. If a person is to use an outboard motor on a dinghy, and if the dinghy is not registered, he would be in trouble.

Mr. Coumbe: Irrespective of horse-power?

The Hon. J. D. CORCORAN: Yes.

Mr. HALL: I cannot understand that it would be illegal to use a boat once in its whole lifetime in this way and be subject to prosecution because it was not registered as a power boat. Can the Minister answer that?

The Hon. J. D. CORCORAN: The honourable member is being ridiculous and he knows it. If the vessel has an outboard motor it must be registered. If it is found with an outboard motor and if it is not registered an offence would have been committed under the Act.

Mr. HALL: How would one register a dinghy that was not a power boat in anticipation that it might, at some infrequent times in the future, become a power boat?

The Hon. J. D. CORCORAN: If one was not prepared to take the trouble to register it one would not put an outboard motor on it.

Mr. ARNOLD: This is an extraordinary situation. A person must register a boat each year and pay a fee in the possibility that someone might come along with an outboard motor to use on the dinghy. The Bill is intended to provide for safety and identification, but we have come to this matter of revenue. Once-only registration would cover this type of boat. We only want to know who owns it.

The Hon. J. D. CORCORAN: If any other situation prevailed, everyone who owned a dinghy and an outboard motor would say he did not want to register it because he only used the outboard on it occasionally. It is a power craft and, under this legislation, it must be registered. I do not intend to make it once-only registration, for the reasons I have mentioned.

Mr. HALL: How does one register as a power boat a dinghy that is not a power boat? It has only oars, yet it might be convenient at some time in the future for the owner to use an outboard. As the member for Chaffey said, this would be an enormous intrusion into the freedoms of the community if we are to have annual renewal of registration on a dinghy in the circumstances I have outlined. What will the registrar say when someone comes along to register a dinghy that has not the slightest vestige of power, in the likelihood that it will have an outboard motor at some time in the future?

The Hon. J. D. CORCORAN: If the owner wishes to register his dinghy without an outboard motor, that is his prerogative; if he uses the outboard motor, and the dinghy is not registered accordingly, he contravenes the provisions of the Bill.

Mr. HALL: This Bill is condemned by the explanation of the Minister and it deserves to be defeated rather than go through in this form. The Minister does not like this and the Government quite evidently does not like criticism of its measures and will do anything to suppress such criticism. One of the greatest conveniences on the South Australian waterways is to be denied people because of the Minister's direction. He is so indefinite about other things, but he is definite on this matter: you must register whether you want to or not. The Bill contains no detail of how to register as a motor boat a propulsionless boat. Unless one has registered one dares not use this facility, even with a 1½ horse-power motor, to go to a favourite fishing spot with a friend. I can only say this Government stands condemned for the most restrictive outlook any Australian Government could have. The Bill should be thrown out

on that basis alone, simply for the heartlessness of the Minister and of the Government in the case of the ordinary citizen. What statistics can the Minister produce to substantiate what he has told us? No-one denies the need for safety equipment, but what figures can the Minister present to justify this great inconvenience to the community? Let the Minister give us a logical basis for his argument.

Mr. CHAPMAN: I have no alternative but to support the remarks of the member for Goyder. The only justification the Government and the Minister have for persisting with this view is that the Government is grossly short of money. This is a revenue earner. Nothing else has been put forward by the Minister to give any other reason for inflicting on the community such legislation as that before us. In nautical terms, no-one has dragged his anchor more than the Minister has tonight. He has put forward the weakest arguments that I have heard from any Minister since I have been in this place. Either he does not understand or he cannot justify his remarks; he cannot uphold a reasonable and proper argument to support the legislation.

Dr. Tonkin: He is waffling.

Mr. CHAPMAN: Waffling is not the word for it. He is overboard, in the sea. He is unable to support the Bill.

Mr. MATHWIN: I ask the Minister to reconsider this matter about which he was so emphatic. It is quite obvious that he believes very few people who own dinghies have an opportunity to use outboard motors, but this happens regularly. When I visited the member for Chaffey some time ago we used this type of thing on the Murray River. Although I did not use one, an outboard motor was supplied to someone else. The Minister of Education will know that there are many dinghies. Would he suggest that they should all be registered in case someone used a dinghy with an outboard motor for a couple of hours? If the Government insists on this clause, I will have to conclude that it is using this legislation as a means of raising revenue.

Mr. HALL: In refusing to justify the Government's stand on this clause, the Minister is treating honourable members with contempt. Revenue will be raised from people who own the humblest of dinghies and who use them for a little recreation. As the Minister has not given proper reasons for this provision, I move:

That progress be reported.

Motion negatived.

The Committee divided on the clause:

Ayes (20)—Mr. Max Brown, Mrs. Byrne, Messrs. Corcoran (teller), Crimes, Duncan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, McKee, McRae, Olson, Payne, Simmons, Slater, Virgo, and Wright.

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

Pairs—Ayes—Messrs. Broomhill, Dunstan, and Wells. Noes—Messrs. Allen, Millhouse, and Nankivell.

Majority of 2 for the Ayes.

Clause thus passed.

Clause 11—"Application for registration."

Mr. GOLDSWORTHY: I move:

To strike out subclauses (3), (4), (5), and (6).

The Minister seems to have adopted a fairly inflexible position in relation to the question of renewal of registration. He did not deal with some of the arguments we have raised about this. He did not refer to the fact

that owners of power boats already pay a reasonable sum in fuel tax that finds its way into road funds. None of this money is used to the benefit of boat owners. If boat owners use a trailer on which to carry their boat, they must register the trailer. Much has been said about the cost of policing these provisions. We do not want to see an arm of Government built up with people snooping around seeing whether other people are behaving. The Minister referred to the fact that a number on a boat would act as a deterrent. We believe that the easy identification provided by the registration of boats is most important. Once-only registration will still enable boats to be marked. The Minister has referred to the recommendation of the committee that inquired into boating in 1967. One recommendation of that committee was as follows:

The committee recommends that registration of boats be carried out by a central authority. It considers that there is not justification for setting up a special authority and recommends that the Marine Authority be charged with the responsibility.

Therefore, little additional expense should be involved in this respect. The Minister has said that he believes that one or two additional craft may have to be purchased, and the staff increased from three to 10. I think that it would be more acceptable to the boating community if there were one fee, even if that initial fee were more than the \$5 to which the Minister referred.

If the initial fee was \$10, it would be even more acceptable than an annual fee. The Minister referred to between 25 000 and 30 000 boats, but there could be over 30 000 boats. If the fee was \$5, it would amount to about \$125 000. If a once-only fee of \$10 was charged it would amount to about \$250 000, which would more than provide any additional craft the Minister might require. It appears that most of the policing would have to be done by the police near the river or boat havens or wherever boating was carried out. The motorist does not directly, by taxes, pay for the police to patrol the roads. The Opposition supports the identification provision, but it does not support the idea of charging boat owners an annual registration fee in order to build up an inspection force. The Minister did not say that power-boat owners already pay a large sum in fuel tax that is not used for their benefit. The Minister should reconsider his position in this regard. The bulk of the policing would be undertaken by police on the spot, so I hope that the Minister will see the logic in what the Opposition proposes.

Dr. TONKIN: I support the amendments. It would cost a large sum to establish a force of inspectors and to pay extra staff. What does the Minister think a power boat runs on? For many years operators of private power boats have been paying fuel tax, which has gone straight into the Highways Fund and which last year amounted to over \$1 000 000 to help patrol our highways by financing part of the Police Department's operations.

The Hon. Hugh Hudson: Do you think the Government should make a refund?

Dr. TONKIN: If it is good enough for the police on the highways to be financed from that source, it is good enough for any force of inspectors to be financed by the fuel tax paid by boat owners. The Opposition supports the legislation for the sake of identification and enforcement, but not as a revenue-raising measure.

Mr. ARNOLD: I remind the Minister that, for 15 years or more, there has been voluntary registration through the Water Skiing Association, and there is no need for an annual registration. Are we legislating for the department's benefit or for the people? The legislation could easily be

amended in the future. A one-time registration fee for every power boat in the State is what is required, and each boat should be capable of being identified.

Mr. VENNING: I support the amendments. Port Broughton and Fisherman's Bay, in my district, house many power boats. Although the legislation has been apparently introduced mainly for revenue-raising reasons, all that is required is the identification provision. I also support the safety provisions contained in the legislation.

The Hon. J. D. CORCORAN: The member for Kavel made a great play about fuel tax. He said that, instead of charging an annual registration fee, the Government should use part of the petrol tax to police the regulations or the provisions of the Bill. In 1967, the then Government tried to channel funds that this State received from the Commonwealth Government for petrol tax (only about 33 per cent of which is returned to the States) into the development of fishing havens, on the same basis as that suggested by the honourable member. However, the Commonwealth Government prevented it from doing so.

Dr. Tonkin: It isn't the same thing.

The Hon. J. D. CORCORAN: That Government tried to channel the funds in the direction to which I have referred, but it was not permitted to do so, and we cannot now derive from that source funds to police this legislation.

Mr. Goldsworthy: Can't you have a word in Gough's ear?

The Hon. J. D. CORCORAN: I can speak to whomever I want to speak. The honourable member says it is vital that craft be identified, but he thinks it is not important, however, to have someone to follow up the matter and see that the person in craft can be identified.

Dr. Tonkin: Who said that?

The Hon. J. D. CORCORAN: The honourable member is saying that it is not necessary to use more than the Police Force to police this legislation.

Dr. Tonkin: I didn't say that.

The Hon. J. D. CORCORAN: It is necessary that these provisions be effectively policed, and that can be done only by increasing the number of inspectors. If that happens, the cost must be met, and the Government will not spread that cost across the board. The Government expects those who are involved in the sport to pay an annual registration fee to meet the cost of policing, and the Bill will stand or fall on that provision. If the Government cannot raise sufficient money to enable it effectively to police the regulations or the provisions of the Bill, it will not proceed with the matter. It is as simple as that. The Government believes that the cost of policing the legislation should come from this source, and that it should involve an annual fee. The member for Chaffey shakes his head. Does he think that these provisions will be policed this year only? This will be a continuing cost, and an annual fee will have to be charged to cover that cost.

Mr. Dean Brown: Do you think the people will suddenly stop buying boats?

The Hon. J. D. CORCORAN: If he reads the provision, the honourable member will see that the Government is required annually to assess the cost of policing the legislation, and that is the sum that it must raise. The honourable member thinks that people will not stop buying boats (that was the inference to be drawn from his statement) and that, consequently, there will be more boats in this State in future; it could well be that the registration fee imposed to cover policing costs would then be reduced.

Mr. Dean Brown: Is that a promise?

The Hon. J. D. CORCORAN: No, it is not. I said that that registration fee could be reduced, and the honourable member knows that as well as I do. The Government is committed to an annual registration fee to cover the cost of effectively policing the legislation. If that provision does not pass, the Bill will not proceed.

Mr. GUNN: It is obvious from the Minister's remarks that we are going to see another example of empire building. The member for Kavel has explained that, if the Government wants to increase water safety, the first step should be to identify vessels. Every L.C.L. member supports that principle, and believes that this Bill should not be a revenue-raising measure. It is obvious that every person who operates a speed boat or, indeed, any boat propelled by a motor pays fuel tax. From my limited experience in this field, I have found this to be expensive, because large quantities of fuel are used. Indirectly, therefore, these people make a substantial contribution to the State's revenue. For this reason it would be proper for the general taxpayer to pay for the cost of policing this legislation just as he contributes to the cost of policing dozens of other Acts of Parliament.

A person with a boat must pay a registration fee not only for the vehicle that tows his boat but also for the trailer on which it is carried. Surely, therefore, he should not have to pay yet another fee. This amendment should be supported by all responsible members. If the Bill is to be policed in the way the Minister has said, dozens of inspectors will have to be employed. How many small ports are there in South Australia that would have to be covered? Will an inspector visit each port weekly? The Committee is entitled to know the position. I support the amendment.

Mr. MATHWIN: I am disappointed that the Minister is so inflexible on this matter. Even before the Bill has passed, the proposed registration fee has increased from \$2 to \$5, yet some of the councils that have been registering boats for many years have charged only 50c a year for this service. Most offenders have their numbers taken by people on the shore. They identify the boat by its number, and they therefore know who owns the boat and who is in it: that is all that is needed. This legislation will affect the little man who has a boat with an outboard motor.

The CHAIRMAN: Order! The clause deals with the registration of motor boats, and I ask the honourable member to confine his remarks to the amendment.

Mr. MATHWIN: I was pointing out that many people who own boats—

The CHAIRMAN: I want the honourable member to deal with the amendment.

Mr. MATHWIN: I am dealing with the amendment to cut out a thieving registration fee of \$5 a year. There is no reason for an annual fee of \$5 for a dinghy. A person with a dinghy without an engine may pay \$5 a year in case his neighbour comes along with an outboard motor and suggests that they go fishing. These are the people we are trying to protect. The Minister has said that it is imperative that boats be registered annually so that the Government can finance the policing of the legislation regarding inspection. Does the Minister expect that, after a boat has been registered and inspected and the safety equipment has been inspected and passed, the day before the owner goes to register the boat in the following year he will throw his safety equipment overboard? Once a boat is registered, the owner will keep the safety equipment in the boat. Because an annual fee is most unreasonable, I support the amendment.

Mr. BLACKER: I support the amendment mainly because the Minister has said many times that he is seeking to achieve a direct relationship between the cost of policing the legislation and the revenue from registration. If an administrative empire is built up to the extent that more finance is required, the cost of registration will rise accordingly each year: the greater the empire, the greater the cost to the boat owner. It is wrong to have this direct relationship between the cost of policing the legislation and the cost of registration.

Mr. DEAN BROWN: The legislation sets up a perpetual bureaucracy that must be kept going but serves no purpose whatever. The registration fees will possibly be devoted initially to maintaining computer hardware and software, to the administrative staff required and to postal costs. We do not want to establish a bureaucratic wheel that requires money from the public to keep it in perpetual motion, and this is what the Minister is asking for. I strongly support the amendment.

Mr. GOLDSWORTHY: The Minister put himself in a ridiculous situation when he said that the Bill would stand or fall on the result of the amendments. All we are seeking to do is soften the impact of the legislation and tone down the policing aspect. The structure that the Minister referred to was more ambitious than that envisaged in the committee's report. It seems to me that the Minister has policing on the brain. It seems ridiculous to say that the remainder of the Bill, most of which we agree with, will be cast out merely because we are trying to tone down one aspect that will mean a continuing charge on the public.

Mr. BECKER: I support the amendment. I cannot see anything in the Bill that will offer a concession to pensioners, and many people who own boats have saved all their life so that they can enjoy an occasional weekend fishing trip. The committee divided on the amendment:

Ayes (17)—Messrs. Arnold, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick, Evans, Goldsworthy (teller), Gunn, Hall, Mathwin, McAnaney, Rodda, Russack, Tonkin, and Venning.

Noes (20)—Mr. Max Brown, Mrs. Byrne, Messrs. Corcoran (teller), Crines, Duncan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, McKee, McRae, Olson, Payne, Simmons, Slater, Virgo, and Wright.

Pairs—Ayes—Messrs. Allen, Nankivell, and Wardle.
Noes—Messrs. Broomhill, Dunstan, and Wells.

Majority of 3 for the Noes.

Amendment thus negatived.

Mr. GOLDSWORTHY: I will not move the other amendments that I intended to move, because they are consequential on the first amendment.

Clause passed.

Clauses 12 and 13 passed.

Clause 14—"Offences relating to registration."

Mr. GOLDSWORTHY: I move:

In subclause (1) (d) to strike out "obscured or"; and after "legible" to insert "in daylight."

I do not think the provision is perfectly clear, and it seems that legislation in another State was clearer. There are many reasons why a number could be obscured. Another boat or a buoy may be in the way, and legibility depends on the position from which a person is trying to read the number. I take it that this provision has been included for the benefit of inspectors trying to identify a boat. I had in mind that a number should not be obscured by something draped on the boat, but the provision is not worded that way. It seems to me hardly reasonable

that the number should be wholly legible after dark, and the legislation in another State provides that it must be legible for 100ft. (30.48 m) in broad daylight, or something like that.

The Hon. J. D. CORCORAN: I have no objection to the words "in daylight" being added, but I query the wisdom of striking out "obscured or". Perhaps the addition of "deliberately" would suit the honourable member's purpose and make the provision clearer. A number could be obscured for reasons outside the control of the person in the boat. We are trying to cover the case where the number is intentionally obscured.

Mr. GOLDSWORTHY: That is a sensible improvement, and the interpretation given by the Minister is a valid one. Although it could still be deliberately obscured by another boat being in the way, I think perhaps that is getting a little technical.

The CHAIRMAN: Does the honourable member seek leave to amend?

Mr. GOLDSWORTHY: I seek leave to amend my amendment by striking out "to strike out 'obscured or'" and, after "is", inserting "deliberately".

Leave granted; amendment amended.

Amendment as amended carried; clause as amended passed.

Clause 15—"Transfer of motor boat."

Mr. GOLDSWORTHY: As this flows from the earlier amendment in connection with registration, there is no point in pursuing it.

Clause passed.

New clause 15a.

Mr. GOLDSWORTHY: I move to insert the following new clause.

15a. This part shall not apply to a motor boat the potential speed of which does not exceed 18 kilometres per hour.

This is an important amendment giving effect to the proposition canvassed in the second reading debate in connection with the exemption of drivers driving a boat not capable of a speed of more than 18 kilometres an hour. As it stands, the Bill would aim a death blow at houseboats, which provide a flourishing industry on the Murray River. They are great money spinners and their safety record has been quite exceptional; I do not think there has been a death connected with houseboats since their introduction. The legislation also covers small boats incapable of high speeds. The boats likely to be a danger are the high-speed types used for skiing and other activities and capable of speeds of more than 18 km/h. The committee that reported in 1967 recommended that exemption should be provided in these terms, although the figure referred to was 10 knots, which is not far from the metric unit proposed in the new clause. The Minister has introduced this clause in conflict with the recommendations of the committee on which he has so heavily relied. One can only gather that there is considerable conflict and variation in the views expressed. This amendment is important and it is necessary to protect the people I have mentioned. The public interest will be well served and the necessary safety provisions preserved.

Mr. ARNOLD: I support the new clause. This Bill imposes an unnecessary restriction on family boating in small craft, a major part of the way of life of families on the Murray River and the sheltered waters around the coast. As no fee is involved, the Government cannot object from that point of view. Most accidents occur with high-speed boats, and a licence should be granted on the competence and ability of the driver to handle them capably.

Had there been statistics to show valid reasons why family boating in small craft constituted any risk, I would readily have agreed to the licensing of all drivers, but that is an unnecessary restriction on this section of the community.

The Hon. J. D. CORCORAN: I cannot accept the amendment. The reason for licensing operators is to ensure first that they know the relevant rules, and this applies particularly to people using boats on rivers. Secondly, we want to create a situation in which operators have something to lose if they contravene the provisions of the legislation. Why should a person who operates a houseboat, on which there may be several other people travelling with him, not know the relevant rules.

It is not that this licence will be difficult to obtain. There will be points of issue throughout the State, and provision will be made so that licences can be issued in other States. Therefore, people in Melbourne or Sydney who wish to take out a houseboat on the river from Renmark, Berri or some other place will be able to sit for the licence examination in their own city. People who operate craft that cannot exceed a speed of 18 km/h still have a duty to know the rules. Because I may have a motor vehicle that can travel at only 30 miles an hour (48 km/h) instead of 90 m.p.h. (144 km/h), that does not mean that I should not know the rules of the road and abide by them. In addition, I should have something to lose if I do not abide by them. If this provision is found to be impracticable, the power exists for an exemption to be made in this case by the Director. I think that, in the interests of safety, we should see how it works. Although I appreciate what members opposite have said, at this stage I am not willing to accept their proposal.

Mr. GOLDSWORTHY: The Minister is saying, in effect, that we will see whether the houseboat proprietors go broke and then we might do something about it.

The Hon. J. D. Corcoran: That's absolute rubbish.

Mr. GOLDSWORTHY: These proprietors rely on people deciding on the spur of the moment to hire a houseboat. It is ridiculous to think that people in other States will go to the trouble of getting a licence before making a last-minute trip. There has not been one death resulting from an accident involving a houseboat, although someone may have been drowned from a dinghy.

The Hon. J. D. Corcoran: Under your proposal, we aren't exempting just houseboats.

Mr. GOLDSWORTHY: No, smaller boats as well will be exempt, because they do not create the hazard that larger boats create. The 1967 report to the Minister recommended these exemptions.

Mr. ARNOLD: The Minister has said that it will be necessary to have a licensed driver on a houseboat. There may be 10 people on a houseboat, and the Minister knows that all will drive the boat. One individual will not sit at the wheel for five or six hours at a time. Although this legislation demands that there be on board a craft one person who has a licence, and the case to which I have referred may come within that requirement, nevertheless as all people on board will drive the houseboat the provision is virtually a farce. We are not legislating in the interests of safety, as houseboats have operated for 13 years without one serious accident. This is legislation against the people.

Mr. MATHWIN: This is one of the safest areas of boating. As has been said, the 1967 report states that houseboats should be exempt from these provisions. Our record in tourism is poor enough without our affecting one section of the tourist industry that has worked. The Minister has said that he would expect people who were coming here from another State to take out a licence

beforehand. How ridiculous can you get? Will there be offices in every part of Australia at which people can obtain licences? Will a person from overseas be able to take out a licence in, say, Istanbul or Rome? Although many people will travel on a houseboat, only one person is required to have a licence, anyway.

[Midnight]

Dr. EASTICK (Leader of the Opposition): The Minister has said that not only houseboats will be exempt under this proposal. Will the Minister make clear his position with regard to houseboats alone? I believe Opposition members have shown that special reasons exist why houseboats should be exempt from these provisions. I appreciate what the member for Kavel is trying to achieve by his new clause, but can we accept the houseboat situation and continue arguing along other lines? From a tourist and family holiday point of view, houseboats should be exempted. If the Minister gives us that assurance, we can go on with the other issues involved. Will the Minister accept the peculiar situation applying to houseboats?

The Hon. J. D. Corcoran: They're capable of speeds of between 7 knots and 8 knots.

Mr. Arnold: They're not.

The Hon. J. D. Corcoran: Some of them are.

Mr. Arnold: Let us say 18 kilometres an hour.

The Hon. J. D. CORCORAN: All right, but why should not the houseboat operators possess the knowledge required of other people who propel craft along the river? People hire power craft, and the same problem results.

Dr. Eastick: What other craft?

The Hon. J. D. CORCORAN: Speed boats can be hired in certain parts.

Dr. Eastick: What speed boat would have displayed all the details of the rules of the road?

Mr. Arnold: The Minister hasn't been on a houseboat.

The Hon. J. D. CORCORAN: I have been on a houseboat.

Mr. Arnold: For how long?

The Hon. J. D. CORCORAN: For an hour or two. Houseboat owners should not be above the law. The Leader thinks I am interested in exempting houseboats and nothing else. The new clause covers not only houseboats but also hundreds of other craft.

Mr. Goldsworthy: So it should.

The Hon. J. D. CORCORAN: Houseboat owners should know the rules of the road or be able to acquire such knowledge, and they should lose their licence if they do not conduct themselves properly. A houseboat could cause an accident, even though it might not be involved in that accident. If it can be shown in practice that the licensing of houseboats is an unnecessary burden and achieves nothing, the Director has power to exempt.

Mr. GOLDSWORTHY: No houseboat has yet been involved in an accident of any consequence, so what other evidence does the Minister want? Many other craft will be exempt, but they are not inherently dangerous because they are incapable of high speeds. Why will the Minister not agree with the recommendation of the Power Boat Committee?

Mr. ARNOLD: As there has not been a serious accident in all the years of houseboat operations, they present no problem.

Mr. Payne: But hasn't traffic along the river increased?

Dr. Eastick: It's a good means of raising revenue for the State.

Mr. ARNOLD: The Minister is aware of the conditions under which houseboats operate. Such a small craft, with

a speed of less than 18 kilometres an hour is unlikely to become involved in a serious accident.

Mr. Payne: What statistics have you to prove that?

Mr. ARNOLD: Certain people have taken an active interest in this matter for a long time.

Mr. Payne: I have personal knowledge of a houseboat accident that occurred only about four weeks ago.

Mr. ARNOLD: The legislation has been introduced mainly for reasons of safety, but can the Minister cite an accident involving a houseboat? I would be the first one to agree with him if this provision was necessary in the interests of safety, but it is not. Until the Minister can prove that the provision is necessary, the new clause should be inserted. If it is considered desirable that all power boat operators be licensed the legislation could be amended, but to have a blanket cover with all the unnecessary restrictions is an imposition on the freedom of the public.

Mr. DEAN BROWN: The new clause is reasonable in the interests of the public. Although the Minister has taken a hard line in this matter, I hope that common sense will prevail and that he will reconsider this matter. Unless the new clause is accepted, the legislation will be of considerable disadvantage to certain sections of the boating industry.

Mr. MATHWIN: As the Minister should reconsider this matter, and so that he may obtain statistics to prove that it is imperative that the new clause be not accepted, I move:

That progress be reported.

The CHAIRMAN: For the question say "Aye"; against say "No". The Noes have it.

Mr. Goldsworthy: Divide!

While the bells were ringing:

Mr. GOLDSWORTHY: Mr. Chairman, I do not think members are clear as to what they are voting on.

The CHAIRMAN: The question was "That progress be reported". I ruled that the Noes had it. Does the honourable member for Kavel wish to withdraw his call for a division?

Mr. GOLDSWORTHY: Yes.

The CHAIRMAN: The question is "That new clause 15a be agreed to". For the question say "Aye"; against say "No". The Noes have it.

Mr. Goldsworthy: Divide!

The Committee divided on the new clause:

Ayes (16)—Messrs. Arnold, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick, Evans, Goldsworthy (teller), Gunn, Mathwin, Rodda, Russack, Tonkin, Venning, and Wardle.

Noes (20)—Mr. Max Brown, Mrs. Byrne, Messrs. Corcoran (teller), Crimes, Duncan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, McKee, McRae, Olson, Payne, Simmons, Slater, Virgo, and Wright.

Pairs—Ayes—Messrs. Allen, McAnaney, and Nankivell.
Noes—Messrs. Broomhill, Dunstan, and Wells.

Majority of 4 for the Noes.

New clause thus negated.

Clauses 16 to 19 passed.

Clause 20—"Cancellation or suspension of licence."

Mr. GOLDSWORTHY: I move:

To strike out subclause (1).

This subclause, which is completely unnecessary, gives the Minister a peculiar and overriding power. Subclause (2) gives the court authority to cancel or suspend a licence if the person involved has been convicted of an offence under this or any other Act. If in the court's opinion a person is unfit to drive a motor boat, it may cancel or suspend

a licence. I cannot see why the Minister should have an identical power under subclause (1) over and above that of the court. If the court is incapable of deciding, on the legal evidence, that the holder of a licence is unfit as a result of an offence he has committed to drive a motor boat, the Minister would certainly not be capable of doing so. Subclause (1) gives the Minister completely dictatorial power in relation to which neither he nor his advising officers would have competence superior to that of the courts. The subclause is therefore completely undesirable, especially as the matter of suspension or cancellation of licences is adequately covered by subclause (2).

The Hon. J. D. CORCORAN: I oppose the amendment. The Minister is not being given a peculiar and overriding power in this respect, as such a power is conferred under the Road Traffic Act. Indeed, under that Act the Registrar of Motor Vehicles is given power to revoke a person's licence to drive a motor vehicle, and such a revocation does not even have to result from a conviction. The Minister of Transport is responsible for the administration of that Act; the courts are there to adjudicate on certain offences, and they may or may not suspend a licence. In this case, it is considered necessary for the Minister to have power to remove a licence where he deems it necessary. In this respect, a person must have been convicted of an offence. The possession of a licence is a privilege.

Mr. Goldsworthy: Is it a privilege or a right?

The Hon. J. D. CORCORAN: It is a privilege, not a right. I believe it is necessary that the Minister should have the power given him in clause 20 (1). If he considers that a person is unfit to operate a motor boat, he may cancel or suspend the licence; he may do that only after the person has been convicted of an offence. I do not see why the Minister should not have that power. The honourable member will find that such a power will be used with great discretion.

Dr. TONKIN: The Minister has said that driving a motor vehicle is a privilege, not a right. I agree that it is a privilege, but driving a boat should also be a privilege, not a right. If a person is convicted of an offence under this legislation, it is for the courts to decide what the punishment shall be. If this Bill is passed in its present form, it will lay down specific maximum penalties. It will be competent for the court to cancel a licence to operate a boat if it considers that that is the correct form of punishment. Yet here we are being asked to condone a system whereby a person will be brought before a court and charged with an offence under this legislation; the court will decide what the punishment shall be, and it may include the suspension or cancellation of the licence. Of course, the court may decide that no such suspension or cancellation is necessary but, if it decides that, it is then the Minister's prerogative to override the court's decision and to decide that an additional punishment should be imposed. In other words, the Minister becomes a second court. This is a total denial of justice as we know it. Anyone whose licence is cancelled or anyone who is punished by a court should have a right of appeal. What right of appeal has a person against the arbitrary decision of the Minister?

Mr. Goldsworthy: He has Buckley's chance.

Dr. TONKIN: I agree. This totally unwarranted power is a denial of justice. No-one, including the member for Elizabeth, who should uphold the law, could possibly support it.

The Hon. J. D. CORCORAN: The honourable member is correct on the question of appeal. The Road Traffic Act provides for an appeal against the decision of the

Registrar of Motor Vehicles, and the court has the final say. There is no such provision here and, on reflection, it appears desirable that an appeal provision should be included. I am therefore willing to accept the amendment. If necessary, the matter can be further dealt with in another place.

Amendment carried; clause as amended passed.

Clause 21—"Special permits."

Mr. GOLDSWORTHY: I do not intend to proceed with the amendments I had foreshadowed to this clause.

Clause passed.

Clause 22—"Unlawful operation of motor boats."

Mr. GOLDSWORTHY: I do not intend to proceed with the amendments I had foreshadowed to this clause. I had intended to seek a reduction in the penalties, but it came to my attention that the penalties apply to further offences.

Clause passed.

Clause 23—"Casualties."

Mr. GOLDSWORTHY: I move:

To strike out "operator of the boat" and insert "and the operator of any other boat in the vicinity of the collision or casualty"; to strike out "he is" and insert "they are"; and to strike out "his own boat, crew" and insert "their own boats, crews".

If my amendments are carried, subclause (1) will provide:

Where a boat is involved in collision, or other casualty, in waters under the control of the Minister, . . . the operator of any other boat in the vicinity of the collision or casualty shall, so far as he is able without serious damage to his own boat . . . render . . . such assistance as may be practicable . . .

The effect of the amendments is to widen the provision to include any other boats near a collision. Under the amendments, if there is a collision it shall be incumbent on anyone nearby to render help if that help will not create further danger. I cannot see any argument against widening the provision, and I hope the Minister will see the logic of my argument.

The Hon. J. D. CORCORAN: I have no objection to the amendments.

Amendments carried.

Mr. BECKER: I refer to the situation where a sailing club provides rescue boats for regattas. There may be a lightweight sharpie with a crew of two and a skipper. The boom may swing around and hit someone on the head, as often happens. I seek clarification, specifically in relation to yachts, small craft, or powered boats, because we could be creating a dangerous situation.

Mr. GOLDSWORTHY: I move:

To strike out subclause (2) and insert the following subclause:

(2) The operator of a boat involved in a collision or casualty shall, upon request, supply—

(a) the operator of any other vessel involved in the collision or casualty;

(b) any injured person;

or

(c) the owner of any property damaged in the collision or casualty, a written note of his name and address and of the name and address of the owner of the boat.

My amendment improves the clause substantially. This information should be supplied on request, and, if it is not requested, it should not be supplied. The operator should be required not only to supply his name and address but also, on request, to give the name and address of the owner of the boat, because the operator may be a fly-by-night type.

The Hon. J. D. CORCORAN: In terms of the honourable member's amendment, in what would be virtually a hit-and-run accident the injured person could not request that the name and address be supplied, because the other

person would have gone. Under the Road Traffic Act, the insurance company would have to be notified of the person's name and address, but no third party insurance is involved here and, if information was to be supplied only on request, a person who hit and injured someone could claim that no request had been made. However, if he is required to give the information, he commits an offence by not giving it. Whilst I understand the honourable member's point about improving the clause, the difficulties that the member for Glenelg raised earlier can arise with any legislation that requires action by a person. This is a serious provision and I think the member for Kavel may be able to understand the reasons for it.

Mr. GOLDSWORTHY: Will the Minister comment on the part of the amendment that requires, on request, the name of the owner of the boat to be supplied?

The Hon. J. D. CORCORAN: I do not see any objection to that. I suppose that a person operating a boat does not necessarily have to own it, but I wonder, when he is required by law to supply his name and address when he is involved in an accident, what advantage there is in supplying the name and address of the owner.

Mr. Goldsworthy: The operator may "shoot through."

The Hon. J. D. CORCORAN: If a man is told, "Give me the name and address of the person who owns the boat," and the person does that, I have no objection, but I suggest that we leave the word "shall" in the other part.

Mr. GOLDSWORTHY: Does the Minister suggest that we insert in the subclause the words "a written note of his name and address and of the name and address of the owner of the boat"?

The Hon. J. D. CORCORAN: I suggest that the honourable member should consult the Parliamentary Counsel in order to reframe his amendment.

Mr. GOLDSWORTHY: I seek leave to withdraw my amendment.

Leave granted; amendment withdrawn.

Mr. GOLDSWORTHY: I move:

In subclause (2), after "address", to insert "and upon request the name of the owner of the boat".

Amendment carried.

Mr. GOLDSWORTHY: I move to insert the following new subclause:

(3a) The operator of a yacht, while taking part in a regatta, or contest, organized by a club established for promoting sailing, shall be exempt from the provisions of paragraph (b) subsection (3) of this section.

This means that if yachts in competitions collided they would not be required to report this matter to the Director. The first part of subclause (3) deals with the reporting to the police of information concerning a casualty or death, and the second part refers to reporting to the Director any collision or mishap where there is casualty or death. The regattas and other sailing events are closely supervised under their own rules. Collisions do occur, and it seems unnecessary that such mishaps should be reported.

The Hon. J. D. CORCORAN: I ask the honourable member not to proceed with this amendment, but I assure him that this type of event would be exempted by the Director from these provisions. This is one of the reasons for the power to exempt. I assure the honourable member that that would be the case. There is nothing in the Bill to say that houseboats shall be exempted, but that decision has been made and I do not want it in the Bill. If the honourable member is not willing to accept that assurance I can do no more.

Mr. GOLDSWORTHY: I accept that assurance. It seems desirable to spell it out in the legislation but, although I cannot see that it clutters up the Bill, I shall not proceed.

Dr. EASTICK: I should like a further assurance from the Minister.

Mr. GOLDSWORTHY: I seek leave to withdraw my amendment.

Leave granted; amendment withdrawn.

Dr. TONKIN: What use will be made of all the information gathered from these reports? Although there may be exemptions, what will happen to the reports? Surely there will be a flood of them after each weekend. Will many more staff members be required for this work? I am gravely concerned about the requirement placed on operators involved in collisions to provide information, in case of injuries, to the Minister or a member of the Police Force that might incriminate them of an offence under the terms of this or other legislation. It is a fundamental rule of justice that no-one shall be forced by law to make a statement that may incriminate him. The onus is, and I hope will remain, on the Crown to prove an offence. Therefore, I move to insert the following new subclause:

(4a) Notwithstanding the provisions of subsection (4) of this section, the operator of a boat involved in a collision or casualty shall not be obliged to supply any information that might incriminate him of an offence.

That provision would satisfactorily still my misgivings about the general nature of this clause.

The Hon. J. D. CORCORAN: I have no objection to the amendment. The reports to which the honourable member has referred will be used to obtain statistical information about the causes and extent of accidents and about other matters relating to the operation of this legislation. This information will be used to review the legislation.

Amendment carried.

Dr. EASTICK: The Minister has given an assurance that certain boating events will be exempt from the provisions of this clause. Will events so exempt be listed in regulations?

The Hon. J. D. CORCORAN: Yes, the power of exemption must be by regulation.

Mr. MATHWIN: In referring to my comments, the Minister said that the provision in this legislation could be related to similar provisions in the Road Traffic Act. I do not know how that comparison can be made. For instance, when a collision occurs between boats in 60ft. (18.29 m) of water, it is difficult for people to exchange names and addresses. I am disappointed that the amendment was not proceeded with.

Clause as amended passed.

Clause 24—"Unseaworthy boats."

Mr. GOLDSWORTHY: I move:

In subclause (1), after "boat", to insert "which is being operated in waters under the control of the Minister"; and in subclause (1) to strike out "any waters under the control of the Minister" and insert "those waters".

The effect of these amendments will be to restrict the activities of police officers or authorized persons in determining the unseaworthiness of boats. We believe that inspections should be made when boats are being sailed in waters under the control of the Minister. It seems ridiculous to talk about a boat being overloaded if it is not in the water.

The Hon. J. D. CORCORAN: I have no objection to the amendments.

Amendments carried.

Mr. ARNOLD: I move to insert the following new subclause:

(1a) The criteria by which a member of the Police Force, or an authorized person, shall decide whether or not a boat is overloaded must be set forth in the regulations. There is nothing in the Act to indicate that, unless a police officer or an authorized person has taken particular interest in boating, he would have any real idea of what overloading is. There are two recognized methods of determining whether a boat is overloaded.

The Hon. J. D. CORCORAN: I appreciate what the honourable member is trying to achieve, but my advice is that it would be almost impossible to set out in regulations the method of determining whether a vessel is overloaded. There are many methods of ascertaining whether a vessel is overloaded, such as the circumstances and whether the vessel is sailing on a river or out at sea. In practice, it is simple enough for experienced people who know the general rules to use their common sense and discretion.

Mr. Mathwin: Such a provision is contained in the Victorian regulations.

The Hon. J. D. CORCORAN: Can the honourable member show me where it is set forth and assure me that it covers the situation adequately? My advice is that it would be almost impossible to cover this matter by regulations. I do not accept the amendment, but I will study it with a view to perhaps having it inserted in another place.

Mr. ARNOLD: The method is set out in the Victorian regulations by adopting the principle of two adults in a vessel of up to 10ft. (3.05 m) and one additional adult for every 2ft. (.61 m) of extra length up to 20ft. (6.1 m).

The Hon. Hugh Hudson: Don't they differentiate between a boat in a river and one at sea?

Mr. ARNOLD: No.

The Hon. Hugh Hudson: It's a rigid provision.

Amendment negatived.

Mr. GOLDSWORTHY moved:

In subclause (7) to strike out "or enter any premises or place where he reasonably suspects a boat to be".

The Hon. J. D. CORCORAN: I accept the amendment.

Amendment carried; clause as amended passed.

Clause 25—"Boat to be operated with due care, etc."

Mr. GOLDSWORTHY: I move:

In subclause (1) (a), after "care", to insert "or consideration for the safety of other persons".

The amendment, which in no way detracts from the clause, widens it and is in line with the phraseology of the Road Traffic Act.

The Hon. J. D. CORCORAN: I accept the amendment.

Amendment carried.

Mr. GOLDSWORTHY: I move:

In subclause (3) (a), after "operates", to insert "or attempts to operate".

This wording is also in line with that of the Road Traffic Act.

Mr. ARNOLD: I support the amendment, but I do not understand why the wording of the Bill does not follow the exact wording of the Road Traffic Act, which has stood the test of time in court for a long time.

The Hon. J. D. CORCORAN: I accept the amendment.

Amendment carried.

Mr. ARNOLD: I queried why the wording did not follow the exact wording of the Road Traffic Act.

The Hon. J. D. CORCORAN: I point out that we are dealing with the Boating Bill and not the Road Traffic Act.

Clause as amended passed.

Clause 26 passed.

Clause 27—"Wrecks and abandoned boats."

Mr. GOLDSWORTHY: I move:

In subclause (1), after "abandoned", to insert "in waters under the control of the Minister".

It seems to me to be completely unnecessary for a person who finds a boat in waters not under the Minister's control to be compelled to report that finding.

The Hon. J. D. CORCORAN: The matter of salvage is involved, and it could well be that the vessel was washed up above the high water mark and had, therefore, to be salvaged. As the amendment would preclude the Director from acting, I must oppose the amendment.

Amendment negatived.

Mr. CHAPMAN: Under this clause a person who discovers a wreck is required to report the matter to the Director. Is the Minister overriding the ordinary course of action to be taken by a person who discovers a wreck or an abandoned boat at sea?

The CHAIRMAN: Order! The honourable member is referring to line 32, which relates to an amendment that has not yet been moved.

Mr. CHAPMAN: I am referring to line 27.

The CHAIRMAN: The Committee has already dealt with line 28. The honourable member cannot refer to that until I put the question.

Mr. CHAPMAN: I understood that the amendment to clause 27 had been disposed of.

The CHAIRMAN: Another amendment has yet to be moved by the honourable member for Kavel. After that has been done, the honourable member for Alexandra will be able to proceed.

Mr. GOLDSWORTHY: I move:

In subclause (3) to strike out "The" and insert "Where the owner of a wrecked or abandoned boat has not been found after proper inquiry, the".

I hope the Minister will accept this amendment.

Amendment carried.

Mr. GOLDSWORTHY: I move:

In subclause (3) to strike out "any wrecked or abandoned boat" and insert "the boat".

This is a consequential amendment.

Amendment carried.

Mr. CHAPMAN: In the past, when a boat owner has found an abandoned vessel and has attached his vessel to it, he has had to report it to the Receiver of Wrecks. Will the Minister say whether that is the course of action that one should take in future and, if it is, why he intends to compel such a person to report the matter to the Director?

The Hon. J. D. CORCORAN: The provisions under the Marine Act are different from those under this Act. These provisions concern vessels that come within the ambit of the Bill. One is compelled to report a finding so that someone will know about it.

Mr. CHAPMAN: A person attaches his vessel to an abandoned boat and thereafter reports it to the Receiver of Wrecks for the purpose of claiming salvage. Is such a person to take much the same action in future and, as well, report the matter to the Director?

The Hon. J. D. CORCORAN: It is provided that, if a person discovers a wreck, he must notify the Director of what he has found and where he found it.

Mr. CHAPMAN: And he does not have to comply with the Marine Act?

The Hon. J. D. CORCORAN: It applies to vessels registered under this Act, not under the Marine Act.

Mr. CHAPMAN: Whether or not vessels are registered, they can still become wrecks and, if a person finds such an abandoned wreck, he must report it to the Receiver of Wrecks.

The Hon. J. D. Corcoran: One is a commercial vessel.

Mr. CHAPMAN: It does not matter whether or not it is commercial. If a vessel is abandoned at sea and is found by someone, that finding must be reported to the Receiver of Wrecks for the purpose of obtaining salvage rights. Is the Minister willing to answer this question?

Clause as amended passed.

Clause 28—"Disclosure of name and address of operator."

Mr. GOLDSWORTHY moved:

To strike out "knows" and insert "believes".

Amendment carried; clause as amended passed.

Clause 29 passed.

Clause 30—"Powers of police officer or authorized officer."

Mr. ARNOLD: I move:

In subclause (1) (a) to strike out "or to manoeuvre the boat into a position stipulated by the member of the Police Force or the authorized person".

As it stands, the clause gives a police officer the power to stop a craft and obtain the names and addresses of the persons on board. When there is a large river flow and when conditions are windy, to require a relatively large craft, such as a house boat, to be manoeuvred into a certain position could endanger it, and we must remember that such a requirement may be made by a person who is inexperienced in handling relatively large boats.

The Hon. J. D. CORCORAN: It is sometimes difficult to stop a vessel: it may drift downstream. In such circumstances a person can be ordered to manoeuvre a vessel so that it does not drift. Because the honourable member has referred to difficulties that house boats may experience, I shall not raise any great objections to his amendment.

Amendment carried.

Mr. GOLDSWORTHY: I do not intend to proceed with the amendment that I had foreshadowed to this clause.

Clause as amended passed.

Clause 31—"Power of arrest."

Mr. GOLDSWORTHY: I move:

In subclause (1) after "against" to insert "section 25 of". The effect of my amendment is to limit the powers of arrest of an authorized person. As it stands, subclause (1) provides for a very wide power, which should exist only in the case of a serious offence like driving under the influence of alcohol.

Amendment carried; clause as amended passed.

Clauses 32 and 33 passed.

Clause 34—"Offences, etc."

Mr. GOLDSWORTHY: I move:

To strike out subclause (2).

This important amendment has considerable merit. As it stands, the clause places an unjust onus on the owner of a vessel.

Amendment carried; clause as amended passed.

Clause 35—"Evidence."

Mr. GOLDSWORTHY: I move:

To strike out subclause (2).

This provision places an unfair onus on a boat owner.

Amendment carried; clause as amended passed.

Clause 36 passed.

Clause 37—"Regulations."

Mr. EVANS: I move:

In subclause (1), after paragraph (c), to insert the following paragraph:

(ca) require that all boats carry receptacles for litter.

The amendment gives the Governor or the Minister this power, but the provision is not obligatory. The word "may" is used: people may be required to have in their boats receptacles for litter.

Amendment carried; clause as amended passed.

Title passed.

The Hon. J. D. CORCORAN (Minister of Marine) moved:

That this Bill be now read a third time.

Mr. GOLDSWORTHY (Kavel): The Bill has come out of Committee much improved as a result of the Minister's accepting many amendments moved by the Opposition. However, unfortunately two major amendments were not carried.

The SPEAKER: Order! The honourable member must discuss the Bill as it came out of Committee.

Mr. GOLDSWORTHY: The Bill has come out of Committee in a condition that is not entirely to the liking of the Opposition. An annual licence fee is required, and we consider that undesirable. It has also come out of Committee without any provisions for exemption for craft that have not a potential speed of more than 18 km/h. The Bill has come out of Committee in a form that is hardly acceptable to the Opposition. Nevertheless, I acknowledge that the Minister has seen fit to accept many amendments that improve it, and we trust that it may be improved further before it becomes law.

Mr. ARNOLD (Chaffey): The Bill has come out of Committee with the two major provisions in which we were interested remaining as they had been drafted. I refer first to the provision for the registration of all power boats by payment of an annual registration fee. This provision is completely unnecessary and totally unacceptable. The other matter to which I refer is that the Bill still provides for the licensing of all power boat operators. The Minister has not been able to give any proof that that provision is necessary, and it, too, is totally unacceptable to me and to the people of this State.

Bill read a third time and passed.

STATE GOVERNMENT INSURANCE COMMISSION ACT AMENDMENT BILL

Returned from the Legislative Council with amendments.

SOUTH-EASTERN DRAINAGE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from March 13. Page 2440.)

Mr. RODDA (Victoria): This Bill makes only two small amendments about which the Opposition has no argument. The first amendment provides for a person who is a director of the corporate body to be a member of the board. It is a machinery amendment to which the Opposition can agree. The other matter that the Bill deals with is the matter of interest. By clause 5, interest will become recoverable three months from the time when accounts are rendered. Normally accounts are rendered in October and, as the Act now runs from July 1, this amendment will benefit those people who come within the ambit of the South-Eastern Drainage Act. I have pleasure in supporting the Bill.

Bill read a second time and taken through its remaining stages.

SUPREME COURT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from March 13. Page 2441.)

Dr. EASTICK (Leader of the Opposition): The Opposition supports this Bill, which corrects a difficulty indicated to the Attorney-General by Their Honours the Judges of the Supreme Court, who were of the opinion that, with the cast-iron rules that previously existed, some difficulty was evident in administering justice fairly to all. On this basis a suggestion was made to the Attorney that that situation be rectified. It is believed that the new flexibility will give the judges an opportunity to ensure that all parties now receive fair treatment in the light of all

the surrounding circumstances of a case, especially in relation to interest that should apply to funds involved in cases before the court. A further measure is to designate those who are currently known as "court messengers" as "tipstaves". This is an alteration to bring those persons who undertake court duties, which are far beyond the simple status of a messenger—

The Hon. Hugh Hudson: I do not think you should say that in this House.

Dr. EASTICK: I shall be interested to hear a lengthy dissertation, no doubt, from the Minister of Education, who has been asleep all night and who has suddenly come to life and now wants to join in the discussion. No-one is preventing him from doing so in the normal way, which happens to be at some time other than when some other member is speaking. The use of the term "tipstaff" will bring into line with the name used in other places the designation of those people carrying out these duties in the court. I support the Bill in its entirety.

Bill read a second time and taken through its remaining stages.

JUSTICES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from March 14. Page 2486.)

Mr. COUMBE (Torrens): This is a simple Bill that will be appreciated by those who have sat on the bench at various times as justices of the peace and those of us who have had something to do with the courts of justice. It is a remedial Bill, however brief it may be, relating to bail when appeals are lodged from a special magistrate or two justices of the peace to the Supreme Court. This provision is worthy of support, because it is usual in criminal cases for the accused to be on bail pending the hearing of his appeal except in the most serious cases, such as murder, which is regarded as a capital offence. Justices appeals are usually minor, and it is only fair that the offender should have every opportunity to receive justice as we understand it. This provision may be used only rarely, but it is valuable and can do no harm whatever.

The Bill provides additional conditions relating to recognizances for bail, and they appear very sensible. We know of cases where bonds are entered into and are cluttered up with many conditions. As a recognizance has the same intention as a bond (that is, to enforce good behaviour), it seems sensible that this should be included in recognizances. Breaches of the conditions of bonds and recognizances should be on the same basis. A number of conditions must be observed, and therefore breaches of bond conditions are offences and should be treated as such.

The final aspect of the Bill relates to cash payments by offenders or sureties on the signing of the recognizance itself. This practice, which in many ways is an incentive to ensure that the offender returns to trial on the nominated day, should be continued. He has an opportunity to ask subsequently for leniency or for time to pay, but here we are considering the case of recognizances or bail. These issues are quite separate from paying penalties. Some payment should be made, as suggested in the Bill; otherwise if the offender does not have a surety he might not turn up at the time the trial is set down. As the provisions in the Bill appear to us to be reasonable and sensible, and as we believe they will assist the administration of justice, we support the Bill.

Bill read a second time and taken through its remaining stages.

ADJOURNMENT

At 1.52 a.m. the House adjourned until Wednesday, March 20, at 2 p.m.