HOUSE OF ASSEMBLY

Thursday, November 25, 1976

The SPEAKER (Hon. E. Connelly) took the Chair at 2 p.m. and read prayers.

RACING BILL

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

SOUTH AUSTRALIAN MEAT CORPORATION ACT AMENDMENT BILL

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

CREDIT UNION BILL

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

ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following Bills:

Adoption of Children Act Amendment,

Constitution Act Amendment,

Cottage Flats Act Amendment,

Justices Act Amendment,

Teacher Housing Authority Act Amendment.

MINISTERIAL STATEMENT: ANONYMOUS LETTERS

The Hon. D. J. HOPGOOD (Minister of Education): I seek leave to make a statement.

Leave granted.

The Hon. D. J. HOPGOOD: This statement is occasioned by a letter I have just received in relation to a staffing matter at a specific school in South Australia. It is the second such letter I have received, obviously from the same person, about that school. The problem I have in this matter is that the letter is unsigned; in fact, each letter has been unsigned. The force of the second letter is that I have been, if not negligent, dilatory in not having rectified this situation. It is not possible for me to write back to the person or persons concerned indicating that anonymous letters received by me go into the wastepaper basket, because I do not know who the people are. Therefore, I can only take the opportunity in a public place to make this statement in the hope that *Hansard* is sufficiently widely read in the State, and that, if these people are serious in their concern about this matter, they will write to me again and append their signatures thereto.

QUESTIONS

The SPEAKER: I direct that the following written answer to a question be distributed and printed in *Hansard*.

ABALONE

In reply to Mr. RODDA (November 11).

The Hon. J. D. CORCORAN: My colleague the Minister of Fisheries informs me that it is intended to set up advisory committees for each of the major fisheries (including abalone) and inland fisheries, under the aegis of the South Australian branch of the Australian Fishing Industry Council. These committees will be expected to work in close collaboration with the Agriculture and Fisheries Department and be co-ordinated by an executive officer for the council soon to be appointed. The role of the committees will be to advise the Minister of Fisheries on the industry viewpoint on matters of management policy. They will not, however, assess individual licence applications and transfers, as it is not considered that fishermen should be sitting in judgment on their fellow fishermen.

AGENTS PROVOCATEUR

Mr. GOLDSWORTHY: Can the Premier say what is the Government's policy in relation to the use of entrapment procedures or of agents provocateur by the South Australian police?

Mr. Millhouse: He answered that a week ago.

Mr. GOLDSWORTHY: In this morning's press there was a lengthy report about police activities in relation to massage parlours. It was claimed police were using entrapment methods, or methods very similar, to obtain evidence with which to launch a prosecution. The report also states that there has been an increase in the number of people reported by police for offences relating to prostitution. Many people in the community will welcome the news that police action seems to be having a positive effect. Because of the comment made by the Premier last week, that the Government considered the use of agents provocateur and entrapment procedures unnecessary and undesirable in order to get evidence in connection with possible offences involving massage parlours, will he now state the Government's policy so that police have clear guidelines within which to work, bearing in mind that the actions reported today seem to be overcoming problems experienced in the past?

The Hon. D. A. DUNSTAN: There is no lack of clear guidelines for the police, nor is there any change in Government policy. A statement was made by a magistrate in the court yesterday that he viewed the actions of the police in a case before him as being those of agents provocateur or of entrapment.

Mr. Millhouse: And they come exactly within the definition you gave me in the House.

The Hon. D. A. DUNSTAN: I disagree with that, and I disagree with the magistrate. With great respect to His Honour who was my articled clerk, it is obvious that I will have to have words with him at some stage.

Mr. Goldsworthy: Do you agree with what the police are doing?

The Hon. D. A. DUNSTAN: Yes, I do. The rule about entrapment is that the police should not proceed to persuade someone to commit an offence. They are not there to

induce someone to commit an offence. Entrapment is using the police to persuade someone to commit an offence. That is not what the police are doing. When the police go to these establishments, about which the member for Mitcham has been so vociferous, they are offered a menu. They do not have to ask for anything: they have it put in front of them.

Members interjecting:

The Hon. D. A. DUNSTAN: I think the recipe is age-old; it does not have to be put in any cook books, and no stirring is necessary. I do not know whether the *Advertiser's* suggestion this morning that summer savoury is an aphrodisiac falls within the suggestions I made to the *Advertiser* about matters of this kind.

Mr. Chapman: But you know all about the ingredients?

The Hon. D. A. DUNSTAN: Yes, I have an idea or two. The police are simply going to these places and getting evidence that is freely offered to them of a willingness to commit an offence. No inducement is used by the police to get people to do that. It would be inducement and entrapment if the police were to go there and persuade people to commit an offence that they would not otherwise commit. That is not what the police are doing.

Mr. Millhouse: Don't be absurd! Who do you think will believe you? Everyone will laugh at you, as they are doing now.

The Hon. D. A. DUNSTAN: That is exactly what the police have put to me, and exactly what I have agreed with. The police themselves said that entrapment procedures defined as I have now specifically defined them should not be used, and the Government agreed with that; but that, if someone should go and simply get evidence that was freely offered to him of people being prepared to commit an offence and anxious to involve the customers in it, it was not entrapment at all.

Mr. Goldsworthy: You have clarified your thinking since last week.

The Hon. D. A. DUNSTAN: It is not a question of clarifying my thinking at all. The Government was not required to give any directions to the police on this matter. The police put to us that they should not use entrapment procedures, and that was agreed. The police then proceeded in the normal way with no direction or instruction from the Government. We have not had any conversations with them about it: they proceeded to enforce the law in the normal way, and that is what they are doing.

WATER CONSERVATION

Mr. LANGLEY: Can the Minister of Works say whether the Government intends to tell the people of South Australia, especially people living in the metropolitan area, how to conserve water or use it sensibly? This has been a year of extremely low rainfall, and drought conditions prevail in many areas. People like to look after their gardens, as well as trying at all times to keep South Australia beautiful. I recall on another occasion that the Premier, in an attempt to impress on people the need to save water, launched a campaign against leaking taps, and that campaign was successful.

The Hon. J. D. CORCORAN: I announced this morning the campaign that the Government has launched. This is not so much to conserve water, because I want to make perfectly clear to the House (as I have done on a previous occasion) that there will be absolutely no need, no matter how much water is used in the metropolitan area, for restrictions during the summer. We can cope with any demands for water likely to be made in the metropolitan area. What the Government is concerned about is that people may find that they are going into excess water far more quickly than they would otherwise realise if they were not reminded of this from time to time. The use of water has already been demonstrated, because in the past four months of this year water consumption in the metropolitan area, compared with the same period last year, has increased by 23 per cent. This indicated to the Government that it needed to warn people that if they used excess water it would cost them money. Members are aware that each time water rates have been increased in the past it has meant less rebate water to the consumer, and therefore we are getting closer to a system of measurement and water consumption is likely to be in excess much sooner than consumers realise. That is why the Government has mounted this campaign in which we will use television, radio, newspapers and pamphlets. The pamphlets will contain—

Mr. Dean Brown: Do you feature in these?

The Hon. J. D. CORCORAN: No. The pamphlets will contain hints to householders on how to get the best use from water, because it is true that people, not deliberately, but unnecessarily, waste water, and that they can get far better effects at times by using less water. These hints are designed to assist people to save water and so save money. The Government is spending $50 000 on this campaign in order, we hope, to save the consumers in South Australia millions of dollars, because the Government is concerned that if people are not warned about the situation many consumers may be faced with very large excess water bills, which may be an embarrassment to them. I think this is a proper thing for the Government to do. I hope the water users of South Australia will respond to the campaign and that people will avoid the unnecessary burden of paying large sums of money for excess water.

Mr. Dean Brown: What they're doing—

The Hon. J. D. CORCORAN: The honourable member would naturally see some ulterior motive in this. The member for Davenport cannot believe that anybody would set out honestly to try to assist people in this area. He sees some sinister motive. I can assure the honourable member that that is not the case; in fact, the Government is setting out to assist people to avoid what could be a very unpleasant burden on them. There is nothing more to it than that. The Government is not concerned about the amount of water that will be used; it can provide all the water that consumers require.

Mr. Becker: Give us a decent water pressure.

The Hon. J. D. CORCORAN: I suppose that there are certain parts of the metropolitan area with inadequate pressure, but generally speaking we have a good water system. Although our water is not aesthetically acceptable, I can assure members that it is perfectly healthy. I suppose that, except for a few rare cases, pressure is adequate. I hope that the people of South Australia will take note of what this campaign is trying to do for them and will avoid this very unpleasant and unnecessary burden that could come about from the mis-use of water.

Mr. Goldsworthy: From cutting down their water allocation.

The Hon. J. D. CORCORAN: You cannot win, no matter what you do when you have nasty minds.

Mr. Goldsworthy: It's a result of cutting down their water.

The SPEAKER: Order!

The Hon. J. D. CORCORAN: We are talking about domestic use, and the member for Kavel just cannot see any good in anything that anybody else does, particularly any member of this Government.

DRINK DRIVING

Mr. WARDLE: Does the Premier consider that the blood alcohol content of ·08 per cent should now be reduced to ·05 per cent? It seems to me that, as we receive increasing reports from people who are involved medically and socially in the problem of drink driving, each report indicates that the quantity of alcohol a human being believes he can safely consume and drive with all the accuracy with which a sober person drives seems to be decreasing. I also note from a report issued recently by the Commonwealth Department of Transport that the impression is given that, as accident statistics are collated, it would appear that more and more people involved in road accidents are proved to have been associated with excessive use of alcohol. I believe that only Victoria has a ·05 figure, whereas the other States, including South Australia, have ·08. Has the Government considered this matter, and does it consider that now would be a suitable time to reduce the limit?

The Hon. D. A. DUNSTAN: Suggestions of this kind have been examined on several occasions, and the Government has considered the matter, but on police recommendations to us the Government has so far not decided to make any change in the ·08 per cent figure, which police reports to us indicate is a satisfactory one for the purposes of this provision in the Road Traffic Act. Although I know that there has been debate on this score previously, so far the Government has not acceded to the view that it should reduce the figure to ·05.

RAIL STOPPAGES

Mr. WHITTEN: Can the Minister of Transport provide any information on the cause and effect of the rail stoppages that occurred at the Mile End goods yards yesterday? I am concerned at the report by Bill Rust in this morning's *Advertiser*, headed "Stoppages delay rail freight", which states:

Two separate stoppages by railwaymen delayed freight trains at the Mile End goods yards yesterday—and further hold-ups are threatened. The State secretary of the Australian Railways Union (Mr. W. W. Marshall) said the stoppages stemmed from the pressure of work that was growing under the staff-cutting edict by the Federal Minister for Transport (Mr. Nixon).

No worker can afford to go on strike without good cause, so I ask the Minister for any information he has.

The Hon. G. T. VIRGO: I took up with the Commonwealth Minister for Transport in Canberra a few weeks ago this very question, and pointed out to him that his instruction that the staff of the South Australian section of the Australian National Railways should be reduced to 8 000 by July 1 had not been complied with, because it was impossible to do so. However, it had been complied with, I think from memory, from the end of September. I pointed out to Mr. Nixon that it had been complied with at the expense of working many railway employees what I believe to be excessive overtime (13 shifts a fortnight in many cases), and not permitting them to take annual leave or other time to which they were entitled. I was so concerned that I not only told him about this there and then in front of his officers, but I have since written to him that I believe he is placing the travelling public in jeopardy by his instruction, which is doing nothing more than making people work excessive hours without the proper rest. I believe that that is the position that is now worrying railway staff to such an extent that apparently they held a stoppage over the issue. I do not have the full details of the stoppage, but if I can get any further information about the matter for the honourable member I will do so.

HOUSING TRUST PROPERTY

Mr. BECKER: Will the Minister for Planning obtain for me a report about why the South Australian Housing Trust purchased a property at Kurralta Park and how the purchase price for that property was justified? Some years ago I suggested that, to overcome the accommodation shortage, the trust should acquire properties on the open market. The trust has for some time pursued that policy, and it has helped in some respects to overcome the problem. My question is supplementary to a question I asked on July 27, 1976, reported at page 175 of *Hansard*, in relation to trust policy when acquiring properties and how the purchase prices were justified. I have been advised that the trust purchased a property at 26 Tennyson Street, Kurralta Park (certificate of title volume 1148, folio 192) on May 23, 1974, for $75 000. From a search of the title I have been told that Princes Enterprises Proprietary Limited acquired the property on May 15, 1974 (eight days before the trust purchased it) for $68 000, which means that the trust paid an additional $7 000 over an eight-day period. In view of the difficulty that the trust experiences from time to time in having available sufficient finance, I would appreciate the Minister's obtaining a report for me about the matter.

The Hon. HUGH HUDSON: First, I must clarify a point raised by the honourable member. Where the trust has purchased houses in order to provide additional rental accommodation it does so not only for that purpose but also for the purpose of ensuring that older houses that can be upgraded are upgraded and retained in the market and not demolished. The programme to which the honourable member refers is largely an up-grading programme, which has been associated with gaining a greater spread of rental accommodation of this kind in the metropolitan area. It means that the trust has more alternatives open to it in allocating rental accommodation. Most of these up-graded houses have been allocated to people on emergency lists, thus avoiding much more over the past few years the problem created by concentrating in certain areas people who require emergency housing. That policy has had the adverse result that the local community in which, say, a widowed mother with several children is living cannot provide the degree of support that could otherwise be available if the same family were accommodated in another community where there were fewer people in the same category. The price to which the honourable member refers for the purchase of the Kurralta Park property is more than double the limit that the trust applies when purchasing accommodation for up-grading purposes and normal rental accommodation. The purchase of this property must have been made for another reason. I will check the matter and I will also check out whether the house had changed hands only a few days before the trust acquired it. When I have done that I will bring down what information I can for the honourable member.

ANSTEY HILL PARK

Mrs. BYRNE: Will the Minister for the Environment obtain for me a report on the progress that has been made and the success that has been achieved on the project to transform a quarry site adjoining North-East and Perseverance Roads, Tea Tree Gully, into a sports and recreation park on land acquired by the State Planning Authority as part of the planned 345-hectare Anstey Hill regional park?

The Hon. D. W. SIMMONS: I shall be pleased to get a report for the honourable member.

PORT LINCOLN WHARF

Mr. BLACKER: Will the Minister of Works report to the House the outcome of the latest negotiations between Government officers and the Waterside Workers Federation to ensure that the new bulk loading wharf at Port Lincoln will be used on completion? No doubt the Minister is conversant with the problem and with the fears of the Waterside Workers Federation members, who are concerned for their future employment. Concern is also being expressed among cereal growers that, as the facilities would be the largest in the State in terms of capacity, size of the ships handled, and State investment, it is desirable that the loading wharf should be brought into operation as soon as possible. I hope the Minister will outline the latest developments. I have been contacted by producer organisations, and their fear is quite genuine, as is their desire that the work should be operational as soon as possible.

The Hon. J. D. CORCORAN: I appreciate the concern of the honourable member and of his constituents. It is true the Waterside Workers Federation has indicated to the Government that, unless certain conditions are met in relation to the continuing employment of its members, problems may arise about the operation of the plant. I am confident that the negotiations in progress at the moment will solve those problems and that the plant will be able to operate in, I think, February of next year, when it will be ready. Some effort may be made to operate the plant before that time with a couple of small shipments to iron out any bugs that might appear. The matter is one of real concern to Waterside Workers Federation members in Port Lincoln, because it has the effect of reducing from, I think, 36 to 25 the number of people who will be employed there. That is one of the concerns. I am having discussions at present with the Waterside Workers Federation. Only yesterday, the Federal organiser (Mr. Bull) visited my office. I had discussions with Mr. Bull, together with the Director of Marine and Harbors, for about 45 minutes. Mr. Bull was going to confer with other people during the course of the day. I can assure the honourable member that I am wasting no time and no effort to see that the matter is resolved as soon as possible, in the hope that the operation of this expensive but efficient facility at Port Lincoln will not be delayed in any way.

BEAN SEED

Mr. VANDEPEER: Will the Minister of Works ask the Minister of Agriculture to investigate an apparent breakdown in the system used by the quarantine department to sample fodder and seed supplies being imported into South Australia? Recently, during the present sowing season, a consignment of tick bean seed was found to contain perennial thistle seed. These seeds were still lodged in the thistle seed pod, and it is assumed that the pods were too large to be extracted by the seed sampler. The pods were not discovered until some seed had been sown, and it may be some time before the fear of germination of the seeds will pass, as the crop was planted about 7 centimetres to 10 centimetres deep. The matter is of great concern to the landowner involved. We all acknowledge that the seed certification system in South Australia is one of the best in Australia, and comes up to and perhaps exceeds world standards. It has been suggested that the quarantine department, which handles seed imports, takes the sample. The bulk consignment does not come into the hands of the Agriculture Department, only the sample being tested. In this case, the seeds that are causing the concern were not in the sample, and therefore could not be located by the Agriculture Department. Will the Minister investigate the matter?

The Hon. J. D. CORCORAN: I shall convey the honourable member's question to my colleague and bring down a report as soon as possible.

SHEEP EXPORTS

Mr. GUNN: Will the Premier say whether the South Australian Government is concerned at the apparent loss of the live sheep trade to the Middle-East, as announced today in the *Stock Journal*? Is the Government prepared to use its good offices to endeavour to convince those people who have been causing concern to those who are shipping the stock (certain sections of the trade union movement) that it is in their best interests as well as the best interests of everyone else in South Australia for this market to be maintained? I quote from the *Stock Journal*, as follows:

The world's largest livestock carrier, the Columbus Lines *Atlas Pioneer*, is in the South Atlantic bound for Montevideo, the capital of Uruguay. This piece of news should send a shiver up the spine of Australian sheep producers. The *Atlas Pioneer*, which was banned from loading in Fremantle early in July and which later spent nearly two months out of action in Adelaide, is under time charter to the world's largest live sheep exporter, the Clausen Steamship Company. Until recently it operated regularly on the 14-day Australia-Kuwait run, taking up to 53 000 sheep at a time. A spokesman for the *Atlas Pioneer's* owners said the decision to buy live sheep from Uruguay was not taken lightly, but there appeared no alternative . . . Kuwait is the second most important customer for the Australian live sheep trade. In the year ended July, 1976, 1 815 603 live sheep were exported.

The Hon. D. A. DUNSTAN: I am sorry; I did not hear the question.

Mr. Gunn: Will the Premier get a report?

The Hon. D. A. DUNSTAN: I shall see that I do.

DRUGS

Dr. TONKIN: My question is directed to the Premier, and I trust that he will listen on this occasion. When will the Government announce the composition and the terms of reference of the Royal Commission into drugs? The Royal Commission was announced by the Government about a fortnight ago and was welcomed by everyone in the comunity, because it was recognised that we were rapidly reaching a crisis point with the escalation of the use of heroin and hard drugs. However, since that

time nothing has been heard. The Premier has made statements, but it has become apparent that the mere announcement of the Royal Commission has tended to satisfy many people, who are vitally concerned about the increased incidence of drug abuse, that something is being done. Many people in the community believe that positive action has already been taken. They could be forgiven for thinking that something has been done, now that the Commission has been announced. Because of the nature of the Royal Commission, it is possible it will sit many months, and we could lose the sense of urgency with which the investigation should be undertaken. Because of this, there is an urgent need for the Government to announce the terms of reference and composition of the Royal Commission, and to allow for the immediate release of findings that can be applied at once to help contain the situation. It may well be that, whilst we are lulled into a sense of false security thinking that the Royal Commission exists, criminal elements in our society will have a field day and the drug position will escalate 12 months further on to a point when it will be many times harder to control.

The Hon. D. A. DUNSTAN: The Leader has obviously exercised his best ingenuity to try to make something out of nothing. When I made the announcement on this matter (from memory, the week before last), I said that an announcement as to the personnel and terms of reference of the Commission would be made in December. At that time I gave the reasons why it would be announced in December. Discussions are being held with people who it is proposed will sit on the Royal Commission. It is a question of obtaining their agreement to sit on the Commission, as they have to make arrangements about their own duties if they are to undertake a Commission as heavy as this will be, and several things of that kind have to be cleared away. In addition, when we have finality as to the personnel of the Commissioners, it will be necessary to discuss with them in detail the terms of reference, of which there is already a draft. That has yet to be finalised with the Commissioners. There will be no delay in this matter. The Government was already proceeding in this matter when it was evident that there was a suggestion in another place that a Select Committee of that House should be appointed on this matter. It would have been inappropriate for a Select Committee of Parliament to sit when a much fuller and more effective inquiry by a Royal Commission was intended. So I made the announcement at that time in order to tell members of another place what the Government intended, otherwise I would not have made the announcement until the Royal Commission had been appointed. It will be appointed and its terms of reference announced in December.

BUS OPERATORS

Mr. RUSSACK: To ensure continuation of satisfactory commuter services by certain private bus proprietors in the Adelaide Hills, can the Minister of Transport say whether the Government intends to assist these operators, and, if it does, what type of assistance will the Government offer? A report in the *News* on Tuesday states:

Private bus proprietors in the Adelaide Hills are appealing for the State Government to save their passenger services. Busmen said today some services were closing down, and companies could be forced out of business if help was not given. The crisis affects Gumeracha, Cudlee Creek, Lobethal, Mannum, Birdwood, Woodside, Echunga and Mylor.

Mr. G. Weeks, owner of Birdwood-Mannum coaches, said today his regular services to Cudlee Creek would stop at the end of this week because of high costs and falling passenger numbers. "We are also cutting back on our service to Gumeracha," he said. They could not compete with the subsidised fares on buses run by the State Transport Authority.

"I have been to see the Transport Minister, Mr. Virgo, and written several letters to him, but we need to get the passengers behind us," he said.

Mr. L. A. Johnson runs services between Adelaide and Woodside, Goolwa, Echunga and Mylor. "We have got a real job to make ends meet," he said. "We are working 20 hours a day. The private bus companies just cannot compete against the fares of the subsidised S.T.A. buses."

Mr. P. C. Graebner, who runs services between Lobethal and Adelaide, said his situation was "very grim". "All the private bus services in the Adelaide Hills are in difficulty," he said.

The Hon. G. T. VIRGO: I think the reply to the question was contained in the explanation given by the honourable member when he read the statement of, I think, Mr. Weeks that he had been to see me and that what was needed was the support of the public. That is what they do not have, and that is why the bus services have become run down. At least some of those operators (and it could be all of them) have had discussions with the State Transport Authority, which now undertakes the functions formerly undertaken by the Transport Control Board. There have been some marked changes in services that have been provided because of the inability of operators to maintain the services that they previously maintained, and, of course, the services are not being maintained because the public are not supporting them. What is needed for these services to be restored is public support. When people in those areas leave their motor vehicles at home and travel in buses, they will have proper services. It is not much good operating a bus service, whether private or State operated, if the people living in the towns served by those services come by car to the city not so much as commuters, because not many people would commute from Mannum or Goolwa to Adelaide on a work basis.

Mr. Russack: What about the areas in which the State Transport Authority is operating over part of the route at reduced fares?

The Hon. G. T. VIRGO: Conditions have been attached to long distance services so that they cannot operate in inner areas, in order to protect the services operating in those areas, and they are the same conditions that have always applied. This matter is constantly being considered. I do not know the answer other than what has been done, but I will discuss the matter further with the State Transport Authority in order to ascertain whether any of the persons have made submissions to the authority, and, if they have, whether there is any way that they can be helped. I know that the authority has gone out of its way to do all it can for these operators, but the basic need is passengers, and that is what they do not have.

LIBERAL PARTY

Mr. SLATER: Can the Leader of the Opposition say whether the resignation of Mr. John Vial, former Executive Director of the Liberal Party in South Australia, can be attributed in any way to the disputes that have arisen in the Liberal Party regarding Party preselection for seats within the proposed new electoral boundaries?

The SPEAKER: Order! I cannot allow that question: it has nothing to do with the business of the House.

Dr. TONKIN: On a point of order, Sir. I would be delighted to use the opportunity of replying to the honourable member.

The SPEAKER: Order! We cannot discuss business that is not the business of the House. The honourable member for Mitcham.

MASSAGE PARLOURS

Mr. MILLHOUSE: I think the Leader knew he was pretty safe in making that offer. I would be delighted to enlarge on it if I am asked a question.

Members interjecting:

The SPEAKER: Order!

Mr. MILLHOUSE: I do not want to think about the Liberal Party any more; I wish to ask a question of the Premier. Does the Government propose that the present methods of the police in relation to massage parlours, as explained by him in his reply to the member for Kavel, should continue? No doubt the Premier anticipated that he would be questioned on this topic because of the publicity in the *Advertiser* this morning, and he did his best to play down the obvious contradiction in the replies that he gave to me to two Questions on Notice on November 16, and the report of the judgment of Mr. C. K. Stuart, S.M., in this morning's newspaper.

Incidentally, although the Premier made some rather derogatory remarks of that magistrate, there is no doubt on the report in the paper of the evidence that what he said was perfectly correct. I know that this is not the only development in the matter. I understand that a senior police officer has been seen by the Premier or by members of Cabinet about this matter and that the Government has been perturbed, as it might well be, about the contradiction that has occurred in the answers given in this place and the obvious actions of the police. In his answer to me on November 16 the Premier said that entrapment procedures involved the use of an *agent provocateur*—the person incites another to commit a breach of the law that would not otherwise have been committed. That is precisely what was done in the case reported this morning, and it was precisely what was done in the case that was the subject of my earlier question to him on that same day concerning a woman at Napoleon's Men's Health Clinic, when the Premier denied that such methods have been used. It does not matter what we call them: what I want to know is whether the methods which are being adopted by the police (*agent provocateur*, entrapment procedures, or what you like) are to be allowed to continue or whether the Government proposes that they should not continue further and that the blitz on massage parlours should cease, or whether it is going to adopt the proposal that I have put several times in this place that there should be by law some regulation and control of these places?

The Hon. D. A. DUNSTAN: The honourable member has cited my answer to his Question on Notice and carefully glossed over the clear difference between what I said should not be done by the police and what the police are doing. The honourable member has said I have defined the entrapment procedure as inciting someone to commit an offence. The police are not inciting anyone to commit an offence.

Mr. Millhouse: Don't be absurd; of course they are.

The Hon. D. A. DUNSTAN: The honourable member apparently thinks that the Assistant Commissioner of Operations, Mr. Tobin, is ridiculous too, because in today's *News* Mr. Tobin said:

We do not entice women in massage parlours to commit an offence. Those who accept money for prostitution commit an offence by their own action.

Mr. Millhouse: Ha, ha! Whom do they accept money from?

The SPEAKER: Order! The member for Mitcham has had his opportunity to ask his question.

The Hon. D. A. DUNSTAN: There is a clear distinction between going there and collecting evidence freely offered, as to people's willingness and desire to commit offences, and going along and persuading them to commit the offences.

Mr. Millhouse: Police officers are going there to get evidence for prosecution. What else are they going there for? They go there in plain clothes. The girls do not know whether they are police officers or proper clients.

The Hon. D. A. DUNSTAN: If the girls treated them as proper clients, they would not commit any offence. The problem is that they treat them as improper clients. All that the police are doing is going there and collecting evidence freely offered. As I have pointed out already, they are not there to persuade people to commit an offence that they would not otherwise commit. If the honourable member does not think there is any distinction—

Mr. Millhouse: You are playing on words, and you know it.

The Hon. D. A. DUNSTAN: The honourable member is the person who is being ridiculous. There is no play on words. There is a clear distinction, but the honourable member does not want to admit it, because he is on this gay fandango of his concerning massage parlours.

Mr. Millhouse: You tell us what the distinction is.

The Hon. D. A. DUNSTAN: The honourable member has already been told that at considerable length several times this afternoon. The distinction is obvious to the police, it required absolutely no conversation between me and any senior police officer, and on this subject I have not had a conversation with senior police officers for some months.

MEAT ADVISORY BOARD

Mr. RODDA: In the temporary absence of the Minister of Works, will the Premier ask the Minister of Agriculture why the advisory committee or meat authority provided for in the South Australian Meat Corporation Act has not been appointed? From time to time concern about this has been expressed by producers in one industry that is without representation on the board. When the Hon. T. M. Casey was Minister of Agriculture, he indicated that that industry's rights would be represented on the advisory committee, and the marketing would be taken care of by the meat authority. This has not eventuated. Will the Premier ask his colleague when it can be expected that it will eventuate and these two bodies will be appointed?

The Hon. D. A. DUNSTAN: I will get a report from my colleague.

ELECTRICITY CHARGES

Mr. BOUNDY: Can the Minister of Mines and Energy say whether any action will be taken to alter the method used for the assessment of electricity charges for aged persons' homes? On October 5, I asked a question of the Minister regarding electricity costs and on November 2, I received a reply from him. In reply, the Minister said that in order to achieve domestic rating for electricty costs at

aged persons' homes, costly changes would be necessary to the wiring of the buildings so that they could be metered separately. It seems reasonable to me that it would be possible to make a change in the method of assessment of the costs and apply the tariff to the group of units rather than requiring new meters. Can this aspect of that problem be investigated to the benefit of the residents of aged persons' homes?

The Hon. HUGH HUDSON: I shall be pleased to have the matter investigated for the honourable member.

TELEVISION ADVERTISEMENTS

Mr. COUMBE: Can the Premier say whether his media co-ordinator (Mr. Kevin Crease) undertakes radio and television work for the State Government Insurance Commission as part of his job with the Premier or whether it is a separate contract with separate remuneration? If it is, does the Premier believe that this work, instead of being done by Mr. Crease, should be done by a professional actor in view of the restricted work available for professional actors?

The Hon. D. A. DUNSTAN: It is done as a separate contract. Mr. Crease is a professional in this area of many years standing. At this stage of proceedings, people who do this kind of work in Adelaide normally do it on a casual and part-time basis. I see no reason why Mr. Crease in his own time should not undertake such work. I have certainly not had any objection from my union about his doing it.

McNALLY TRAINING CENTRE

Mr. MATHWIN: Can the Minister of Community Welfare say whether he has complimented the staff of McNally Training Centre on the prompt action they took on Tuesday evening that prevented a mass escape from the centre by up to 14 juveniles? The Minister would be aware a well-planned break-out was organised, but because of the rapid intervention of the staff it was nipped in the bud.

The Hon. R. G. PAYNE: No.

ALLENDALE EAST AQUATIC CENTRE

Mr. ALLISON: In the temporary absence of the Minister of Education, can the Minister of Mines and Energy say whether the Physical Education Branch of the Education Department is committed to assist with the aquatic programme proposed to be carried out by the Allendale East Aquatic Centre in January, 1977, for children to gain skills in canoeing, small boat sailing, snorkelling, surfing and fishing? The school parents and friends committee has already widely canvassed the district for equipment and help. If Education Department assistance is to be given, what form does the Minister expect that it will take; financial, material or staffing?

The Hon. HUGH HUDSON: I will draw the Minister of Education's attention to the honourable member's question. It may be that any assistance that could be provided will have to be made available through the Childhood Services Council and not directly through the Education Department.

TELEPHONE CALLS

Dr. EASTICK: Can the Premier say whether the Government is still monitoring outgoing telephone calls from Government departments? On March 26, 1975, it was revealed to the House (I believe for the first time) by the Premier, and subsequently by the Deputy Premier, that outgoing calls, particularly S.T.D. calls, were being monitored in Government departments. It was suggested on that occasion by way of personal explanation by the Deputy Premier that it was not a "big brother" activity. In other words, it was denied that that was the purpose for the monitoring, but was accepted and acknowledged by both the Premier and Deputy Premier that the monitoring was being undertaken as a means of reducing telephone costs incurred by staff members who were unnecessarily using, or illegally using, S.T.D. facilities. Is that monitoring arrangement still in progress? If it is, is it on a continuing or part-time basis? What general report about that matter can the Premier give to members of the House?

The Hon. D. A. DUNSTAN: I do not know, but I will inquire.

DOGS

Mr. WOTTON: Can the Premier say whether the Government intends to introduce a Bill to restructure the Registration of Dogs Act and, in particular, to cope with the problems that are referred to in an article in this mornings *Advertiser* headed "Dog hordes 'killers' "? This is a problem throughout the Hills, and I am sure the Premier is aware of it. I have been informed that a committee has been set up to look into the matter and reported, I believe some 12 months ago. I believe there is a draft of the new Bill, and I wonder whether the Premier can tell me when we are likely to see it introduced into this House.

The Hon. D. A. DUNSTAN: At this stage no decision has been made by Cabinet for the restructuring of the Registration of Dogs Act. There have been investigations by the Local Government Department concerning this matter, and the municipal clerks, I think, have made a submission concerning it. I will look into the matter. Certainly, at this stage, no submission has come to Cabinet for a restructuring of the Act.

FREE DENTAL CARE

Mr. ARNOLD: Can the Minister of Community Welfare, representing the Minister of Health, say whether the Government will contract with dentists in private practice to provide free dental care to all primary schoolchildren in South Australia? I recently asked the Minister a question relating to the overall programme for school dental care in South Australia. The answer indicated that at best it would be about eight years before all primary schoolchildren in South Australia would be covered by the school dental programme. Therefore, will the Government enter into negotiations with dentists in private practice to ensure that all schoolchildren are covered by free dental care in the very near future and not in about 10 years time?

The Hon. R. G. PAYNE: I will bring the honourable member's request to the attention of my colleague.

SCHOOL VISITS

Mr. CHAPMAN: Can the Minister of Education furnish me with a report on the progress that he and his department have made in relation to the numerous requests noted during his visits to various schools in the District of Alexandra? So far this year the Minister has visited Willunga Primary School, Willunga High School, Goolwa Primary School, Port Elliot Primary School, Victor Harbor Primary School, Victor Harbor High School and Yankalilla Area School in the mainland sector of the district. On a number of occasions during those visits the Minister undertook to investigate requests and various matters of concern to school councils and headmasters. I have had a number of contacts from those areas seeking information about progress. I understand that the Minister has made some remarks direct to the schools concerned when matters were raised with him, but I would appreciate a general report about progress so far, if that could be arranged.

I point out that in every instance the school council, principal and staff involved appreciate the on-site attention given to them and the requests made of the Minister, and they have expressed appreciation for that attention. Can the Minister make available to me urgently information about a special remedial staff member for Victor Harbor Primary School? I am sure he will recall that a request was made by a staff member in that school's capacity who is currently engaged by the department in the city and who has indicated his desire to transfer to Victor Harbor. I appreciate that filling the gap at Victor Harbor would create a gap in the city; generally, at the departmental level nothing is won. It has been pointed out to me in recent times that it may be easier to fill that gap in the city than to provide a teacher in that country area. Would the Minister give specific, speedy attention to the final request and in due course take up the matters raised earlier in this question?

The Hon. D. J. HOPGOOD: I will get that information for the honourable member. The honourable member will be aware, of course, that I gave specific assurances in relation to Kingscote Area School in the Loan Estimates debate. The honourable member would also be aware that I have been loath to make final decisions regarding the schools at Victor Harbor until the present strategy for education on the South Coast is worked out by the South Australian Council for Educational Planning and Research and a report has been presented that can be discussed with the school councils on the South Coast. I anticipate that that report will be ready soon, but I will get whatever information is available for the honourable member.

At 3.12 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

PERSONAL EXPLANATION: WATER CONSERVATION

The Hon. J. D. CORCORAN: I seek leave to make a personal explanation.

Leave granted.

The Hon. J. D. CORCORAN: In the course of a reply I gave to the member for Unley, apparently the member for Davenport interjected when we were talking about the publicity campaign. He asked whether I featured in it or whether I was involved in the publicity. I misunderstood—

Mr. Dean Brown: Whether you featured in the pamphlets and the television adverts.

The Hon. J. D. CORCORAN: —and evidently answered "No". Honestly, I did not hear the honourable member. My voice has been used in three or four radio scatters, but I do not think they are the only radio scatters. I feature very briefly in one of the five or six television segments that have been produced.

Mr. Dean Brown: It is a shameful reflection on the use of public funds.

The Hon. J. D. CORCORAN: I referred to radio scatters. I can assure the honourable member that, as Minister of Works, I think it is perfectly proper for me to tell the people what is the position. I have done no more than that, and I think that is proper. I would appreciate the honourable member's listening to the scatters (or whatever they are called) and giving me his advice on how I can improve my performance, if that is necessary, or his opinion of them.

Mr. Dean Brown: What I—

The SPEAKER: Order!

Members interjecting:

Mr. Dean Brown: There should be some—

The SPEAKER: Order! The honourable member for Davenport is out of order. I have warned him for the last time today.

DEFECTIVE PREMISES BILL

Returned from the Legislative Council with amendments.

EVIDENCE ACT AMENDMENT BILL

Returned from the Legislative Council with an amendment.

PAY-ROLL TAX ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Pay-Roll Tax Act, 1971-1976. Read a first time.

The Hon. D. A. DUNSTAN: I move:

That this Bill be now read a second time.

It amends the principal Act, the Pay-roll Tax Act, 1971-1976, to increase the amount of the annual deduction that may be made from a pay-roll liable to pay-roll tax. The present annual deduction of $41 600, reducing by $2 for very $3 by which a pay-roll liable to taxation exceeds $41 600 to a minimum deduction of $20 800, was enacted by the Pay-roll Tax Amendment Act, 1976, and had effect from January 1, 1976.

This Bill provides for an increase of about 15 per cent in the maximum and minimum annual deduction to have effect from January 1, 1977. This increase should reflect the increase in wage levels in the intervening year. Accordingly, the maximum annual deduction proposed is $48 000, reducing by $2 for every $3 by which a pay-roll liable to taxation exceeds $48 000 to a minimum annual deduction of $24 000. It is estimated that the cost to the Government in a full year of the increase in the amount of the

deduction proposed by the Bill will be about $1 000 000. I seek leave to have the explanation of the clauses incorporated in *Hansard* without my reading them.

Leave granted.

EXPLANATION OF CLAUSES

Clause 1 is formal. Clause 2 provides that the measure shall come into operation on January 1, 1977. Clause 3 inserts a new subsection in the interpretation section section 3 of the principal Act, providing that cents shall be disregarded in calculations of formulae relating to the proposed annual deduction provided for by the Bill. Clause 4 amends section 11a of the principal Act by providing for the new maximum and minimum amounts of the deduction that may be made under that section from pay-rolls before monthly or other periodic returns of pay-roll tax are made to the Commissioner.

Clause 5 amends section 13a of the principal Act by providing for a new definition of the amount of the annual deduction that may be made from a pay-roll liable to taxation. The formula set out in new subsection (2a) provides for the annual deduction for the financial year ending on June 30, 1977, by averaging the present annual deduction based upon the maximum of $41 600 and minimum of $20 800 and the new annual deduction to have effect from January 1, 1977, based on a maximum of $48 000 and a minimum of $24 000. The formula set out in new subsection (2b) provides for the annual deduction for subsequent financial years. Clause 6 amends section 14 of the principal Act to require an employer to register under the Act when his pay-roll exceeds $900 in a week, instead of the present $800. Clause 7 amends section 18k of the principal Act by providing for the new annual deduction in respect of the pay-rolls of grouped employers. New section 18k corresponds with respect to groups of employers to section 13a, amended as proposed by clause 5, with respect to single employers.

Dr. TONKIN secured the adjournment of the debate.

PULP AND PAPER MILL (HUNDREDS OF MAYURRA AND HINDMARSH) ACT AMENDMENT BILL

The Hon. Hugh Hudson, for the Hon. J. D. CORCORAN (Minister of Works), obtained leave and introduced a Bill for an Act to amend the Pulp and Paper Mill (Hundreds of Mayurra and Hindmarsh) Act, 1964. Read a first time.

The Hon. HUGH HUDSON: I move:

That this Bill be now read a second time.

This short Bill, which has only one operative clause, clause 3, is intended to introduce a new formula for the determination of council rates payable by "the company" as defined in the principal Act, the Pulp and Paper Mill (Hundreds of Mayurra and Hindmarsh) Act, 1964. The previous method of determination of rates payable by the council were set out in section 4 at subsections (1) and (2). The amendment proposed will substitute in section 4 new subsections (1), (2), (2a) and (2b) and the method of determining the rates is, it is felt, quite self-explanatory. The Government has agreed in principle with the council that the determination of rates provided for in this measure will continue until the rating year 1980-81 and in that year this matter will be reviewed. This Bill is a hybrid Bill and will, in the ordinary course of events, be referred to a Select Committee of this House.

The Minister of Works has asked me to inform the House that both the Millicent District Council and the company Kimberley-Clark of Australia Pty. Limited (known locally in the Millicent area as Apcel) have agreed to the change that has been brought about.

Mr. RODDA (Victoria): As was explained by the Minister, this is a short Bill. It contains an arrangement that has been agreed to in principle by the Government and the council concerned. The Bill will go to a Select Committee. The Opposition supports the Bill.

Bill read a second time and referred to a Select Committee consisting of Messrs. Corcoran, Olson, Rodda, Vandepeer, and Wells; the committee to have power to send for persons, papers and records, and to adjourn from place to place; the committee to report on December 2.

MOTOR VEHICLES ACT AMENDMENT BILL

The Hon. G. T. VIRGO (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the Motor Vehicles Act, 1959-1976. Read a first time.

The Hon. G. T. VIRGO: 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.

Leave granted.

EXPLANATION OF BILL

It makes a number of amendments to the principal Act on several different subjects. The most significant of the amendments relate to the tow-truck provisions of the principal Act. The Government is not at this stage introducing its recently announced comprehensive review of these provisions, but it is felt that a number of urgent amendments are immediately required in order to keep an effective rein on the tow-truck industry. A significant feature of these amendments enables the Minister to appoint inspectors for the purposes of the principal Act and empowers these inspectors to exercise various powers of investigation and inquiry. The right of a person seeking a tow-truck certificate to appeal against a refusal to grant a certificate is removed. It is felt that an appeal is no longer justified in view of the recent introduction of provisions under which the consultative committee must endorse any decision on the part of the Registrar to refuse such an application.

Another important aspect of the amendments relates to registration fees for pensioners. It is proposed that these concessions should in future be prescribed. The Government's policy is to maintain, as far as practicable, existing levels of registration fees for pensioners, thus protecting them from the effects of inflation. These provisions have been made retrospective to the first day of August this year. The Bill also strikes out references to "weight" and substitutes references to "mass". This amendment is in line with amendments to the Road Traffic Act that have recently been considered by this House.

Clauses 1 and 2 are formal. Clauses 3 and 4 deal with the substitution of the word "mass" for the word "weight". Clauses 5, 6, 7 and 8 deal with pensioner concessions and provide that the concession is in future to be prescribed by regulation. Clauses 9, 10 and 11 substitute the word "mass" for the word "weight".

Clause 12 deals with a problem that has arisen in the administration of provisions enabling the Registrar on the advice of the consultative committee to cancel a licence. At present the Act enables the cancellation of a licence where a driver commits an offence that in the opinion of the consultative committee shows him to be unfit to hold a licence. It sometimes happens that a person commits a

series of offences none of which individually would constitute sufficient reason for cancellation of a licence, but which cumulatively justify cancellation of a licence. The amendment alters the present provisions to take account of this fact.

Clause 13 enacts the new provisions relating to tow-trucks. New section 98o provides that no person other than the driver of a tow-truck or the owner, driver or person in charge of a vehicle that is being or is to be towed shall ride in or on a tow-truck while it is being driven to or from the scene of an accident. New section 98p enables the Minister to appoint inspectors. An inspector is to make such investigations and reports as the Registrar may direct. The new section confers on an inspector various powers of investigation and inquiry. It provides that a report made by an inspector at the direction of the Registrar will constitute *prima facie* evidence of matters stated therein in any legal proceedings. Clause 14 removes the right of an applicant for a tow-truck certificate to appeal against a refusal to grant the certificate.

Mr. RUSSACK secured the adjournment of the debate.

COMMUNITY WELFARE ACT AMENDMENT BILL

The Hon. R. G. PAYNE (Minister of Community Welfare) obtained leave and introduced a Bill for an Act to amend the Community Welfare Act, 1972-1975. Read a first time.

The Hon. R. G. PAYNE: I move:

That this Bill be now read a second time.

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

Leave granted.

EXPLANATION OF BILL

This Bill seeks to amend the Community Welfare Act, 1972-1975, in a number of ways to deal with matters that have arisen since the legislation was enacted. The most significant of the amendments relate to the licensing of baby sitting agencies and children's homes caring for young people up to 18 years. The Bill would prohibit the advertising of child care services unless the prospective carer has been licensed or approved by the Director-General. It contains new and amended provisions for the protection of children. These latter provisions incorporate recommendations made in the report of the advisory committee chaired by Judge Murray which inquired into the problems of non-accidental physical injury to children. The maltreatment of children is recognised as a serious problem in our community and the recommendations that have been incorporated in the Bill are designed to provide a legislative base for dealing effectively with this problem on a co-ordinated basis. Clause 1 is formal. Clause 2 provides that the Act shall come into operation on a day to be fixed by proclamation. Clause 3 seeks to amend headings set out in section 4 of the principal Act so that they are in accord with the various amendments proposed in the Bill.

Clause 4 (*a*) seeks to insert in section 6 of the principal Act a definition of "baby sitting agency". Clause 4 (*b*) would amend the present definition of children's home so that it means any premises or place in which more than five children under the age of 18 years are maintained and cared for apart from their parents and near relatives. Clause 5 seeks to amend section 13 (2) of the principal Act by removing the restriction on the number of members who may be appointed to a community welfare advisory committee. Although the present maximum of six members allowed by the principal Act has been satisfactory for most advisory committees, there have been occasions when a better balance would have been achieved by the appointment of an additional member or members. Clause 6 seeks to amend paragraph (*b*) of subsection (6) of section 40 of the principal Act by clarifying the right of a parent or guardian or the child if he is over the age of 15 years, to apply to the Minister for discharge of the child from temporary care and control. Clause 7 seeks to amend subsection (2) of section 49 of the principal Act to clarify the right of a parent to apply to the Minister for an order that his child be discharged from the care and control of the Minister or that the child be placed in his care or custody. It also seeks to amend subsection (7) to provide that, upon the hearing of an appeal under section 49, the court may, as an alternative to discharging the child from the care and control of the Minister, order that the child be placed in the care or custody of the applicant.

Clause 8 is consequent upon clause 4 (*b*). The effect would be that children's homes caring for more than five children under the age of 18 years apart from their parents and near relatives would be subject to licensing by the Director-General. There has been a fairly rapid increase in the number of homes in the community caring for young people in the 15-18 years age bracket. It is obviously important that these homes should provide acceptable standards of care, and this can be ensured by requiring that they should be licensed. Clause 9 seeks to amend the heading immediately preceding section 66 of the principal Act so that it applies to approved family day care premises as well as licensed child care centres. Clause 10 seeks to amend section 69 of the principal Act so that the requirement to keep a register containing particulars of children in care shall apply to family day care givers as well as to licensees of child care centres. Clause 11 seeks to extend the provisions of section 70 of the principal Act, giving powers of entry and inspection so that they will apply to approved family day care premises as well as to child care centres. Clause 12 (*a*) seeks to amend section 71 (1) of the principal Act to further clarify the circumstances in which the Director-General may approve premises that are not required to be licensed under the Act and in which the applicant proposes to provide care for up to three children in a family environment. Clause 12 (*b*) seeks to clarify that family day care in approved premises may be provided as part of a programme conducted by the Director-General or by private arrangements made by the parents or guardians of the children.

Clause 13 seeks to provide for the licensing of baby sitting agencies. Following a serious incident in another State, considerable concern has been expressed about the care of children left with unsuitable "baby sitters". At a meeting held on March 15, 1976, representatives of baby sitting agencies requested that agencies should be licensed by the department. Proposed new section 71a provides that all agencies that provide baby sitting services for monetary or other consideration must be licensed by the Director-General. The provisions of the Bill would not affect situations where the baby sitting is arranged privately between the parties. Subsections (2) and (3) of the proposed new section 71a provide for the licensing of baby sitting agencies on an annual basis and subject to such terms and conditions as the Director-General specifies in the licence. Subsection (4) provides for a penalty not exceeding $200 for contravention of any condition upon which the licence is granted. New section 71b provides that the Director-General may cancel a licence if he is satisfied that proper cause exists. Subsections (2), (3) and (4) of the section provide certain safeguards to the licensee, principally a right of appeal to the Minister. New section

71c requires that the licensed baby sitting agency shall maintain records and produce these for inspection when required by the Director-General or an authorised officer. Clause 14 seeks to repeal present subdivision 7—Protection of Children, sections 72 and 73 of the principal Act.

Clause 15 seeks to insert a new section 75a, which would prohibit the advertising of child care services for children under the age of six years away from their ordinary home, unless the proposed premises have been licensed or approved by the Director-General. Clause 16 seeks to insert a new Division III in Part IV of the principal Act, with the heading "Division III—the Protection of Children". Subdivision 1 of the new Division relates to the establishment of regional panels. New section 82a provides for the Minister to divide the State into regions and to establish a panel for each region. Each panel would consist of five persons: one nominated by the Director-General of Community Welfare, one by the Mothers and Babies' Health Association, one by the Commissioner of Police, one to be a legally qualified medical practitioner, and one to be experienced in child psychiatry and nominated by the Director-General of Medical Services. New section 82b provides that a decision in which the majority of the members concur shall be a decision of the panel. New section 82c sets out the functions of a regional panel. New section 82d, subdivision 2—Notification of Maltreatment—deals with notifications of maltreatment of children. Subsection (1) provides for notifications of suspicions of maltreatment to be made to officers of the department.

Subsection (2) of the section extends the classes of persons who are obliged to make notifications to include legally qualified medical practitioners, registered dentists, registered or enrolled nurses, registered teachers, members of the Police Force, employees of agencies established to promote child welfare or community welfare and any other persons of a class declared by regulation to be a class of persons to whom the section applies. Subsection (3) requires the notification to be accompanied by a statement of the observations and opinions on which the suspicion is based. Subsection (4) provides that the officer of the department who has received the notification shall as soon as practicable report the matter to the appropriate regional panel. Subsection (5) provides indemnity to any person who makes a notification in good faith so that he incurs no civil liability in respect of that action. New section 82e, under a new heading "subdivision 3—Offences Against Children", makes it an offence to maltreat or neglect a child or to cause the child to be maltreated or neglected in a manner likely to subject the child to unnecessary injury or danger. It provides for a penalty not exceeding $500 or imprisonment up to 12 months. Subsection (2) provides that proceedings for an offence against this section shall not be commenced except upon the written authorisation of a regional panel. New section 82f, under a new heading "subdivision 4—Temporary Custody of Children", seeks to provide that, where a child has been admitted to a hospital or a prescribed institution and the person in charge suspects that an offence against this Division has been committed in relation to the child, the child may be detained against the will of a parent or guardian in the hospital or institution for up to 96 hours. Clause 17 seeks to insert a new section 90 in the principal Act to provide that the Minister may continue to carry on any business, trade or industry on any Aboriginal reserve or land, which previously constituted an Aboriginal reserve, with a view to passing control to Aboriginal people at a later date.

Dr. TONKIN secured the adjournment of the debate.

CREDIT UNION BILL

The Hon. PETER DUNCAN (Attorney-General) obtained leave to introduce a Bill for an Act to provide for the registration, administration and control of credit unions; and for other purposes.

BUILDERS LICENSING ACT AMENDMENT BILL

The Hon. PETER DUNCAN (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Builders Licensing Act, 1967-1974. Read a first time.

The Hon. PETER DUNCAN: I move:

That this Bill be now read a second time:

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

Leave granted.

EXPLANATION OF BILL

It makes a number of miscellaneous amendments to the Builders Licensing Act, 1967-1974. For some time now the Government has been concerned about the activities of people involved in the construction of swimming pools. Many complaints have been made by consumers as to the standard of workmanship, failure to complete construction of a swimming pool within the period promised (or at all) and other allied matters. Some swimming pool contractors have not had the financial resources to carry on business in a proper manner and have got into financial difficulties, leaving the consumer in many cases with a partially completed swimming pool. I believe that members will support the amendments to the Act which include the construction of swimming pools in the definition of "building work". Swimming pool contractors will then be subject to the same system of licensing and control as other builders. The definition of a "swimming pool" will be included in amendments to the regulations. It is expected that this definition will include only swimming pools that have a circulation and filtration system and will not include above-ground pools that are capable of being assembled and dismantled by the owner.

The Builders Licensing Board presently comprises a legal practitioner as Chairman, an architect, a member of the Australian Institute of Building, an accountant and an engineer. The Government believes that tribunals and boards such as the Builders Licensing Board should include representatives of the persons whose interests the tribunal or board is designed to protect. The Bill therefore provides for the addition to the Builders Licensing Board of two persons to represent the interests of those on whose behalf building work is carried out. This will ensure not only that the board has the management and technical expertise provided by the present members but also that the views of the average consumer will be taken into account in all matters requiring determination by the board. The principal Act presently requires applications for renewal of builders licences to be filed not more than two months before the date of expiration. It has been found that this does not allow sufficient time for the receiving and processing of applications and the renewal of the many thousands of licences that are presently current. It is in the interests of both the efficient working of the board and of the applicants themselves that the present restriction in the Act be removed. The matter can then be dealt with more flexibly in the regulations.

There is presently no power in the board to restrict the type of building work that may be undertaken by a licensed builder in accordance with his general builder's licence or restricted builder's licence. In the course of a

judgment in proceedings before the Builders Appellate and Disciplinary Tribunal earlier this year His Honour Judge Brebner said:

This may perhaps be considered a weakness in the Act, that a person who desires to undertake for others no more than what might be called cottage work of a minor nature, must be the holder of the same type of licence as a person or company who undertakes the erection of multi-storey buildings or other major constructional works. This is a matter which should be drawn to the attention of Parliament.

Similar difficulties exist with regard to restricted builders' licences. For example, a person who wishes to obtain a licence so as to enable him to erect aluminium carports and verandahs can be given a licence only under the classified trade of "roof sheeter: metal deck and iron worker". This covers a much wider scope than is necessary for the purposes of the applicant and he may find it difficult to satisfy the board that he has the necessary experience and expertise in the whole of that classified trade. The Bill therefore empowers the board to impose conditions on general and restricted builders' licences which restrict the kind of building work that may be carried out under the licence. Such conditions would often be imposed at the request of the applicant.

The Bill also gives power to the board to dispense with certain requirements of the regulations as to information required to be submitted with licence applications. The regulations provide, for example, that an applicant is required to submit character references from some persons of standing in the community who have known the applicant for a period of at least three years. Compliance with this requirement has been difficult in the case of some migrants and interstate applicants. The amendments will permit the board to dispense with this and similar requirements in appropriate cases. It is also necessary to give the Builders Appellate and Disciplinary Tribunal and the Supreme Court power to cure any procedural irregularity in proceedings before that tribunal or court. The Bill therefore includes a provision similar to section 26 (5) of the Planning and Development Act, 1966-1975.

It has become increasingly prevalent for a licensed builder to lend his licence to an unlicensed person and for the latter person to display the number of that licence on a building site and pretend to be the holder of that licence. The person who borrows the licence commits an offence under the principal Act, as he is holding himself out to be a licensed builder. There is some doubt, however, whether the lender of the licence also commits an offence, although he may be an accessory to the offence committed by the borrower. In order to put the matter beyond doubt, the Bill creates a new offence on the part of the lender of the licence in these circumstances.

Some builders are known to be abusing the present inflationary situation by including a "rise-and-fall" clause in a contract for the construction of a dwellinghouse and stipulating an unrealistic period for completion of the work. Where the "rise-and-fall" clause covers the whole of the construction time, there is no incentive to the builder to complete the construction within the stipulated time as his increased costs are covered by the rise and fall clause. Consumers usually expect to pay, and make allowance in their budget for, an increase in cost based on completion within the stipulated period. They are often faced, however, with additional costs far in excess of the increase which would have been payable if the building had been completed within that period. The Bill provides that a contract must stipulate a specific price for the performance of the work and, where a period is specified for the completion of the work, any rise and fall clause operates only with respect to work done within that period.

Clauses 1, 2 and 3 are formal. Clause 4 amends section 4 of the principal Act to include work involved in the construction of swimming pools within the category of building work. Clause 5 provides for the inclusion of two "consumer" representatives on the Builders Licensing Board. Clause 6 deletes the statutory provision as to the time within which an application for renewal of a licence must be made. In future this matter will be dealt with by regulation. Clauses 7, 8 and 9 deal with the granting of licences subject to conditions restricting the amount of building work that may be carried out by the holder of the licence.

Clause 10 empowers the Supreme Court and the tribunal to correct formal irregularities in proceedings. Clause 11 enables regulations to be made stipulating the value of building work that may be carried out without a licence. It provides a general penalty for breach of a condition of a licence. It makes it an offence for a person, without the authority of the board, to part with possession of his licence, or to allow any person to make use of his licence. Clause 12 deals with rise and fall clauses in contracts for the performance of domestic building work. A builder is not to be entitled to claim the benefit of such a clause in respect of work carried out after the date stipulated for completion of the work. Clause 13 enables the board to waive requirements of the Act or regulations in relation to applications for licences under the Act.

Mr. EVANS secured the adjournment of the debate.

NOISE CONTROL BILL

The Hon. D. W. SIMMONS (Minister for the Environment) obtained leave and introduced a Bill for an Act to provide for the control of excessive noise; and for other purposes. Read a first time.

The Hon. D. W. SIMMONS: I move:

That this Bill be now read a second time:

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

Leave granted.

Explanation of Bill

It is intended to provide the means to bring about a reduction of the level of noise in the community and to minimise the risk of noise-induced hearing loss. The Bill reflects the increasing concern in the community about certain retrogressive effects of our present technology upon the quality of life and, more importantly, our health. With respect to health, there should be no dispute that the necessary steps should be taken to prevent the damage caused by continuous exposure to excessive noise in employment. These steps are already being taken by a number of employers and, of course, noise-induced hearing loss is compensable under the Workmen's Compensation Act, 1971-1973. The Government also believes that the community is now prepared to make the investment necessary to commence restoring qualities, such as quiet, although such investment does not contribute to material growth. The Government is supported in this view by the numerous complaints received by its various departments from members of the public about the level of noise in the community.

The law at present regulates noise in the community through the tort of nuisance. With respect to noise this

civil remedy, basically, provides a means of adjusting the rights of persons having an interest in neighbouring lands to use and have quiet enjoyment of their lands. This measure does not affect that remedy but adopts a different approach to the problem of noise. It makes use of our ability to measure objectively the levels of noise by stipulating maximum noise levels for certain sources of noise and imposing penalties upon the persons in control of such sources of noise that exceed those maximum noise levels.

In relation to industrial premises, one of the principal sources of noise in the community, the Bill empowers inspectors appointed under it to give a notice to the occupier of industrial premises that emit excessive noise requiring him to ensure that excessive noise is not emitted after the expiration of a period specified in the notice. Excessive noise for this purpose is noise that, as measured outside the industrial premises, adds more than five decibels to what would otherwise be the background noise level and exceeds the noise level prescribed for the particular time of the day and the area within which those premises are situated. The noise levels to be prescribed are levels that have been arrived at after surveys conducted throughout the metropolitan area and represent an average of such noise levels for the various times of the day. It is intended that the areas to be prescribed will correspond to zoning under the planning legislation.

The Bill provides that an employer is to be guilty of an offence if any of his employees are exposed to excessive noise during his employment. Excessive noise for this purpose is noise that at any time exceeds a noise level of 115 decibels, which is harmful to the hearing, or noise that in a day is at levels that are such that the equivalent continuous noise level calculated upon the basis of those noise levels exceeds the prescribed maximum noise level. That is, the varying noise levels during the day are converted to a figure that corresponds to a noise level continuing throughout the day. It is intended that the maximum noise level to be prescribed will be 90 decibels. On the best advice available to the Government, reducing noise levels to a continuous 85 decibels is necessary to minimise hearing loss while exposure to 90 decibels over a working life causes some hearing loss in most persons and serious loss in a small percentage of sensitive persons. As noise-induced hearing loss is a cumulative process and attaining the lower level of 85 decibels will be expensive and technologically difficult, it is intended that that lower level will be phased in over a period of time that is reasonable having regard to circumstances in the industries concerned.

The Bill regulates noise emitted from any domestic premises by providing that it is an offence for the occupier of domestic premises to cause, suffer or permit excessive noise to be emitted from the premises. Excessive noise in respect of domestic premises is noise that unreasonably interferes with the peace, comfort or convenience of any person in other premises or, as an alternative test, that during the sleeping hours exceeds the noise level prescribed for the area in which the domestic premises are situated.

The Bill proposes to control noise from machines by means of regulations prescribing such lower noise levels as are technologically feasible in relation to each particular machine or type of machine. This area of noise control has two aspects. First, the prescription of noise levels for existing machines to come into effect at such time as is reasonable in relation to each particular type of machine. The noise from a number of existing machines that cause complaint, such as compressors, air-conditioners or swimming-pool pumps, filters or heaters, will be required to be reduced in the immediate future and this may be achieved reasonably simply by means of screens designed to baffle the noise. As to lawn-mowers and power tools, noise levels will be prescribed which may be achieved by modifying these machines, but in addition, for a period, times will be prescribed during which such machines that are unmodified may be used and that are reasonable times from the point of view of annoyance to neighbours. Secondly, the Bill seeks to phase in design requirements for machines marketed in the future that will ensure that these machines emit less noise. It should be pointed out that this measure is not intended to regulate noise from motor vehicles, because that is already regulated under the Road Traffic Act, 1961-1974, about 1 300 persons having been successfully prosecuted within the past 12 months for driving vehicles that emitted undue noise. In addition, considerable research is being carried on at a national and State level in relation to the control of noise emitted by both new and in-service vehicles, and this should soon be reflected in regulations, made under the Road Traffic Act, designed to control more effectively this aspect of noise.

The measure recognises the technological complexity of reducing noise and the not inconsiderable cost involved by providing for temporary exemptions and, in appropriate cases, permanent exemptions. Regarding excessive noise from industrial premises, the Bill provides that the Minister may extend the period specified in a notice given by an inspector, if he considers it does not allow sufficient time to achieve compliance. In addition, the Minister is empowered to grant exemptions to industrial premises for such periods and subject to such conditions as he specifies in the exemptions. The Chief Inspector of Industrial Safety, or the Chief Inspector of Mines, as the case requires, is empowered to grant exemptions to employers with respect to excessive noise exposure. Any such exemptions are to be subject to conditions providing for personal hearing protection to be worn by employees exposed to excessive noise. These powers of exemption and the fixing of appropriate times for commencement of operation of the various requirements under the measure should provide the necessary flexibility.

Clause 1 is formal. Clause 2 provides that the measure shall come into operation on a day to be fixed by proclamation, but also provides that specific provisions may be brought into operation at subsequent dates. Clause 3 sets out the arrangement of the measure. Clause 4 provides that the Crown is to be bound. Clause 5 saves any other remedies at law. Clause 6 provides definitions of expressions used in the Bill. Clause 7 provides for the appointment of inspectors. Clause 8 requires inspectors to produce certificates of appointment when exercising their powers. Clause 9 sets out the powers of inspectors. Clause 10 provides for inspectors to give notices to the occupiers of industrial premises from which excessive noise is emitted. Excessive noise for this purpose is defined in terms of the results obtained by inspectors from measuring the noise in accordance with regulations under the measure. Subclause (5) provides that it is an offence to fail to comply with a notice but, by subclause (4), the Minister is empowered to extend the period for compliance with a notice.

Clause 11 empowers the Minister to exempt industrial premises from the application of clause 10, and sets out criteria for the determination of such exemptions. These exemptions may be restricted in time and made conditional. Clause 12 provides that it is an offence for an employer to cause, suffer or permit any of his employees to be exposed to excessive noise during that employment. Again, excessive noise is defined in terms of the results obtained from

calculations and measurements of the noise in accordance with regulations under the measure. Clause 13 empowers the Chief Inspector of Industrial Safety or the Chief Inspector of Mines, as the case requires, to exempt employers from compliance with clause 12 where he is satisfied that compliance is not reasonably practicable in the circumstances. Such exemptions are to be conditional upon the employers taking steps to protect the hearing of their employees and may be restricted in time and made subject to any other conditions. Clause 14 empowers the Minister or the designated officer of the control committee to require information relating to industrial noise. Clause 15 prohibits the operation of machines that emit excessive noise as prescribed by regulations under the measure. By subclause (4), the operation of such machines is to be permitted at times and in circumstances to be prescribed by regulation.

Clause 16 prohibits the sale of machines that do not conform to noise specifications to be prescribed by regulation at the appropriate times in the future. Clause 17 provides that it is an offence for the occupier of any domestic premises to cause, suffer or permit excessive noise to be emitted from the premises. The clause provides for powers of entry and questioning necessary to identify the occupier. Clause 18 prohibits the improper disclosure of information obtained by officers in the exercise of their powers or functions under the measure. Clause 19 is an evidentiary provision. Clause 20 subjects officers of bodies corporate convicted of offences to personal liability in certain circumstances. Clause 21 provides that offences against the measure are to be heard by courts of summary jurisdiction and that such proceedings are to be commenced only upon the complaint of an inspector. Clause 22 provides for moneys for the purposes of the measure. Clause 23 empowers the making of regulations for the purposes of the measure.

Mr. ARNOLD secured the adjournment of the debate.

RACING BILL

Third reading.

The Hon. HUGH HUDSON (Minister of Mines and Energy) moved:

That this Bill be now read a third time.

Dr. EASTICK (Light): I do not wish to delay the matter, but I point out that the manner in which it came from Committee was based on an assurance given by the Minister that, in respect of betting at several meetings, a ring fee situation would not exist in future. A check today has indicated clearly that a ring fee situation has been negotiated and that it will be in effect soon. When that additional information is available to members in another place they may wish to consider those features of the Bill that were discussed and canvassed yesterday. In the interests of several of the organisations that will be involved in the ring fee arrangement, I believe that those organisations will wish amendments that will allow clubs conducting meetings to determine from a list those bookmakers they wish to function on their course.

The Hon. HUGH HUDSON (Minister of Mines and Energy): My only point in reply to the assiduous member for Light is that, if a ring fee has been agreed, the basis for the Betting Control Board rather than the clubs' determining who gets permits and the number of permits to be issued is much stronger, because, once a ring fee is negotiated, if a club is in a position to determine how many bookmakers can bet in a ring on a particular race day, that club can vary the fee for each bookmaker, thus leading to a situation that would produce many arguments between the clubs and the Bookmakers League. It may be that the ring fee has been agreed only on the basis that it will be the Betting Control Board and not the clubs that will determine the number of permits.

Bill read a third time and passed.

EDUCATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 2. Page 1809.)

Mr. NANKIVELL (Mallee): The Bill contains a miscellany of amendments to the Education Act. If one wished to discuss the principal Act, an invitation would be presented to do so by a Bill as diverse as is this one.

The Hon. D. J. Hopgood: It is a real smorgasbord.

Mr. NANKIVELL: That is so, but I shall help myself only to the special dishes. The first matter relates to preschool teacher registration. I have discussed this with the Kindergarten Union, which is of the opinion that the proposals in the Bill are in conformity with its wishes that its teachers should be registered and that, consequently, the Kindergarten Union should be recognised and should have representation on the Teachers Registration Board. This is provided within the amendments contained in the Bill. The Teachers Registration Board is to have six teacher representatives instead of two, and one of those will be non-Government, and, I think, one from the Kindergarten Union. Because of the increased size of the board, it is inevitable that the quorum must be increased.

From discussions I have had with the President of the South Australian Institute of Teachers, I find that he was most anxious to have a certain amendment included in the Bill. I refer to the provision that the Chairman, who is a Government appointee, should not have a casting vote. Obviously, there must be some good reason for this which I have not heard, and I hope the Minister will explain the reason for it.

The acceptance of the fact that it is proper, where possible, for children with some disability to be not separated from the general run of children unless they have special needs is an excellent proposal. To recognise such places as Townsend House and other similar places as special schools to which children with particular disabilities can be directed is something that should have been done previously. It is what I would call a reasonable machinery amendment.

The question of loans for joint ventures is another important aspect of the Bill. An outstanding feature is that the amendment requires that the school council, to be involved, must put up 50 per cent of the money before it asks for the Government guarantee or the Minister must be satisfied that it can put up the 50 per cent before the guarantee will be recommended. This is the cost of the proportion that the school council will have to pay towards the building of joint venture projects. I imagine they would include joint venture halls, libraries, and so on, which are valuable concepts and which, I am pleased to say, are becoming not just school matters but community matters, to enable the school to take its part in the community development of these projects.

Perhaps the largest section of the amendments is devoted to changes in long service leave provisions. I had intended to draw the Minister's attention to an anomaly in the Act, in that people were to start pro rata benefits for long service leave after five years of service in special circumstances, whereas the normal procedure is that a seven-year minimum is required before pro rata provisions apply. I believe this is to be the subject of immediate action by the Minister, who will bring an amendment before the House.

My only additional comment is a general one on long service leave. Under the provisions of clause 19 (6), the Director-General can direct an officer to take any long service leave to which he is entitled at such time and at such period as, in the opinion of the Director-General, may be convenient to the department. I raised the matter of long service leave in the Budget debate. As a general observation, it would seem that we make substantial provision in our Budget each year for long service leave which is not taken out but which is being accumulated in the form of a bank account in the name of the officer concerned. This is not the practice in industry and commerce. Organisations in those areas cannot afford the luxury of allowing people to accumulate long periods of long service leave and to take that leave at the rate applying at the time of retirement and not when it falls due, which would be at some earlier period of time in their teaching or service history when their salaries would be much less than at the time of retirement. If we are in a position, as I hope we will be with increased numbers of teaching staff, to break down the contact period, as proposed by the present increase in primary numbers, it may be possible before long to consider the possibility or desirability of people taking long service leave within 18 months or two years of the time it falls due, rather than allowing it to accumulate until the end of their service period. I know the attraction of allowing it to accumulate, and I know some people in this place will not be pleased with my comments. When one takes out a lump sum long service leave payment at the time of retirement, tax is paid at present at the rate of 5 per cent, whereas people who are forced to take out their leave during the period of service pay tax at the normal rate. I do not know what the Government will do in this matter. However, the provision is there for the Director-General to take such action if he feels it is proper to require that long service leave be taken.

As this is largely a Committee Bill, and as I understand the Minister wants to make some further amendments which I would have made had he not indicated his intention to do so, I support the second reading. It is, as I have said, a miscellaneous collection of amendments through the total spectrum of the principal Act.

The Hon. D. J. HOPGOOD (Minister of Education): I thank the member for Mallee for his constructive comments. He raised the matter of the casting vote of the Chairman of the Teachers Registration Board. The suggestion came to me from the South Australian Institute of Teachers. The objection was not to the casting vote *per se* but to the fact that the Chairman of the board in effect had two votes: a deliberative vote and a casting vote. Under the new arrangements, if there was a full muster of members of the board it would not be necessary for that double vote to be cast, because of the 13-member board. In the event of there being less than a full muster but sufficient for a quorum, it was pointed out that it would be possible for a decision to be made as a result of the Chairman's having cast two votes: a deliberative vote which led perhaps to a tied five-all vote and then a casting vote as well. It was suggested that, in view of the gravity of the matter under discussion, which could well be a recommendation to me for a suspension of this section of the Act under one of the amendments involved, or the removal of registration from a teacher, which in fact means that he has lost his livelihood in that profession, this would be a rather unsatisfactory procedure.

One would hope that such decisions could be made almost unanimously, if they were to be made at all. I acceded to the wishes of the institute, which made no specific request as to whether it should be the casting vote or the deliberative vote that should be retained. The decision to retain the deliberative vote was that of the Government. The honourable member referred to the position of school councils and the provisions of the Act. As I explained, this is largely obtaining statutory warranty for a practice that has existed for some time.

In relation to pro rata long service leave, as I do not wish in any way to breach Standing Orders, I content myself by saying that, as the honourable member has indicated, in Committee I will move a further amendment, which will provide for unconditional pro rata long service leave after seven years, whereas it is provided for after 10 years in the present Act. This will not affect the rather heavily conditional pro rata leave after five years already provided for in the Act. I commend the Bill to the House.

Bill read a second time.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 4)

Adjourned debate on second reading.

(Continued from November 9. Page 1980.)

Mr. RUSSACK (Gouger): We support this short Bill, which to many people is a most important measure. Until now some organisations have taken advantage of raising loans through councils, but I understand that for certain projects to be undertaken the Minister does not have authority to sign approval for the loans. In the second reading explanation, an example was given of the Enfield council having sought to participate in constructing a swimming pool within the grounds of Angle Park High School. In this instance, the council and the State Government are co-operating to provide a facility that will be used not only by students but also by the general community.

Another important instance involves the intended construction of a swimming pool at Wallaroo, in my district. There has been an active committee in Wallaroo with a keen interest in constructing a swimming pool, and I pay a tribute to the Minister for the Environment for his interest in this matter, in that the Coast Protection Board has made available about $80 000, leaving the local community with the responsibility of raising $40 000. The Corporation of the Town of Wallaroo has agreed that this money could be raised as a loan through the council. However, the project has been hindered because the Minister did not have the authority to approve the raising of the loan, because the pool is to be constructed in the sea but close to the shore line. Although the council had a lease on that area, the Minister did not have the authority to approve of the loan, because the area did not come under the control of the council. I understand that this measure will allow that project to proceed, and

I hope that the Bill will pass both Houses and be proclaimed expeditiously so that there will be no further delay. It is a good thing that this can happen.

I recall many years ago that, in the town in which I lived, the bowling club wanted to erect a new club house, and about $30 000 was raised by loan through the council. In another instance in that town involving young people, it was found necessary to re-establish courts that were suitable for tennis in the summer and netball in the winter, but the money was not available. However, after the council was approached the money was raised, and the young people repaid the debt within the prescribed time. Obviously, the availability of such loans can create enthusiasm in the community.

In Wallaroo last Friday evening the committee, anticipating that approval would be given, arranged a concert in the Town Hall, with a resulting profit of about $500. If it were not possible for this project to proceed and the loan to be raised, the community spirit would be lost and the community interest and enthusiasm would not be promoted. In his second reading explanation the Minister said:

As I said above, the amendment provides that a scheme submitted under section 435 may provide for contribution by the council towards the cost of a specified work or undertaking, whether or not the work or undertaking is to be executed upon land under the care, control and management of the council.

I understand that, if the council approves of an organisation wanting to raise the money whether the structure is to be erected on council property or not, approval can be given. It extends to the point at which Government and councils can co-operate in a joint venture in which other organisations can participate. Perhaps we should consider the point of the security involved in these loans: I believe there is nothing to fear, because two safeguards have been included in the legislation. First, the council will realise that, if there is any breakdown in repayments, it will become responsible and as a result ratepayers will have to meet the costs of default. Secondly, the Minister will have to be satisfied that the negotiators were *bona fide* and would be able to accept the responsibility of repaying the loan. I am sure that no council would approve such a loan without giving it much consideration and, secondly, the Minister would have to be assured that the borrowers would have the ability to repay the money. For those reasons we support the Bill, and hope that it will pass both Houses and be proclaimed soon.

Mr. NANKIVELL (Mallee): I do not wish to speak at length to this short Bill. I agree with the Minister of Education when he said that this legalises a practice being adopted by local councils. The use of local government funds to sponsor community projects has been fairly widespread and effectively used, and I can say that from my knowledge of the District of Mallee. I know of some major projects that have been undertaken in some council areas—

The Hon. Hugh Hudson: Can't think where.

Mr. NANKIVELL: The Minister of Mines and Energy was instrumental in having the school community hall in Loxton built. In that instance much community money was spent on a project not built on council property under council control but it was built on property under the control of the Government through the Education Department. I could mention a hospital that would probably not be in existence if the council had not raised the money, which it then lent to the hospital. We only discovered this fact recently when the hospital wanted to repay the loan, and it was told that it had not borrowed any money; the money had been borrowed by the local council and then passed to the hospital. There was some doubt whether hospital moneys could be used to repay a loan not raised by the Hospital Board.

This has been a proper practice because the projects to which the moneys have been directed have been community projects built for the benefit of the community and they have been capital investments belonging to the community. The local governing body is often the only body within the community that has had the capacity to raise the money needed to enable these projects to proceed. I support the principle set out in this Bill that local government be empowered to borrow money for schemes relating to works or undertakings that are for the benefit of the community. I hope that the Bill has a speedy passage so that some of these practices that have become recognised throughout the community will be legal in every sense of the word. I support the second reading.

Mr. MATHWIN (Glenelg): I support the Bill, which I believe is a step in the right direction. For years councils sympathetic to the aims of local organisations within the community (whether they be hospitals or sporting clubs) have had to act in an unofficial way to help those oragnisations. The councils with which I have been concerned have always been sympathetic in their approach to helping organisations within their districts. To a certain extent these councils were putting themselves out on a limb when they raised money for the organisations. I know some councils have bought back land from an organisation and the organisation has been able to use that money to erect a building.

During the term I was Mayor of Brighton council it was able to assist a youth centre at Seacliff and the Brighton Yacht Club. We did that by similar methods to those outlined in the Bill. Sporting clubs using the Brighton oval were also helped by the council. Those clubs not situated on council property had their problems. Under section 435 of the principal Act the Minister is empowered to approve and had to approve publicly that a council could raise X dollars for a specific project. Some kindergartens that own their own land were not able to receive assistance from local government. They were disadvantaged because they owned their own land. If the councils could not help them they had to make private arrangements to obtain finance to help them with their project. If councils did assist the land and all improvements on that land would eventually revert to the council, in those cases the council had security.

I can remember a case in the Brighton area where land was bequeathed with the best of intentions to a certain organisation but it proved difficult to obtain finance to erect a building on the land. Some organisations raised money over many years for a project but under existing legislation it could not be put to any other use because the person who gave the money gave it originally for a specific purpose. That caused many problems to many councils and certainly to the council with which I was associated. I support the Bill. I hope it has a speedy passage not only through this Chamber but also through the other place.

Mr. COUMBE (Torrens): I support this Bill. I think it has been prompted because of what happened regarding the Angle Park Community Centre involving the Enfield City Council and a swimming pool. When the Public Works Committee inquired into this matter it became clear

that not only was a high school involved but also involved was a community centre with many facilities for the people of the area. The Enfield City Council is one of the four councils I have the pleasure to represent (although the community centre is outside my district). This Bill will really solve the problem with which the Enfield council was faced. Otherwise it would have been quite impossible for the Enfield council, which had money earmarked for this project, to use it in the proper manner. The local community will benefit from this project. The swimming pool will be an integral part of the project, which is quite different from some of the projects undertaken in the past.

I mention as an example the swimming pool in the north park lands, which is in my electorate. When that was proposed some years ago it was on the basis that the Government would provide some money and that the other part of the money was apportioned between the Adelaide City Council, the Prospect council, which gave $25 000, and the Walkerville council, which gave $4 000. Although the pool was not in its area, that council very generously made that amount of money available from ratepayer funds for that project. Today we can see the benefit of that. That pool is shortly to be improved, and I trust that those councils will not be called on to contribute to the cost. This amendment to the Act validates a provision which has been operating for some years. In particular, it takes care of the type of project particularised here relating to the Enfield council. I support the Bill.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Power to submit scheme relating to a work or undertaking."

Mr. RUSSACK: Will this provision allow for the Government and local government to co-operate in a joint venture such as outlined in the second reading explanation, involving the Education Department and the Enfield council? Does it also allow, for example, a football club to raise a loan through a council for clubrooms to be established on freehold land? I know of an area where freehold land is used by a trotting club and a football club. Would it be possible to use the council as a vehicle through which a loan could be raised, but with the sporting body being responsible for the repayment? I know the council would be the guarantor. I know of cases where sporting bodies have raised money by loans through councils for the erection of clubrooms on council property, but I am speaking now of a sporting body erecting buildings on freehold property. I also understand that the council can be used as an instrument through which the money can be raised. Can the council also contribute towards the project?

The Hon. G. T. VIRGO (Minister of Local Government): The purpose of the provision is to permit a council to do those things that it wishes to do, irrespective of whether or not the project is on council property. At present the council is able to do several things. One of the most popular things is what we call the section 435 scheme; I think the honourable member knows what that is. A proviso of that scheme is that it is on land owned by the council. This provision expands the power of a council in relation to a section 435 scheme, providing for cases where the land is owned by the Education Department, the South Adelaide Football Club, or whatever.

Clause passed.

Title passed.

Bill read a third time and passed.

POLICE OFFENCES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 10. Page 2069.)

Mr. GOLDSWORTHY (Kavel): I support this short Bill, whose explanation is clear; it is to assist the police in seeking successfully to prosecute charges laid, and the example given in the Minister's second reading explanation relates to drug offences. However, I do not see how the substitution of the words "or obtained by any unlawful means whatsoever" in the place of "or unlawfully obtained" will affect the law as the Minister said it will. I support the second reading.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Unlawful possession."

Mr. GOLDSWORTHY: Can the Minister explain how the substitution of these words makes any difference at all?

The Hon. R. G. PAYNE (Minister of Community Welfare): I suspect, as has often been the case in matters such as this, that it would take a legal opinion to clear the air. I can only offer the support contained in my second reading explanation, which was that the change in words was necessary to put the matter beyond doubt, as the previous interpretation was restricted. If we are to get a legal opinion, we had better get only one, because if we asked more than one person we would probably get several different opinions.

Mr. GOLDSWORTHY: I am reasonably satisfied by the Minister's reply. Some diffuse legal judgment is referred to in the Minister's explanation. I surmise that in New South Wales doubt was thrown on the case about whether a drug offence had actually been committed, although they were sure that the money had come from the commission of the offence. I cannot see how this different wording will solve the problem.

Clause passed.

Title passed.

Bill read a third time and passed.

PASTORAL ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from November 17. Page 2253.)

Mr. RODDA (Victoria): This short Bill makes certain machinery amendments to provide for metrication. Clause 4 makes an amendment to section 42c of the Act whereby it will be possible for the Minister to include a parcel of land, not exceeding 50 square kilometres, inside the dog fence in a lease without advertising it. The meaty clause is clause 5 which amends section 44a of the principal Act and which lays down conditions with regard to stocking. At first glance, it appears that this clause could impose hardship on leaseholders. I discussed the matter with members of the Stockowners Association, who, in turn, discussed the matter with the pastoral inspectors. New section 44a (3) states:

If the board is of the opinion that the condition of the land included in the lease of any lessee indicates that the lessee is depasturing on the land such a number of stock

that the land is likely to be permanently injured thereby the Minister may by notice in writing to the lessee require him—

(*a*) within the time specified in the notice to reduce the number of stock so depastured to or by the number specified in the notice;

(*b*) within the time specified in the notice to advise the Minister in writing of the time and place at which and the manner in which he proposes to remove the stock from the land;

and

(*c*) to comply with conditions specified in the notice as to the removal of the stock or as to the stocking of the land.

Failure to comply with the notice will make the lessee guilty of an offence and liable to a $2 000 penalty, and a further $50 penalty for each day that the offence continues. It was thought that, in outback conditions and at the height of a drought, a leaseholder might find it difficult to comply with the conditions. However, on examination it has been found that that would not be so, and the department has indicated that these fears were without foundation. The department has assured us that clause 5 is required because it is necessary in some instances that it have this power. I support the Bill.

Dr. EASTICK (Light): I, too, support the Bill. It was interesting in researching the matter to find that the clause which has caused some concern was actually introduced into the principal Act by the Soil Conservation Act, 1939, which contained provisions relating to the Pastoral Act and which involved a different form of legislative procedure than we are adopting now, when Statute Amendment Acts are used. Clause 14, which became section 14 of the Soil Conservation Act, introduced section 44a, including subsection (3), which we are now seeking to amend.

I accept the Minister's explanation that the legislation spells the matter out more clearly for the landowner. It certainly gives a discretion that was not immediately available under the terms of the previous provision. As has been said by the member for Victoria, the Bill will cause no hardship. When scrutinised properly, it is certainly for the benefit of the State and the long-term benefit of people in the pastoral industry. It is essential that we do not allow one area, or a series of areas, to become a dust bowl or bowls, with the consequent problem this could cause to other areas. Certainly, the rationalisation of stocking rates on an area plays a significant role in this matter. I was rather interested in the comment that the principal Act, which can call for failure leading to forfeiture of the lease, was too extreme in most circumstances. In the present drought situation and with reduced beef prices, having regard to "too extreme in most circumstances", it might be simpler to lose the lease than to pay the penalties to be inserted by the measure, which are fairly heavy monetary penalties with a day by day component for non-compliance with the Act. However, we must consider the issue from the longer-term point of view.

It is interesting that the Minister said that the areas that may be added to existing leases by this method are increased by the amendments to not more than 50 square kilometres inside a dog fence and not more than 500 square kilometres outside a dog fence. It was indicated earlier that these were minor consequential amendments adding small parcels of land. What I have said indicates the size of the area involved when we consider that areas of 50 square kilometres and 500 square kilometres are small land parcels, but in other circumstances those areas are large. Regarding the amendment of the definition relating to the inside or outside of a dog fence, the second schedule of the principal Act is repealed. The second schedule was an extensive part of the original 1936 Statute. It will now be much simpler for anyone in future to define the position of the property. I support the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Power to add small areas to leases."

Dr. EASTICK: The Minister indicated that clause 4 amends section 42c of the principal Act, which empowered the Minister to add small areas of land to existing leases without inviting applications for the land. That action holds an inherent danger where no application is invited. I appreciate fully the purpose for which that system is being introduced, and I therefore ask the Minister whether he can indicate what method will be followed so that in no circumstances could it subsequently be said that a degree of patronage existed or that someone had received a benefit that another person had been denied.

Every member would accept the value of this procedure. It will be a more realistic procedure than that adopted in other instances; only one person would be interested in the additional parcel of land. In circumstances where more than one person is interested in the area, what method of selection will apply? Would it be by tender or by lot? I assume that although the department will not proceed under the new provisions of section 42c to invite applications for the land through advertisement, necessarily there could be some invitation to people whose land abutted or was near that pastoral land.

The Hon. HUGH HUDSON (Minister of Mines and Energy): From the wording of the clause and from my reading of the second reading explanation I presume that this power is confined to when small additional areas are added to existing leases.

Dr. Eastick: What if there are abutting leases and it's in the centre?

The Hon. HUGH HUDSON: I should imagine that the lessees on either side of that land would be told about it before an arrangement was made. I believe that the clause intends to give an administrative improvement to a situation that has become excessively bureaucratic in dealing with relatively minor changes. If the honourable member wants a more complete explanation, I will have to ask the Minister in another place for an explanation. Clearly, it is not intended to call tenders, because that is the equivalent of inviting applications. Avoiding the invitation of applications is the purpose of the clause. It is a situation where agreement could be reached, I would imagine, among local leaseholders about what should happen.

In those circumstances a small adjustment could take place without the normal rigmarole that is involved in the leasing of land. That seems a reasonable arrangement to me, and the Lands Department would be capable of administering it without difficulty. The normal procedure of inviting applications creates rights to apply not only for local leaseholders but also for anyone anywhere inside or outside the State. The clause relates to small adjustments to existing leases. If that enables a few problems to be cleaned up administratively without going through the whole rigmarole, so much the better.

Dr. EASTICK: I accept what the Minister has said. However, if the Minister were to read the second reading explanation he would find that those small adjustments are up to 50 square kilometres inside the dog fence and up to 500 square kilometres outside the dog fence. In those parts of the State the areas are "small", but they are still fairly large tracts of land. I accept the Minister's

explanation that the clause relates to agreements having been reached with adjacent landholders. I come back to the original question when I asked the Minister to comment on the matter that conceivably patronage or something similar could be alleged following the completion of the matter where more than one person could have been involved but was not. I accept that the Pastoral Board has in the past (and I would expect this in the future), been circumspect and careful that that fear was not justified.

Mr. RODDA: I have inquired into this aspect, and the information that I have received is largely as set out by the Minister. We are considering this matter in terms of where the Pastoral Act applies. Administration must be streamlined. It has been explained to me that it is not expected that many applications would be involved, and that if advertisements were used it would be open slather. This clause streamlines the working of the Act. I did not canvass the matter in the second reading debate, because I was satisfied with the explanation that was given to me in my research.

Clause passed.

Remaining clauses (5 to 18) and title passed.

The Hon. HUGH HUDSON (Minister of Mines and Energy) moved:

That this Bill be now read a third time.

Dr. EASTICK (Light): The member for Frome is not immediately available. He said earlier that he was looking at some aspects of the matter under consideration on a trip he is taking at present. As we are in advance of the programme, I wonder whether the Minister would allow the matter to be adjourned; I would be happy to take the adjournment. The member for Frome may need to ask the Minister for special consideration at a later stage. I seek leave to continue my remarks.

Leave granted; debate adjourned.

FOOD AND DRUGS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 18. Page 2319.)

Dr. TONKIN (Leader of the Opposition): I support this simple Bill, which gives effect to the change in the title of "inspector" in the principal Act to the title "health surveyor". It falls into line with legislation, as I understand it, in other States, and it will be mentioned in a Bill to be considered soon. The role of the health inspector, and what will now become the role of a health surveyor, is a most important one. It is becoming more and more complicated and specialised. The services these people afford to the community and its health standards are most important. I have pleasure in supporting the Bill.

Mr. WARDLE (Murray): As one of the group just mentioned by the Leader (and I thank him for his compliment), I should like to add—

The Hon. Hugh Hudson: We shall always think of you as an inspector.

The Hon. R. G. Payne: No, as a surveyor.

Mr. WARDLE: I agree with the Minister of Community Welfare. That is what the Bill is all about, to get away from the inspection part of the job and to bring out the real talents of the person, his surveying qualifications, so that when he goes on premises he surveys them and does not inspect them. I add my support to the legislation.

Bill read a second time and taken through its remaining stages.

HEALTH ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 18. Page 2320.)

Dr. TONKIN (Leader of the Opposition): I support the Bill. In the first place, it follows on from the preceding Bill and gives effect to the request made by the Australian Institute of Health Surveyors, and a good part of the Bill is taken over to changing the title from "inspector" to "health surveyor". That, therefore, is consequential on the previous legislation. The next item that is mentioned is the widening of the regulation-making power in respect of the clean air provisions. The relevant clause provides for the insertion in section 94c (1) (*c*) of the words "the use, ignition, or activation of any fuel burning equipment or air impurity source", and adds to the passage "and controlling" the words "and prohibiting", so that in fact the regulations will become tighter and certainly will eliminate some of the nuisance which cannot be controlled. From this point of view, I thoroughly support the Bill.

The schedules listing infectious and notifiable diseases are subject to amendment from time to time, and the usual criteria are those laid down by the National Health and Medical Research Council. In this case, the council has made recommendations for uniform lists of notifiable diseases throughout every State in the Commonwealth, and this legislation will simply bring the South Australian legislation into line with that uniform list.

The last matter, and the first one mentioned by the Minister in his explanation of the Bill, relates to the reporting of cancer by hospitals and pathologists. This is something of a change. It is the subject of Part IXE, and new sections 146y and 146z. The definition of "cancer" in part is as follows:

> 146y. In this Part "cancer" means a malignant growth of human tissue which if unchecked is likely to spread to adjacent tissue or beyond its place of origin, and which has the propensity to recur—

It is, of course, the propensity to recur which makes carcinoma, sarcoma, any mixed tumour, leukaemia, any type of lymphoma and melanoma fatal in the long term. The word "cancer" has rather an unpleasant connotation and, obviously, in the past has been taken by many people as being a virtual death sentence. There is much we need to know about it, and we need to know more about the neoplastic process generally, although much research is being done on that problem. It is a measure of the partial success of the fight against carcinoma and neoplasm that we can state in the definition "which has the propensity to recur" and not make the bald statement that would have been necessary some years ago, "which does recur". I suppose that comment is not particularly relevant to the Bill but, since it relates to the wording of the Bill, it is a point worth making.

It is possible to cure cancer if it is discovered in time. I think a better expression would be to "eliminate cancer", because, if the primary lesion is discovered in good time and treated and removed surgically without there being evidence of a spread, normally through the lymphatic system, it is possible for people to be cured of cancer and for the disease not to recur. This is a perfect opportunity and one that should be taken for publicising yet again that no-one should neglect any abnormal mass, lump, bleeding, or discharge from any bodily orifice. If people undertook those fundamental rules and sought advice when they noticed anything wrong, instead of staying at home and worrying about it, they would have

an excellent chance of being cured of their cancer and of having it dealt with properly. The reporting of cancer statistics will be most valuable, especially in determining the time of reporting, the time of incidence, and the time that has elapsed between that and treatment. I believe that the results will be most worth while, and that they will be heartening to people who may otherwise have fears that, if they have noticed anything out of the ordinary, they virtually expect that their death warrant has been signed. That is not the case. I suggest that this has been a most valuable move, and support the legislation.

Bill read a second time and taken through its remaining stages.

The Hon. HUGH HUDSON (Minister of Mines and Energy) moved:

That the time for moving the adjournment of the House be extended beyond 5 p.m.

Motion carried.

THE STATE OPERA OF SOUTH AUSTRALIA BILL

Returned from the Legislative Council without amendment.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL

The Legislative Council intimated that it insisted on its amendments to which the House of Assembly had disagreed.

Consideration in Committee.

The Hon. PETER DUNCAN (Attorney-General) moved:

That the House of Assembly insist on its disagreement to the Legislative Council's amendments.

Motion carried.

A message was sent to the Legislative Council requesting a conference at which the House of Assembly would be represented by Messrs. Abbott, Allison, Duncan, Harrison, and Wardle.

Later:

A message was received from the Legislative Council agreeing to a conference to be held in the Legislative Council conference room at 9.15 a.m. on Monday, November 29.

The Hon. PETER DUNCAN (Attorney-General) moved:

That Messrs. Boundy and Evans be substituted as managers at the conference in place of Messrs. Allison and Wardle.

Motion carried.

The Hon. PETER DUNCAN moved:

That Standing Orders be so far suspended as to enable the conference to be held during the adjournment of the House and that the managers report the result thereof forthwith at the next sitting of the House.

Dr. TONKIN (Leader of the Opposition): I speak to this motion on the basis that I believe there has been a misunderstanding on the part of the Minister concerning the management of the House. It was put to us in the programme for the week that the business for this afternoon would consist of the Education Act Amendment Bill and the Local Government Act Amendment Bill (No. 4), and that that was all that would be dealt with. On the bottom of the weekly programme are the words:

It may be anticipated that the adjournment of the House will be moved not later than 5p.m.

This afternoon I have done the best I can to help the business of the House, and we have got through more Bills than we expected. I think it is quite wrong—

The Hon. HUGH HUDSON (Minister of Mines and Energy): Until we get the message back from the Upper House it is not possible to move the adjournment of the House. The adjournment of the House will have to be moved before 5 p.m. in order to enable the grievance debate to occur. We have to get the message to the Upper House and receive a message acknowledging it back before 5 p.m.

Dr. Tonkin: It is your assurance that we get a grievance?

The Hon. HUGH HUDSON: If we get it back before 5 p.m. That is the position as I understand it. That is why the motion was moved. If we do not get a message back in time, we will have to wait.

Motion carried.

POLICE OFFENCES ACT AMENDMENT BILL

The Hon. PETER DUNCAN (Attorney-General) obtained leave to introduce a Bill for an Act to amend the Police Offences Act, 1953-1976.

Later:

Bill introduced and read a first time.

The Hon PETER DUNCAN: I seek leave to extend the scope of the relevancy of the second reading debate on this Bill to include the Alcohol and Drug Addicts (Treatment) Act Amendment Bill, which deals with the same subject matter.

Leave granted.

The Hon. PETER DUNCAN: I move:

That this Bill be now read a second time.

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

Leave granted.

EXPLANATION OF BILL

Together these two Bills implement two recommendations made by the Criminal Law and Penal Methods Reform Committee of South Australia (commonly referred to as the Mitchell committee) in its first report, that relating to sentencing and corrections. On page 211 of its report the committee recommended:

(*a*) that the offence of public drunkenness be abolished; and

(*b*) that detoxification centres be established wherever practicable and that police cells be designated detoxification centres elsewhere.

Before proceeding to deal with the Bills I wish to record the debt owed by the Government and this State to the Mitchell committee for its work in the area of the criminal law and the treatment of offenders. The committee has already given this State the opportunity to evolve a criminal law which should serve this State well for many years and which will be consistent with social dignity, morality, justice and good order. The Government is looking forward to receiving the committee's fourth report, that on the substantive criminal law, some time next year. At page 208 of its first report the committee states that:

The offence of drunkenness in a public place has always been part of the statute law of South Australia. One of its characteristics has been, and continues to be, the legislative specification of short-term imprisonment as an alternative to a fine. Originally the penalty for a first offence was not to exceed £1 or imprisonment for a period not exceeding three days, and for any subsequent offence a penalty not to exceed £5, or imprisonment not exceeding 14 days. The Police Act, 1936, section 74, increased the fine for any offence to £5 or imprisonment for 14 days. Section 9 of

the Police Offences Act, 1953-1972, provides a penalty of $10 or imprisonment for 14 days for a first or second offence, but $20 or imprisonment for three months for a third or subsequent offence. It seems that the legislature, in increasing the maximum term of imprisonment for a third offence to three months, had in mind that a cure for alcoholism might be effected if the offender served a substantial term of imprisonment without opportunity to ingest alcohol. The courts today would not sustain a sentence the length of which was determined by the likelihood of the offender's being cured of alcoholism whilst in prison. Apart from the impropriety of such a sentence, the likelihood of cure is slight. We have received a number of submissions that the offence of public drunkenness should be abolished. Those who have made this submission include the Commissioner of Police, several of his senior officers, many prison officers, and Aboriginal welfare organisations. It is apparent that there are certain alcoholics of limited or no means of support who plead guilty to charges of drunkenness with monotonous regularity. The problem of alcoholism may be no greater with them than with more affluent members of the community, but whereas the latter have the means to be cared for when they are drunk, the former do not. Furthermore the drunkenness of the former usually occurs in a public place, perhaps because they have no other place to which to resort for the purpose, whereas the latter can become drunk in their own homes and commit no criminal offence. There is therefore much to be said for the proposition that this is an offence to which the less affluent are vulnerable. A term of imprisonment appears to have no general or particular deterrent effect. It cannot be seriously suggested that the short term of imprisonment imposed has a rehabilitative effect. It may and often does regenerate the health of the convicted alcoholic. While in prison he has no access to alcohol, is fed regularly and housed. If drunkenness in a public place ceased to be an offence there arises a need for some means of dealing with persons found drunk in public. There are several reasons for this. On humanitarian grounds the drunk should not be left to be run over by passing traffic or assaulted and robbed. The passing motorist should not be required to negotiate a street in which a drunk is lying or weaving his way. The drunk should not be left to die from malnutrition or excess of alcohol. Public order and decorum require that persons who through drunkenness have become an offensive spectacle should be removed from public sight.

I have quoted the committee at length as I consider that the above extract is the most succinct and persuasive justification for the two Bills now before this House. The committee proceeds in its report to make suggestions as to means of dealing with persons found drunk in public. The Bill seeking to amend the Alcohol and Drug Addicts (Treatment) Act, 1961-1971, is based on these suggestions although departing from them in a number of matters of detail. The reasons for such departure will become apparent when I deal with the Bill in detail.

In her Boyer Lectures in 1975, Her Honour Justice Mitchell said that she thought "that the criminal law will tend more and more to be recognised as the protector of persons and property from the depredations of others, rather than the vehicle for the enforcement of accepted standards of moral behaviour. The legislators are moving in this direction." She then instanced the offence of public drunkenness, supported its abolition and continued that "some provision must be made to take (the drunk) to a shelter where he can recover from his excesses, and it is desirable that he be given the opportunity of undertaking treatment for his alcoholism if he is minded so to do. These measures however will be outside the scope of the criminal law."

I am very encouraged by the apparent almost complete lack of opposition to the recommendation of the Mitchell committee that the offence of public drunkenness be abolished. I regard this lack of opposition as a great advance in social morality as it may indicate the increasing awareness and concern for our fellow men. It indicates a departure from the view which has persisted for generations that the insensible drunk has offended against society by becoming drunk and should be put away for so doing. It is unfortunate that such changes in social attitudes may be attributable to a growing awareness that alcoholism recognises no class distinction. Whether or not this is true, alcoholism is now accepted by society as a medical and social problem and not one amenable to solution by the criminal law. Dr. Everingham, Minister for Health in the previous Federal Government, has said:

> Alcohol abuse can be said to be the direct cause of:
> occupancy of one in five hospital beds;
> one in five battered children;
> one in five drownings and submersion cases;
> two in five divorces and judicial separations;
> about half the serious crimes in the whole community;
> half the deaths from road crashes;
> half the deaths from pancreatic disease, and two of three deaths from cirrhosis of the liver (one in 40 of all deaths);
> reduced resistance to a wide range of illnesses;
> a loss of half the working hours of the "alcoholic" group after the age of 45 years.

The implications of these figures are horrific. The South Australian Government has accepted some responsibility for the treatment and care of people affected by excessive alcohol and other drug consumption through the services provided by the Alcohol and Drug Addicts (Treatment) Board established by the Alcohol and Drug Addicts (Treatment) Act, 1961-1971. The Government wishes by the introduction of the Bills to accept further responsibility for such people. Specifically it wishes to remove the public drunk from the purview of the criminal law and the prisons of this State and to attempt to give him shelter, food and medical treatment in an environment which might be conducive to a regeneration of health, a prolonging of life, and hopefully perhaps an extended programme of voluntary treatment. I point out that unfortunately I can put the hopes of the Government expressed in this Bill no stronger than that. Alcoholism and drug dependence are degenerative in their operation and effect. The vast majority of people towards whom the provisions of this Bill will be applied are lonely men who are alcoholics, unemployed, derelict and destitute. For such people the bottle offers some comfort, for insensibility is often preferable to being lonely and destitute. Many such people cannot be treated for alcoholism without also removing its causes. Although the Government recognises this it is attempting by these Bills to alleviate the plight of the insensible drunk.

I have said that alcoholism recognises no class distinction. The present offence of being drunk in a public place is however one to which the less affluent are vulnerable. The more affluent members of the community can become drunk in their homes without the approbation of the criminal law. Arresting, charging and imprisoning persons found drunk in public places serve no purpose other than removing them from the particular public place in which they are found. The Government accepts, and I believe the community accepts, that such a result can and should be achieved outside the scope of the criminal law and that responsibility should be taken for the care and treatment of such persons. The Government believes that sobering-up units should be established in the metropolitan area and in country centres where significant need exists and notes that Port Augusta, Coober Pedy, Ceduna and Oodnadatta are major problem areas. In country centres the co-operation and assistance of existing hospitals and medical services will be sought. These units will provide a 24-hour service with medical and nursing care always available.

At page 210 of its report the Mitchell committee stated:

Since the apprehension of drunks will not be based on the commission of a criminal offence, and there will be no obligation to produce them before a court to be charged, questions of civil rights arise.

Recognising this, the Government has attempted in this Bill to balance questions of civil rights against its responsibility for and the social desirability of sobering-up the public drunk and more importantly of attempting to rehabilitate the insensible alcoholic. I believe that the balance suggested by the Bill is an acceptable one. Before dealing with the two Bills in detail, I point out that they are directed solely at the person who is found drunk in a public place. If such a person commits an offence against the criminal law he will be arrested and charged with that offence regardless of whether that offence was attributable to his state of intoxication or whether his state of intoxication was an element of that offence. I will now deal with these Bills in detail.

Police Offences Act Amendment Bill, 1976: Clause 1 is formal. Clause 2 provides that the Act will come into operation on a day to be fixed by proclamation. It is unlikely that this Act and that amending the Alcohol and Drug Addicts (Treatment) Act will be proclaimed until some time next year. It would be irresponsible of any Government to repeal the offence of being drunk in a public place without providing facilities to which persons who are found drunk in public places could be taken. Neither Act will therefore be proclaimed until suitable arrangements are made for the reception of such people.

Clause 3 repeals section 9 of the principal Act under which it is an offence to be drunk in any public place. Clause 4 repeal that part of section 9a of the principal Act under which it is an offence to be found drinking or to have been drinking methylated spirits or any liquid containing methylated spirits. However, that part of this section of the principle Act which relates to the scale of methylated spirits is retained.

Alcohol and Drug Addicts (Treatment) Act Amendment Bill, 1976: Clause 1 is formal. Clause 2 provides that this Act shall come into operation on a day to be fixed by proclamation and I refer to my comments with respect to clause 2 of the Bill seeking to amend the Police Offences Act. Clause 3 inserts the title of a new Part in the principal Act, that relating to the "Apprehension and care of persons under the influence of a drug." Clause 4 (*a*) redefines "committal centre". Clause 4 (*b*) redefines "institution" as one established pursuant to the provisions of the Act. Clause 4 (c) defines a "sobering-up centre" as an institution declared under the Act to be a "sobering-up centre". Clause 4 (*d*) redefines "voluntary centre".

Clause 5 amends section 5 of the principal Act by providing that the Governor may declare (and revoke or vary such declaration) any institution to be either a committal centre, a voluntary centre or a sobering-up centre. Clause 6 amends section 8 of the principle Act to cover sobering up centres. Clause 7 should be read with clause 9 of the Bill. Because of the introduction of the concept of the sobering-up centre in the Act it is thought desirable that the provisions contained in sections 17 to 22 of the principal Act should now more appropriately be dealt with in that part of the Act dealing with Miscellaneous Provisions. The person admitted to a sobering-up unit is in a different category to one admitted to either a committal centre or a voluntary centre and although it is hoped that some such people will be encouraged and persuaded to become patients in voluntary centres they will, as they have committed no offence, be free to leave a sobering-up centre after a certain period or periods of time. The provisions of clause 9 of this Bill are substantially identical in effect to those repealed by clause 7.

Clause 8 seeks to enact and insert in the principal Act a new part which deals with the apprehension and care of persons under the influence of a drug. This clause seeks to insert sections 29a to 29c in the principal Act. Section 29a authorises police officers and other authorised persons to "apprehend" any person whom they believe on reasonable grounds to be under the influence of a drug in a public place and who by reason of that fact is unable to take proper care of himself. For the purpose of such apprehension the police officer or authorised person may use such force as is reasonably necessary and may search the person for the purpose of removing any object that may be a danger to him or to others. It will be noted that the phrase "other authorised person" has been used in the Bill. The Government intends to remove, as far as possible, responsibility for the public drunk from the Police Department as it believes that such responsibility is not properly one for a police force. It is proposed that the Department of Community Welfare establish a "transport unit" the officers of which will be authorised under this Part of the Act. It is hoped that with the development of this unit in the metropolitan area and country areas police officers will be relieved as much as possible of their role in transporting persons under the influence of a drug. It is not foreseen at this stage, however, that it will be possible to so relieve them entirely. Such a role will be necessary in many country areas for some time yet. Section 29a provides that where a police officer or other authorised person has apprehended a public drunk he shall take that person either to a sobering-up centre, to premises approved by the Minister for the purpose of this paragraph or to the apprehended person's own home.

The Government intends to establish under this Act sobering-up centres which will be run and staffed by the Alcohol and Drug Addicts (Treatment) Board. Such centres will have medical and nursing facilities and counselling will be available to persons taken to them with the object in some cases of encouraging further treatment. Further, the Government intends to establish overnight houses and shelters under the Community Welfare Act which will have facilities to receive homeless, destitute and exhausted persons and drunks. Such shelters will be complementary to shelters now provided by non-Government and voluntary organisations.

I take this opportunity to note the Government's appreciation for and the debt owed by this State to these organisations. Police officers and particularly those other authorised persons will be instructed to transport homeless persons to a convenient Government or non-Government overnight house; to transport persons apprehended under this Part to a convenient Government or non-Government overnight house or their home; or to transport persons apprehended under this Act to a convenient sobering-up centre where the person is, in their opinion, in need of immediate medical attention, or where he or she is unwilling to accompany them either to his or her home or to an overnight house. These instructions are those envisaged by the Government at this stage. However, they must be considered as only guidelines for those persons whose task it will be to carry out the provisions of this Act and will undoubtedly vary according to the facilities available and the particular cases involved.

Section 29a further provides that where a person is taken to a sobering-up centre pursuant to this section the superintendent of the centre may detain him, in the first instance,

for a period not exceeding 18 hours. After the expiration of that period the section provides that he may be detained for a further period not exceeding 12 hours on the certificate of a medical practitioner. After the expiration of that further period the person must be released unless an order is made by a Court of Summary Jurisdiction, on the application of the superintendent of the centre, for a further period of detention. The section provides that such further period shall not exceed 72 hours. It is in this provision that the Government has attempted to strike a balance between civil rights and the desirability of attempting to rehabilitate the insensible drunk. The Government believes that provisions in this clause strike the right balance. The section further provides that the superintendent of the sobering-up centre may release a person at any time after he has been delivered to the centre and that he shall allow such person reasonable opportunity to communicate with a solicitor, relative or friend. Section 29b of the Act enables a person detained at a sobering-up centre to apply to a Court of Summary Jurisdiction for a finding that at the time of his detention he was not in fact under the influence of a drug. This section seeks to give such a person a right to protect his interests whether they be under an insurance policy, for example, or under a recognizance to be of good behaviour a term of which may be abstinence from alcohol. Section 29c defines "authorised person" (which I have dealt with) and "drug". Clause 9 of the Bill has been dealt with under clause 7.

Mr. GOLDSWORTHY secured the adjournment of the debate.

ALCOHOL AND DRUG ADDICTS (TREATMENT) ACT AMENDMENT BILL

The Hon. PETER DUNCAN (Attorney-General) obtained leave to introduce a Bill for an Act to amend the Alcohol and Drug Addicts (Treatment) Act, 1961-1971.

Later:

Bill introduced and read a first time.

The Hon. PETER DUNCAN: I move:

That this Bill be now read a second time.

The explanation has been covered in the second reading speech relating to the Police Offices Act Amendment Bill.

Mr. GOLDSWORTHY secured the adjournment of the debate.

ADJOURNMENT

The Hon. HUGH HUDSON (Minister of Mines and Energy) moved:

That the House do now adjourn.

Mr. EVANS (Fisher): I take this opportunity to grieve on a matter that causes me personal concern at the moment because of the Premier's recent allegations about leaks from Government departments. I believe it is necessary for me to state my situation and the situation in which the Premier has recently placed me. An inquiry, which became known as the Corbett inquiry, was held into the Public Service of South Australia. That inquiry was into the Public Service within the State as to whether there was a need to change administration in some areas. On page 130, that report states:

The new Department of Tourism, Recreation and Sport formed in 1974 has a growing function which will need careful control and development. The top structure will need to be reviewed regularly by the board if it is to achieve the flexibility of thinking necessary for the development of recreation and sporting activities. The committee do not propose to comment on the Tourist Bureau Division, having learned that it is to be investigated by a separate committee.

That is a clear indication by the Corbett committee that it was relying on another report of a committee under the chairmanship of Mr. Tattersall and that the Tattersall committee would report on the bureau. I asked a question of the Premier about that and he said that the report was not to be made public, as did the Minister of Tourism, Recreation and Sport in another place. Under pressure, the Premier eventually said he would make the report available but certain sections of it should not be made public because they may reflect on individuals within the Tourist Bureau or the department. He sent a copy of the report to me, but I walked across the Chamber and returned the copy to the Premier, who accepted it from me. I explained to him that I could not take the risk as an individual of retaining a report containing some sections that he said should not be made public and should remain confidential. The risk for a member in Opposition is that, if there is a leak to the public from any source, the automatic allegation would be that the member who had the report made the material available to the public.

I told the Premier that, if he would take it back and obliterate the parts of it which I was not allowed to see because of the confidentiality the Premier wished to preserve, I would take the report. For some time, nothing happened. I placed a Question on Notice to the Premier this week. At 1.58 p.m. on Tuesday I received a letter which had written on the front of it "To be hand delivered to Mr. Evans by 1.45 p.m." I am not worried about a time lapse of a few minutes, as the letter was handed to one of my colleagues, and it was given to me on Tuesday just before Question Time began. As was suggested, I telephoned a Mr. Bruce Guerin but was not able to speak with him, and a girl took a message. I said that I did not have the report because it was still in the Premier's Department and I would like to have the report with those parts that were not allowed to be made public blanked out. That afternoon (I do not know at what time but it was late in the afternoon), I went to my mail box and the report was there in an envelope from the Premier's Department.

Members interjecting:

Mr. EVANS: There was no blanking out; the report is complete. I said to the Leader that I would take the risk of keeping the report and the chance of any future allegations against me. I wish to refer to the letter that the Premier sent down instead of giving the answer in the House. The letter delivered to me that day states:

At our meeting on the content of the Report of the Committee of Inquiry into the South Australian Government Tourist Bureau, I agreed to indicate those sections of the report which must be kept confidential because of personal reference to individuals contained in them. The passages in question are as follows:

I will refer to the pages and paragraphs only. I have read the references, although I have not read the rest of the report. The references were as follows: page 7, recommendation 13 from the words "The division"; pages 31 and 32; page 26, paragraph 2 from the words "This obviously resulted"; page 31, paragraph 3 to page 32, paragraph 1 from words "As indicated at several points"; page 32,

paragraph 2 in full and paragraph 3 from the words "It is impossible for an organisation"; page 33, paragraph 2 from "It has been made clear"; page 56, last paragraph to page 57, and first paragraph from the words "The committee has been"; page 58, paragraph 3 from "Communication and liaison"; page 64, the last paragraph from "There follows"; page 65, paragraphs 2 and 3 from "Submissions suggest"; page 93 paragraph 4 from "There is a definite"; and page 104, section (*e*), second paragraph from "In the report".

I have read all of those references and for the life of me I cannot see why the Premier is afraid to make the whole of the report public. There is nothing in that report that anybody in the Tourist Bureau should be ashamed of. There is criticism, but let anyone name one business organisation as big as the Tourist Bureau about which a committee could not criticise some activity, whether collectively or of an individual. Surely that is the purpose of a committee of inquiry. Surely that is why Parliamentarians should know what is in the report. Surely that is why people in the industry should know what is in the report. There is nothing to be damn well ashamed of in the report at all by anybody in the Tourist Bureau.

Dr. Eastick: Is anybody able to see it?

Mr. EVANS: People in the industry have told me that they have read a copy of the report, and yet members of Parliament cannot see a copy, nor can the general public. There are people in both sections of the Tourism, Recreation and Sport Department who have seen copies of the report. They know that criticism has been levelled against them or some of their colleagues, or against a total block of employees. Why can we not have the whole report made public?

I say (even though the Premier is not here I know he will be told what was said) that the Premier should consider the stupidity of his decision; he should know that departmental officials are big enough men to take the minor criticism in the report for the benefit of tourism and the department in South Australia. I challenge the Premier, because in the future it will come out and show how stupid and childish he was not to make this report fully available. There is nothing in it to make us, the Government, or the Tourist Bureau ashamed. I believe it is constructive criticism. We should all know what is in that report, not just me, under some privilege or some stigma that may stick for the future if there is any leak to the press or the public.

Mr. GROTH (Salisbury): I rise to say something about the necessity to widen and deepen the St. Kilda boat channel. What prompts me to do this is that on Friday, November 5, the following report appeared in the *News* under the heading "Police bring in boatman":

A man stranded in his boat in St. Vincent Gulf was rescued by a police launch last night. The seven-metre craft was drifting a kilometre off St. Kilda beach north of Adelaide after the engine's main drive shaft broke.

Men working on a dredge near Port Adelaide saw a distress flare and an SOS with a torch from the boat about 9 p.m. Police towed it to Port Adelaide about 11 p.m. The man, from Croydon Park, was unhurt.

That night there were at least six boats in the St. Kilda boat club that could have rescued the man in a lot less time than it took to go out from Outer Harbor. Probably this person could have been rescued in that 45 minutes and returned to the St. Kilda boat club premises. In April, the council engineer wrote a letter to the Coast Protection Board, as follows:

Recent dredging of the channel has returned the facility to a similar standard to that achieved in 1970 when the channel was opened. The channel in its present form is not an all-tide facility, and the demands now placed upon it by the boating fraternity would suggest that its standard is somewhat dated. Maintenance costs associated with the channel in its present form are expected to be high because siltation is extremely rapid. The major sources of silt are the adjacent causeway, which is continually slumping into the channel, and the outflowing tide. The tide deposits silt taken from the foreshore area in small deltas where it enters the channel. It has also been suggested by the Department of Environment that other factors, such as the structural instability of the seabed below the causeway and the silt deposited by incoming tides, contribute to the siltation problem.

In considering the extension of the existing facility a dimension alteration is required—deepening to permit an all-tide facility, and widening to ensure the safe passage of two boats passing when moving in opposite directions. The latter requirement is already met in a number of locations along the channel, and any widening proposal would not involve extensive operations. The sources of silt—namely the causeway and, in particular, the outgoing tide—need to be controlled and the suggestions of a new causeway on the southern side of the channel, and stabilising of the causeway-channel sides, have been made as possible methods of attempting to overcome the ingress of silt to the channel.

The Department of Environment has also raised the matters of geology and ecology, and it would seem that any decision to alter the existing form of the channel would need to stem from a well-researched cost/benefit analysis. In fact, it was suggested by the Minister that any preliminary submission from council would suffer such a fate. It was requested that council make an approach to your board with a request to have a study undertaken on the environmental effect of any further extension of the channel, and to seek recommendations regarding the form of such an extension in the light of the environmental study.

The matter of financing any approved project was also raised, and it was indicated to the Minister that the cost expected to be associated with such a project would be beyond council's economic resources, even under the subsidy scheme offered by your board. This matter remained unresolved, but clearly will require further consideration after the environmental study has been undertaken.

The Coast Protection Board's reply to the council's correspondence was to the effect that the probings and other services may cost $4 000, and it was requested that the council pay one-half of the cost. As council has agreed to do this, the impact study will take place, after which I hope that something will be done about this serious problem.

Mr. GUNN (Eyre): I am pleased to have the opportunity of making some remarks in the adjournment debate. The first matter I raise deals with Ministerial appointments, namely, people appointed to Ministers to assist them in their duties and to make available to the public information which is of interest and which should be constructive. One gentleman who has taken it on himself to launch a campaign against Opposition members, particularly me, is Mr. Muirden, who occasionally writes for a second-rate journal known as the *Nation Review*, which traditionally supports the totalitarian line of thought, that is, extreme socialism and socialist philosophy, which is designed to control all sections of the community in South Australia.

Members interjecting:

Mr. GUNN: I do not care who owns it. I judge it on the articles that appear in this second-rate dossier of nonsense. Obviously, this gentleman has never been to Eyre Peninsula; the comments he made about my constituents were quite insulting. I could have told him well before he went there that the people on Upper Eyre Peninsula are noted for their friendliness. They are always plausible to anyone who visits the area and, if he had taken the trouble to check up before his visit, he would not have been surprised that the District Council of Streaky Bay extended

its facilities to the Premier and provided him with a reception. In the nearly seven years that I have been a member, this was the first time the Premier had even bothered to go to that part of the State. He has not been interested in it. Earlier this year he visited Coober Pedy.

The Hon. Hugh Hudson: We heard you were delirious at his reception.

Mr. GUNN: You do not want to judge people on your activities. We know that the Minister is having a little problem with left-wingers over his uranium policy, and I may even touch on that. Mr. Muirden quoted 1970 figures, but I suggest that he do a crash course in arithmetic. He, in common with Australian Labor Party Governments, and people involved with them, cannot do even a simple calculation. I suggest that he go through the returns for 1970, add the figures, and see what the support for the Liberal Party was on that occasion, and that he study the 1975 figures. He should examine the figures after the next State election, because they will be even better, even with the trickery the A.L.P. is trying to carry out. I point out to Mr. Muirden that he does not even know the composition of the proposed new district. He wrote about over 2 000 people coming out of Whyalla. That is not correct.

Mr. Keneally: It will be by the time of the election.

Mr. GUNN: I do not care if it is 3 000. At the time the figures were issued, they included 1 800 from Stuart, including Iron Knob and Iron Baron.

The Hon. Hugh Hudson: Why wouldn't you go for Flinders?

Mr. GUNN: I shall have much to say about that in my next Address in Reply speech; six minutes is not long enough to cover that matter. I shall say many things about that matter, make no mistake about that. Mr. Muirden, who is noted for his left-wing views, I think was aptly described by Jack Egerton, who wrote a recent article for the *Bulletin*, which is a far more responsible journal.

Mr. Arnold: Sir John.

Mr. GUNN: Yes. The *Bulletin* gives a fair and reasonable coverage of events. Its opinions are highly regarded, and I recommend the reading of it to all sections of the community, even to the member for Stuart. In a report in the *Bulletin* of October 23, 1973, Mr. Egerton had the following to say:

For the last four or five years, communists, under one pretext or other, have been leaving the communist parties and joining the Labor Party. In New South Wales and Victoria ex-communists who have opposed the Labor Party for 20 to 25 years have been admitted to the Party.

He also talked about leadership.

Mr. Max Brown: He was branded as one himself at one time.

Mr. GUNN: When the honourable member has finished his maiden speech, I will continue.

Mr. Abbott: Have you got your pilot's licence yet?

Mr. GUNN: Next week. Mr. Egerton's report continues:

It's part of the plan to achieve this amalgamation of the left under the Labor Party. . . .

The aim of the exercise is that extremists realise that they can never be successful on their own. They will infiltrate the Labor Party so as to influence its policies, and I believe that Mr. Muirden and his colleagues in their attacks and statements are a clear indication that the left wing has infiltrated the Labor Party and it is making a sustained effort to infiltrate this State's Labor Party.

I am pleased that the Minister of Mines and Energy, commonly known as the Minister for hot air, is present in the Chamber although, as usual, he is contravening Standing Orders by interjecting, because there is a matter that I will draw to his attention. We have seen some aerial acrobatics in Canberra with the shadow Cabinet making a decision on its uranium policy, but that decision was later overturned by Caucus. The Minister has gone somewhat quiet. We have not heard much about the position in South Australia recently. He tabled in the House a report dealing with energy resources in South Australia which states that it was inevitable that we would have to use nuclear power in South Australia soon.

The Minister kindly provided every member with a copy of the Fox report, which also recognises that uranium should be mined under certain conditions, and I agree with that recommendation. However, there has been an interesting lack of statements from the Minister on that matter. Have the Attorney-General and his colleagues got control of the situation? Will they not allow the Minister to say what is in the best interests of South Australia? I believe that the Minister, in his own heart, supports the mining of uranium.

The Hon. D. J. Hopgood: Tell me what I think?

Mr. GUNN: I am not concerned about the junior Minister of Education.

Mr. Mathwin: He'd be against it.

Mr. GUNN: My friend from Glenelg is entitled to his opinion of the Minister. I invite the Minister in this House to say where he stands on the issue. We know the stance of the Attorney and some of his colleagues on the issue. I was at a meeting recently where Mr. Foster made interesting comments about what should happen to uranium. He indicated as he resumed his seat that it should be left in the ground. He is entitled to that opinion.

The Hon. Hugh Hudson: Of course he is entitled to that view.

Mr. GUNN: Yes. I and the people of this State would like the Minister of Mines and Energy as the Minister responsible, to state clearly his policy on this issue, an issue on which he has been silent. We have had all the nonsense in the world from Canberra, they cannot make up their minds.

The SPEAKER: Order! The honourable member's time has expired. The honourable member for Light. I warn the honourable member that he will use up the turn of the next member entitled to rise on his side of the House.

Dr. EASTICK (Light): I appreciate that and I claim the balance of the time available to me. On behalf of many members of the Australian Federated Union of Locomotive Enginemen based at Gawler and elsewhere in the State, I am concerned about the number of cases when railway property and rolling stock is damaged. On November 9, I indicated to the House my concern for this issue by questions I asked. Those questions were replied to by the Minister of Transport and dealt with the damage to rolling-stock since July 1, 1973. In reply the Minister indicated that obstructions on railway tracks for 1973-74 had occurred twice; in 1974-75, six times; in 1975-76, eight times; and to November 5, 1976 (when the reply was prepared) four times. In the same period, missiles hitting trains occurred seven times in 1973-74; 13 times in 1974-75; 11 times in 1975-76; and nine times to November 5, 1976. Members of the A.F.U.L.E. are gravely concerned about these figures and believe that they under-estimate the number of times on which missiles have hit trains.

It is indicated to me by members of that organisation that as many as five rolling-stock windows are replaced each week in Adelaide and that, on average, two to three windows are replaced each Saturday evening. Apart from

the replacement and the cost involved, various rail units must be dismantled to allow repairs to be effected. Members of the organisation are concerned that lengths of wood, stones and other activities are associated with impeding rail traffic. They are concerned that, outside the Adelaide Railway Station marshalling yards, it is not uncommon to find children playing under the lines on bridge structures and that, as a train bears down on the bridge, a head suddenly appears from between the sleepers. This action is causing members of this organisation concern and much mental stress.

The driver of the railcar that was involved in an accident with sleepers at Salisbury on October 31 claims that the speed of the vehicle at the time of the collision was 50 km/h and that that speed was reduced by about 5 km/h by the application of the railcar's brakes. It was fortunate that at that time no more than $1 477 damage was done and that no injuries were sustained by passengers on the train or by the driver. This constant harassment of railway employees in this manner is causing concern to several of my constituents. I raise the matter on their behalf and ask the Minister of Transport, apart from the undertakings that he has given to me and his replies, to see that additional action is taken in the department to assist these people who provide a public service. The comment is made about the children—

The SPEAKER: Order! The honourable member's time has expired.

Motion carried.

At 5.25 p.m. the House adjourned until Tuesday, November 30, at 2 p.m.