

HOUSE OF ASSEMBLY

Thursday, April 21, 1977

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

ASSENT TO BILLS

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

Crown Proceedings Act Amendment,
Rural Industry Assistance.

SUCCESSION DUTIES ACT AMENDMENT BILL

His Excellency the Governor's Deputy, 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.

NOISE CONTROL BILL

The Hon. J. D. CORCORAN (Deputy Premier) moved: That Standing Orders be so far suspended as to enable the conference with the Legislative Council to be continued during the sitting of the House.
Motion carried.

PETITION: SUCCESSION DUTIES

Dr. TONKIN presented a petition signed by 198 residents of South Australia, praying that the House urge the Government to amend the Succession Duties Act so that the existing discriminatory position of blood relations be removed and that blood relationships sharing a family property enjoy at least the same benefits as those available to *de facto* relationships.
Petition received.

PETITIONS: CHILD PORNOGRAPHY

Dr. TONKIN presented a petition signed by 3 022 residents of South Australia, praying that the House urge the Government to introduce, without delay, stringent laws with appropriate penalties which would protect children from abuse by pornographers, and take action to prohibit the sale of all pornographic films, books, and other material which included children.

Mr. SLATER presented a similar petition signed by 3 077 residents of South Australia.
Petitions received.

MINISTERIAL STATEMENT: WAGES AND PRICES FREEZE

The Hon. D. A. DUNSTAN (Premier and Treasurer): I seek leave to make a statement.
Leave granted.

The Hon. D. A. DUNSTAN: My attention has been drawn to a report in a national newspaper that the Prime Minister last evening informed the House of Representatives that at the Premiers' Conference last week no Premier

had raised with him the matter of tax cuts. That statement is completely incorrect. The record shows that I did so in quite specific terms. In the discussion on the economy, out of which eventually came the proposals of the Premiers and the Prime Minister for a pause in price and income increases, reference was made to the general state of the economy and to public finance policies. In the course of this, the Prime Minister himself raised the matter that several Premiers, Liberal and Labor alike, had talked about the necessity of some stimulus to the economy by some tax cuts and said that no Premier had been prepared to say what he thought should be the size of the deficit if such tax cuts were proposed.

He challenged us to state what size of deficit there should be. I promptly replied that I would be perfectly willing to do that, that I believed a mild stimulus to the economy by sales tax cuts and by increases in construction expenditure was quite vital, and that this should be financed by an addition to the national deficit of about a billion dollars.

Mr. Millhouse: A billion?

The Hon. D. A. DUNSTAN: Yes, \$1 000 000 000. I pointed out that the basis of this was the Federal Government's figure relating to its forecasts as to the rate of inflation, the rate of growth and its target for money supply growth. Its forecast of the rate of inflation, I pointed out, was more than 14 per cent; its forecast of growth was 4 per cent; and, therefore, there was an increase in the value of money, from those two figures, of about 18 per cent at least, but the target for money supply growth was only 12 per cent. I pointed out that in those circumstances the Federal Government's own economic theory, that of Milton Friedman, indicated quite clearly that that gap would result not in a decrease in prices but in a decrease in output, and that it was perfectly responsible to increase the rate of M3, the increase in money supply, by about 3 per cent, 3 per cent growth in the money supply being about \$1 000 000 000. That is quite clearly on the record, and it was raised at the Premiers' Conference. I did ask specifically for that kind of policy as a stimulus to the economy.

Mr. Millhouse: Did you get a reply from him?

The Hon. D. A. DUNSTAN: Yes, I did. It was couched in extremely emotional terms about irresponsibility and things of that kind, but there was no specific reply to his own figures that I had cited to him. The Premier of Victoria subsequently, outside the conference, also called for tax cuts in indirect taxes in the same way, and indeed has repeated that today in the course of informing the Prime Minister that he disagrees with the Prime Minister's proposals in relation to the Arbitration Commission and urging him to join with the Labor governed States, himself, the employers and employee organisations, and the Arbitration Commission in calling for a national conference on prices and incomes policy.

MINISTERIAL STATEMENT: MONARTO

The Hon. HUGH HUDSON (Minister for Planning): I seek leave to make a statement.
Leave granted.

The Hon. HUGH HUDSON: This statement arises out of remarks made yesterday, after I had spoken in the debate on the remarks on the no-confidence motion by the member for Mitcham.

Mr. Millhouse: It's a wonder—

The SPEAKER: Order!

The Hon. HUGH HUDSON: It is not correct that there has been a waste of money in planning the Monarto project.

Mr. Millhouse: Oh, come on!

The SPEAKER: Order! The honourable member for Mitcham is out of order.

The Hon. HUGH HUDSON: And irresponsible, too. The present situation is that the commencement of the project is deferred until such time as the Government is in a financial position to proceed with it. In order for a decision to be taken to proceed with Monarto, financial assistance would be necessary from the Federal Government. At this stage the Federal Government's position is that Monarto should remain a designated growth centre but that there would be no Federal funding available for the project for the remainder of this financial year or next financial year.

The planning of a new city that can accommodate up to 250 000 people is a very complex job, and the full planning and environmental studies involved a tremendous amount of work by many people. Because of the work that has now been completed, the Government would be in a position to commence the Monarto project within a few months of any favourable decision being reached by the Federal Government. I would like to make quite clear that the Government and I personally regard the staff of the Monarto commission as a highly competent group of people who have done absolutely first-class work on the project. The slurs and innuendoes cast by the member for Mitcham are untrue and bitterly resented by both the Government and the staff.

Mr. Millhouse: Rubbish, they are quite true!

The SPEAKER: Order! The honourable member for Mitcham is totally out of order.

Mr. Millhouse: Every member knows—

The SPEAKER: Order!

The Hon. HUGH HUDSON: Now that the staff of the commission is involved in working on other projects, highly favourable comments have been made about the competence of their work. For example, the Port Adelaide study has been regarded generally as a study of the highest standard. I have been informed by ETSA that it is delighted with the quality of the work undertaken by the commission in relation to the relocation of Leigh Creek. Furthermore, the member for Heysen informed me only a few days ago that the group with which he is associated has been greatly impressed by the approach and competence of the Monarto staff engaged in the planning study for the Adelaide Hills. I would point out to members and the public generally that the \$18 000 000 spent by the commission was not available for use elsewhere, as the bulk of the funds came from the Commonwealth Government specifically for the Monarto project.

Mr. Millhouse: So if we waste Commonwealth funds, it doesn't matter!

The SPEAKER: Order!

The Hon. HUGH HUDSON: I suggest that the member for Mitcham should have the common decency to listen without interjecting all the time.

Mr. Millhouse: So if we wait for the Commonwealth—

The Hon. HUGH HUDSON: Mr. Speaker, I suggest that the member for Mitcham should have the common decency to listen, without interjecting all the time. He can make slurs on people to his heart's content under Parliamentary privilege, but when the reply is made he will not listen.

Mr. Millhouse: Ha, ha!

The SPEAKER: Order! I must warn the honourable member for Mitcham that I will not tolerate this interjecting any longer.

The Hon. HUGH HUDSON: Furthermore, the cost of purchase of the land, together with the planning studies already undertaken, amounts to a cost of less than \$400 an acre. The equivalent cost of purchase of land and planning studies on the fringes of Adelaide would be at least \$4 000 an acre. The potential future benefit for the State in having the choice of a growth centre at Monarto as an alternative to further extension of the metropolitan area is very great indeed.

Concerning problems relating to the acquisition of land, all of the acquisitions have been carried out through the Valuer-General and the Crown Solicitor. I have been informed by both the Crown Solicitor and the Valuer-General that they are of the opinion that the whole matter has been handled properly in the terms of the provisions of the Land Acquisition Act, and that there is no case for further review of the sums paid. The circumstances relating to Sturt Street Processors were extraordinary, as it was the only case where compensation according to the Land Acquisition Act had to be assessed on the basis of the reasonable cost of equivalent reinstatement. Three prerequisites must be fulfilled under that Act before compensation can be paid on this basis. These are:

1. The land is, and but for acquisition would continue to be, devoted to a particular purpose.
2. There is no general demand or market for land devoted to the purpose.
3. Reinstatement in some other place must be a *bona fide* intention.

There is no doubt that the vast majority, if not all, of the landholders at Monarto met the first of these conditions. Some of them, but by no means all of them, met the third requirement. The critical factor is that none of them, with the exception of Sturt Street Processors Proprietary Limited met the second condition required by the Act. The notice of acquisition to Sturt Street Processors was issued about two years ago, and the Monarto commission became the legal owner of the land at that date. Subsequent to my becoming the Minister, I made detailed attempts to negotiate the return of the land to Sturt Street Processors, but to no avail.

Members interjecting:

The SPEAKER: Order! If this type of interjection continues, I shall certainly name some honourable member, and I will consider that laughing loudly is an interjection.

The Hon. HUGH HUDSON: It was clear to me that Sturt Street Processors recognised that once the Monarto commission had issued the notice of acquisition it could require the commission to proceed and gain compensation on a reinstatement basis. As it apparently desired to reinstate its business on another site, it refused the very reasonable terms that were offered to negate the whole acquisition. I must say that I was not impressed by any willingness by Sturt Street Processors to help reach any kind of solution to the problem that had arisen.

I now deal with some of the more petty points that have been raised. First, there has not been continual bickering and discontent among staff of the commission, and at no stage were the members of staff forbidden from talking to Mr. Taylor. Secondly, it is true that there were difficulties that arose between Mr. Richardson and Mr. Taylor and that these difficulties were one of the factors that led to the Government's arrangements that were made subsequently with Mr. Taylor. I make no apology for those arrangements, as I believe that they were very necessary. Because of Mr. Taylor's subsequent

death and the impossibility of his side of the story being told, I do not propose to make any further comment.

The member for Mitcham's statement that Mr. Richardson had an en suite bathroom built in his office and that, as a result of Mr. Richardson's action, Mr. Taylor proceeded in the same manner is without foundation. Mr. Richardson informed me that neither he nor Mr. Taylor made any such request, and that the facilities were provided as a result of plans prepared by the Public Buildings Department. I am aware that the Public Buildings Department proceeds in this way in relation to the provision of offices for heads of departments and Ministers, and has done so for many years. In fact, when my own office was moved into the Monarto building, I had to request that the Public Buildings Department specifically not provide such a facility for the Minister, otherwise it would have been provided. The procedure of providing additional facilities has gone on for a long time under Governments of both political complexions. On one occasion a powder room was provided. I have always considered personally that the provision is excessive, and that it should be reviewed. In fact, it is a load of cods wallop.

MOTION FOR ADJOURNMENT: QUESTIONS ON NOTICE

The SPEAKER: I have received from the honourable member for Mitcham (Mr. Millhouse) the following letter, dated April 21, 1977:

I desire to inform you that today, Thursday, April 21, it is my intention to move that this House at its rising do adjourn until 1.30 p.m. on Tuesday, April 26, for the purpose of considering a matter of urgency, namely, that in view of the great importance of replies to Questions on Notice this House request that the Government resume the practice, invariable except for the past three weeks, of giving an answer to all questions on the Notice Paper on the Tuesday next following their asking, and in particular that, as next Tuesday is likely to be the last occasion during this session for the answer of Questions on Notice, every question on the Notice Paper for that day be answered.

Does any honourable member support the proposed motion?

Mr. Millhouse having risen:

Mr. MILLHOUSE: Well, they don't care a damn about questions.

The SPEAKER: Order! The honourable member for Mitcham must be seated. As the motion has not been supported—

Mr. Millhouse: They haven't the guts to do anything; they are giving away our privileges and—

The SPEAKER: Order!

Mr. Millhouse: —they know it.

The SPEAKER: Order! Does the honourable member for Mitcham wish me to name him?

Mr. Millhouse: Of course I don't.

The SPEAKER: Well, when I—

Mr. Millhouse: They've got no guts.

The SPEAKER: Order! I will certainly name the member for Mitcham, if he speaks while I rise or call for order. As there has not been sufficient support for the motion, it will not proceed.

Mr. Millhouse: The Opposition don't give a damn: they are fools.

The SPEAKER: Order!

QUESTIONS

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

LOWER NORTH-EAST ROAD

In reply to Mrs. BYRNE (April 6).

The Hon. G. T. VIRGO: Reconstruction of this section of Lower North-East Road is scheduled to commence in 1978-79, subject of course, to the availability of funds.

MONARTO DEVELOPMENT COMMISSION

Dr. TONKIN: I much regret the selfish attitudes of some members in this House when they try to deprive members of the Opposition of the normal Question Time. My question is directed to the Minister for Planning—

Mr. Millhouse: Ministers did not reply to 22 out of the 76 Questions on Notice last Tuesday.

The SPEAKER: Order!

Mr. Venning: He's not game—

The SPEAKER: Order! The honourable member for Rocky River is also out of order.

Mr. Millhouse: Good on you, Howard, you stick by me.

Dr. TONKIN: Does the Government intend that the Monarto Development Commission will take over the responsibilities of the State Planning Authority, and will the Government press on with planning for Monarto, despite population trends and the need for urgent expenditure on programmes in the metropolitan area? Premier's Department circular No. 37, dated March 8, 1977, directs that all planning and consultancy will be carried out by the Monarto Development Commission. An extract from that document reads as follows:

With the deferment of Monarto, Cabinet has directed that all Government departments and authorities are to give preference to the use of the services of the Monarto Development Commission over outside consultants, in relation to new consultancy proposals.

Further on the document states:

Accordingly, before any outside consultancy is engaged by a head of department or statutory authority in a field where a major or significant part of the consultancy is concerned with the areas of town planning and urban development, social and environmental planning, architecture and economics, the Chairman, Monarto Development Commission, shall be contacted about the proposed consultancy. The head of the department or statutory authority shall satisfy himself that the consultancy (or part thereof) cannot be performed satisfactorily by the resources and expertise of the Monarto Development Commission before engaging outside consultants on the project.

Obviously, the State Planning Authority no longer has the status attributed to it previously. Is it intended to have it plan metropolitan Adelaide or not? Concern has been expressed that the planning needs of metropolitan Adelaide will continue to be severely neglected if the primary aim of the commission continues to be the establishment of Monarto, despite population trends and the further waste of funds which will result. The Government has indicated it is firmly in favour of Monarto, but its immediate development cannot be justified simply because the Premier believes it is an exciting and forward-looking project.

The Hon. HUGH HUDSON: In reply to the two questions asked by the Leader, the first is that all that remains of this stage of further planning work of Monarto is the completion of the next stage of the environmental impact study, which I think will be available in about two months. Most of the commission's staff are working on other work. Again, I point out to the Leader that the in-built population growth of Adelaide will result in an extension of the size of Adelaide under present forecasts of population change to reach all the 1991 boundary: that is, all of the existing rural A and rural B land set out in the 1962 plan will be taken up by further expansion of the metropolitan area without Monarto proceeding. Indeed, it may be that the 1991 boundary cannot be contained. That is on the basis of the present forecasts. If anyone in our community desired to limit the further growth of Adelaide, he would need to consider effectively some kind of decentralisation. Secondly, the commission's staff has now been reduced from a peak level of 69 employees to a staff of 35 employees. All of the people who are no longer working for the commission have found, or are in the process of finding, alternative employment. No-one has become unemployed as a result of that change. Indeed, that is some indication of the sort of competence involved with people employed by the commission. The future work of the commission must be on other projects and, if Monarto is to commence, say, in the beginning of 1979 for example, we believe that we must keep together the remaining small nucleus in the commission and, in the meantime, it is necessary to keep those people effectively occupied. This does not mean, as the circular makes plainly clear for anyone who cares to understand it, that the commission's staff are taking over any of the functions of the State Planning Authority.

Dr. Tonkin: What will they be doing?

The SPEAKER: Order! I direct the Minister not to answer that question. The Leader has already had the opportunity to ask his question.

The Hon. HUGH HUDSON: The circular to which the Leader refers relates to the use of resources that the Government has within the Monarto Development Commission, rather than to the use of outside consultants. That does make good sense, and it is common sense. The State Planning Authority employs outside consultants, and the circular would apply to the State Planning Authority: if it had work that had to go to consultants, it should go first to the staff of the Monarto commission, if that is practicable. The circular to which the Leader refers is not an outright direction. It asks that preference be given where it is practical so to do, but the head of any department or authority has to be satisfied that the work he requires to be undertaken will be undertaken in a satisfactory manner and that the Monarto staff has the necessary competence to undertake it. There is no basis for the second question asked by the Leader; namely, that somehow or other the Monarto staff are taking over the function of the State Planning Authority. It refers simply to the situation in which the Government is involved in getting planning studies of one sort or another undertaken and where, within the Government, there is a resource that can be used and, in our opinion, should be used.

Mr. GOLDSWORTHY: Can the Minister for Planning say why the Government established a permanent Monarto commission to plan the proposed city at great expense to the public, when private consultants were and are available to do this planning adequately and efficiently?

Most of the efforts of the Monarto commission has obviously been wasted, as the new city will not now proceed, and the Government is left with the embarrassment of a highly paid group of professionals without having anything specific for them to do other than the odd project that crops up from time to time. I briefly quote from the circular describing the expertise of the continuing commission, to which the Leader referred, as follows:

The commission has available competent staff in the fields of town planning and urban development as well as in social and environmental planning, architecture and economics. It is particularly geared to handle work in the fields of:

- (a) urban and regional planning and design;
- (b) project evaluation and planning; and
- (c) project management; . . .

The Minister claims that 35 employees is a small nucleus of the Monarto commission, but that is more than half the original commission staff, so that it is not a small planning body. The dilemma of the Government is obvious. By keeping these people on the public pay-roll without having anything for them to do is a scandalous waste of public funds. By sacking them the Government would obviously be breaking faith with these people.

The Hon. HUGH HUDSON: The Deputy Leader, as did every other member of the Opposition present at that time, voted to establish a permanent Monarto commission. All of them supported that proposition. Some of the planning work has been done by consultants anyway, and some of the planning studies undertaken by the commission had to involve the use of outside consultants. I will get the figure of the actual expenditure on outside consultants by the Monarto commission who were involved in all of the work concerned in the environmental impact studies and the planning studies for a city of 250 000 people.

Mr. Goldsworthy: But they didn't need a commission.

The Hon. HUGH HUDSON: The Deputy Leader supported the commission, and he now wants to assume that the project will not go ahead. Members like the Deputy Leader have been one of the sources of deferment. They have been using their influence to the best of their ability on the Federal Government, saying, "Look, we know you are going to get into South Australia. We know you are going to penalise South Australia. We support that. Here is one of the things you can have a go at."

Mr. Mathwin: What about Whitlam!

The Hon. HUGH HUDSON: Members of the Opposition have been the most vocal people in our community in trying to encourage the Federal Government to stop the Monarto project.

Mr. Mathwin: You mean the Whitlam Government.

The Hon. HUGH HUDSON: The current Federal Government has retained Monarto as a designated growth centre. They have not yet succeeded, these people on the other side of the House, in convincing the Federal Government that it should discontinue—

Mr. Mathwin: You're not suggesting that we—

The SPEAKER: Order! The honourable member for Glenelg is totally out of order with his incessant inane interjections.

The Hon. HUGH HUDSON: Members opposite have not yet succeeded in convincing the Federal Government that it should say to the State that there will never in the future be any funds for Monarto. My final point is that every member of the staff of the Monarto commission (now 35 against a peak figure of 69) is gainfully employed. The imputation made by the Deputy Leader, on no foundation whatsoever, that current waste of money is taking

place is wrong. That is typical of the whole Opposition attack on this question: to make charges without foundation and then say, "Well, it is up to you to disprove them." Members opposite seem to think that it is an honourable or even legitimate political tactic to do this sort of thing. No doubt they have the same view as that of a member from another place who was quoted in today's *News* as saying:

I do not make a point of telling lies unless there is some gain in it.

Is that the tactic of the Opposition? Is that what the Opposition is up to? Does it tell lies in the hope of getting a political gain?

Mr. ALLISON: I refer the Minister to the Premier's Department circular No. 37 headed "Monarto Development Commission", and ask whether, in view of the statement made in the circular, he intends to consider further retrenchments of the commission's staff or whether it is possible that the commission will be resuming work soon on planning for Monarto or, alternatively, some other project such as the Leigh Creek relocation? That circular states that the commission will deal promptly with all submissions during the balance of 1976-77, but for consultancies proposed to be undertaken after June 30, 1977, the commission should, where possible, be informed of requirements well in advance of need. I believe that there is some inference that, although the commission is well equipped to handle current work loads, there is a possibility that within a short time either the work load will be too heavy or the commission's staff will be reduced.

The Hon. HUGH HUDSON: The capacity of the Monarto commission for undertaking additional work is not huge, and not very much additional work will be required before the spare capacity that exists is taken up. The statement in the circular that deals with prompt attention to any proposals prior to the end of this financial year is particularly relevant, because it is during this period of time that the various departments are putting their revenue estimates to the Treasury. Obviously, they need to know for Budget purposes. The departments need to get fairly significant decisions at this stage of the year on what funds are going to be available and what they can do by way of employment of consultants. That is the reason for inclusion in the circular of the statement that requests prior to the end of the financial year will be dealt with promptly. The adjustment in staff of the Monarto Development Commission from 69 to 35 is substantial. We were, or are in the process of being, successful in getting all those staff who had to be retrenched into other forms of employment. It is our current intention to maintain that staff at the level of 35 and to find enough work for them so that that can continue, at least until we know more about the position of Federal funding for the Monarto growth centre. It is not the policy of the Government to adopt the kind of policy that no doubt would be advocated by the member for Mitcham and, I suspect, by the Leader of the Opposition, namely, that we should sack the lot of them. Certainly, the way the Deputy Leader of the Opposition has been carrying on about the growth in the Public Service in the past few days, even though earlier in the week he was asking for more money for the employment of ancillary staff, suggests that if he or the member for Rocky River had his way the Government would have to sack all the remaining members of the Monarto staff.

Mr. Venning: Don't talk rubbish.

The Hon. HUGH HUDSON: I am pleased to have the assurance of the member for Rocky River that he at least

is one member of the Opposition who supports the continued employment of the 35 currently employed on the Monarto staff, and therefore supports—

Mr. Venning: What a lot of rubbish you talk.

The Hon. HUGH HUDSON: —the use of those staff to do consulting work for other departments. I presume—

Mr. Venning: You've tried Darwin, and you've tried everything.

The Hon. HUGH HUDSON: The honourable member is giving the lie to his previous statement by saying we cannot find consulting work for the Monarto staff, so he is saying, "You are not going to be able to employ these people, and you had better sack the lot of them." Will the honourable member come out and be honest, and tell us what is his attitude on this, or is he in the same position as the Hon. Mr. Whyte, in another place, that he tells lies only if there is some benefit in it?

INDUSTRIES ASSISTANCE

Mr. SLATER: Is the Premier satisfied with the activities of the Industries Assistance Corporation and the Industries Development Committee in assisting business enterprises in this State? I ask the question following—

The SPEAKER: Order! There is far too much audible private conversation from back-benchers on the Opposition side.

Mr. Millhouse: I was just telling them, Mr. Speaker, that they will never be able to—

The SPEAKER: Order! I must warn the honourable member for Mitcham for the last time. If today he interjects in this manner, I shall name him, I assure him.

Mr. SLATER: I ask the question because of press reports arising from Questions on Notice by the member for Davenport regarding two companies, Wilkins Servis and Ceramic Tile Makers Limited, both of which have been assisted previously by the Industries Assistance Corporation and the Industries Development Committee. From January, 1973, to the present time, the Industries Development Committee has approved the building of factory premises or the extension of premises by the South Australian Housing Trust to the extent of about \$14 500 000, and about \$10 000 000 has been given in Government guarantees and financial assistance to business enterprises in this State. Before making a recommendation to the Treasurer, the committee always ensures that the criteria established under the Act are complied with: namely, that in the opinion of the committee there is a reasonable prospect of the business being viable, that there is an increase in or maintenance of employment in this State, and that the granting of the assistance will be in the public interest. For the information of members, especially the member for Davenport, members of the Opposition have equal representation on the Industries Development Committee.

The SPEAKER: Order! I think the honourable member is getting into the area of debate. I ask him to continue to explain the question.

Mr. SLATER: In explanation, members of the Opposition have equal representation on the Industries Development committee. I ask the Premier whether he is satisfied that both the corporation and the committee are carrying out their functions in the best interests of the State.

The Hon. D. A. DUNSTAN: Yes, I am so satisfied, and I am grateful for the assistance of Opposition members on

that committee. It is a bipartisan committee that investigates cases of providing capital, either by direct grant or by guarantee, to enterprises which are unable, for one reason or another, to get normal banking assistance. Very signal assistance has been given to industry in South Australia through the activity of the committee and the Industries Assistance Corporation. It is inevitable, of course, that in some cases we will have some failures because, in dealing with concerns that cannot get normal banking accommodation, we are obviously dealing with concerns in which there is some degree of risk. The development of the State is often considered to be worth that risk. In the recommendations made to me by the committee, I have always noted that there has been a careful investigation to see to it that nothing is recommended to me which, after careful investigation of the viability of the project, is considered as to be something for which it is likely that the guarantee will be called upon. Members who are serving on that committee, or who have served on it or who have been associated with it as Treasurer or Minister of Industrial Development, will know the worthwhileness of providing assistance of that kind to industry in South Australia. I find it extraordinary that the Government should then be condemned for having given assistance to industry in South Australia, assistance, moreover, recommended by the committee upon which the Opposition has representation as well as the Government. I believe that that industry assistance has been good. I believe that the advice of the committee has been given after careful consideration of all of the factors concerned. As Treasurer, I may not give a guarantee until I have received that advice. I believe it is a perfectly proper course for the State to have followed, and that it should continue.

BOUNDARIES APPEAL

The Hon. G. R. BROOMHILL: In view of the report that I saw in yesterday's *Advertiser* of comments made by a Mr. Gilbertson, who, of course, is the grazier who has appealed to the Privy Council on electoral boundaries and who is reported as saying that other people were helping him in regard to the costs of the appeal, I ask the Attorney-General whether or not it is a criminal offence for one person or organisation to encourage and pay the costs of another person to maintain a legal action. I do not think there is any need for me to explain that question.

The Hon. PETER DUNCAN: I, Sir, along with a number of other—

Mr. EVANS: On a point of order, Mr. Speaker. I was pulled up last year for asking the opinion of a Minister. Can the Minister be asked by way of a question to give an opinion on a matter of law?

The SPEAKER: I take it that the Minister is not giving an opinion but is speaking as the Minister responsible. The honourable Attorney-General.

The Hon. PETER DUNCAN: With respect, Mr. Speaker, I think your ruling was correct. I do not intend to give an opinion off the cuff about this matter, because it is obviously a matter of great concern. Since the report appeared in yesterday's press a number of people have raised with me their grave concern about what Mr. Gilbertson was reported as saying—that there were other people helping him in this court action.

The Hon. Hugh Hudson: The Federal Liberal Party?

The Hon. PETER DUNCAN: I am not pointing the finger at Opposition members or the Liberal Party in this

matter. Whether or not they have been involved in any criminal offence is yet to become apparent. I thank the honourable member for the question and for bringing the matter to my attention this morning so that I was able to look at the situation briefly to see what was the position. It is interesting that at common law there is an offence referred to as the offence of maintenance, the purpose of which is to punish persons who stir up unnecessary litigation. Certainly in English common law that offence is a criminal offence. I think it a most grave matter that, apparently, several other people had been acting in concert in this instance in taking the matter not only to the State Supreme Court but subsequently to the Privy Council. The whole matter apparently smacks of a conspiracy.

Mr. Rodda: Are you making charges?

The Hon. PETER DUNCAN: I am not making charges. I am basing what I am saying on what appeared in yesterday's *Advertiser*. I think that the people of South Australia would see Mr. Gilbertson's statement as being most serious, and I have no doubt that those people who apparently helped him, when they realise that they were induced into helping him in circumstances that may have amounted to a criminal offence, will no doubt be gravely concerned about their position. I have taken the trouble to research this matter to some limited degree, and I find that Halsbury's *Laws of England* defines "maintenance" as a criminal offence—

Mr. Allison: Most unnecessary!

The Hon. PETER DUNCAN: —in the following terms: "Maintenance" may be defined as the giving of assistance—

It is interesting to find the member for Mount Gambier looking very agitated and getting upset at the raising of this matter. He comes, of course, from the same area as does Mr. Gilbertson, and it may well be that many of his constituents have been induced or duped into assisting in this particular folly. The definition is as follows:

"Maintenance" may be defined as the giving of assistance or encouragement to one of the parties to an action by a person who has neither an interest in the action nor any other motive recognised by the law as justifying his interference.

Since South Australian law is based on the English common law, it is probable that this offence does exist in South Australia and that some of the people who have apparently assisted Mr. Gilbertson in this project have breached the law.

Mr. Coumbe: That's your opinion, is it?

The Hon. PETER DUNCAN: I am not prepared to give an opinion at this stage, but what I will do for the honourable member is say that it is a matter of considerable public concern on which there needs to be more detailed research than I have been able to give it today. I will have the Crown Solicitor furnish me with an opinion on the law in this matter.

METROPOLITAN AREA PLANNING

Mr. RUSSACK: Can the Minister for Planning say whether he intends to involve local government in the planning of inner and outer metropolitan Adelaide? If, as circular No. 37 seems to indicate, the Minister and the Premier think that they have not got enough planning work for metropolitan Adelaide and cannot think of what they should be doing to fix the quality of life problems in the inner and outer suburbs, they should in some way provide their resources to local government for it to do the job. After all, are not local government councillors the elected representatives of the people, and are they

not closest to the needs of the people in their areas in real terms, not in academic terms? Does the Minister not agree that the significant point is that, in this whole confusion over the Government's planning performance, local government's voice has not been heard, and it has not been given in a systematic fashion an opportunity to help in the planning and development of our communities?

The Hon. HUGH HUDSON: Most of the implied statements of fact made by the honourable member are not true. Local government, under the Planning and Development Act, which was passed in 1967—

Mr. Mathwin: They were never able to make up their own minds. You have model by-laws—

The SPEAKER: Order! I have warned the honourable member for Glenelg previously.

The Hon. HUGH HUDSON: Under the old system that applied before the 1967 Planning and Development Act came in, local government, together with the State, did such a marvellous job that new suburbs were developed with houses without facilities, often without water, sewerage, roads or recreation areas! Apparently that was all right, and apparently it is supported. No-one wishes to revert to the old situation. Under the new arrangements, the zoning system that applies in any council area must be recommended by the council before it can be implemented. Under that zoning system (or under interim development control before the zoning system was introduced) many decisions that are required are made by councils. Council involvement is extensive. A problem that we have now is that councils find it difficult to obtain funds to employ necessary planning staff. That some council areas are so small makes that difficulty even greater. Several councils in country areas have combined in order to pool their resources to employ a planning consultant. Regarding Monarto Development Commission staff carrying out work for councils, under existing powers that cannot be done. The Monarto Development Commission (Additional Powers) Act does not allow that to occur. If councils were to persuade the State Planning Authority to fund planning studies, commission staff could help in relation to those studies. The commission staff can work for the State Planning Authority but not for councils. That was the type of restriction that was put in the Bill in another place by members of the honourable member's own Party. Councils have serious problems in dealing with issues that extend beyond one council area where co-operation or an overall view is required. Inevitably, because of those problems, planning must be a co-operative exercise between councils and the State Government. I can see no way around that point of view. This Government does not say that councils do not have a role to play. The Government wants them to play a role, and we would like them to play it more effectively than at present. I would suggest to the member for Gouger that he consider his question a little more carefully and consider just how a planning system can be established that enables one to tackle effectively the problems associated with an area involving more than one council area and how one avoids a situation where the precedents that are established in one or two local areas, through things slipping through, do not become the general rule in the metropolitan area or the State as a whole. The legal system that is tacked on to our existing planning provisions sets great store by precedent. If certain matters became customary, those precedents would affect the whole system throughout the State no matter what councils said, because decisions made by councils, if those decisions were contrary to precedent, would be overthrown by the

courts. The matter is much more complex than the honourable member suggests. If he thinks about the matter, I believe he will recognise that this must be a co-operative exercise.

PORT ADELAIDE REDEVELOPMENT

Mr. WHITTEN: Will the Minister for Planning ascertain when the Port Adelaide Centre Joint Committee will be in a position to present its final report on the proposed redevelopment of Port Adelaide? In late January, comprehensive and alternative plans were displayed in the Port Adelaide Town Hall and were viewed by many people. The schemes displayed were to revitalise the shopping centre of Port Adelaide, the diversion of traffic, the expansion of housing, and the recognition of the historical and recreational potential of Port Adelaide. Residents of the district have been concerned about possible future acquisition and about the possibility of losing their houses. This matter is of grave concern, but I am sure that, if the redevelopment committee can bring down its report in the near future, it will allay many of their fears.

The Hon. HUGH HUDSON: The matter will proceed as rapidly as possible. The display of the proposals that have been prepared and recommended by the Monarto Development Commission in respect of the Port Adelaide centre was a further public exhibition to obtain further local reaction in relation to various propositions, and to obtain further local submissions. The next step will be for the State Planning Authority to make recommendations to the Government about what should happen. These recommendations have to cover not just the question of the amount of expenditure but how the planning process is going to proceed in the Port Adelaide centre; whether the kind of planning process that now exists will continue in the same way or whether there should be modifications. As soon as those recommendations are made, the Government itself must determine its stance, including the question of what expenditure of funds will take place in order to support any redevelopment. The question of expenditure of funds is the critical factor in the whole process, and it is and has been vital all along that we do not proceed in creating expectations that great things will happen which we subsequently do not fulfil. It is important that we get across to the people of Port Adelaide the capacity of the Government to undertake any work that needs expenditure, and the rate at which this can be effectively carried out. I understand completely the honourable member's concern about acquisition. I certainly believe that any housing that exists in that area that can be effectively upgraded should be upgraded. I would certainly want to adopt a policy that, if there were to be any acquisition at all, it would be minimal acquisition, and that where there was any effective housing at all it would not be disturbed in any way. Perhaps we will need a greater involvement of the South Australian Housing Trust in upgrading old dwellings to ensure that they can be used. However, as soon as we are able to determine a policy, which will be subsequent to the report from the State Planning Authority, I will make sure that the honourable member is in an effective position to inform his constituents precisely what will be the position.

WHYALLA EDUCATION

Mr. MAX BROWN: Will the Minister of Education inform me, regarding the appointment of Dr. Colin Campbell as the new Deputy Director-General of Further

Education, whether the appointment bears any relationship to any possibility of the Minister's automatically adopting the submission of the South Australian Board of Advanced Education to the Anderson inquiry regarding proposed mergers, referring particularly to the South Australian Institute of Technology and the Whyalla College of Further Education? I am fully aware that the Minister has made recent and continuing statements that no decision will be made until the Anderson inquiry is finalised, but I wish to refer the Minister to an article appearing in the *Whyalla News* of April 4, 1977, under the heading "Amalgam" and the subheading "Consternation and concern", as follows:

An interesting facet of the whole situation, as the power play develops, is the fact that the executive officer of the South Australian Board of Advanced Education, Dr. Colin Campbell, who has been in that position since 1975, was recently named by the Minister of Education, Dr. Hopgood, as the new Deputy Director-General of Further Education (Operations), with expectation that he will take up the appointment in May.

It may be assumed that Dr. Campbell has played a major role in preparation of the submission by the South Australian Board of Advanced Education and that, as the incoming deputy director, he will have a major hand in implementing those very recommendations which he helped create and which have created "consternation and concern" at so many levels.

Will the Minister explain to the House how and why this could happen?

The Hon. D. J. HOPGOOD: It might be convenient to divide newspaper editors into two categories: those who believe in the conspiratorial view of history, and those who do not. Obviously, the gentleman at Whyalla falls into the former category. There is no relationship whatsoever between the recent submission from the Board of Advanced Education to the Anderson inquiry, on the one hand, and the appointment of Dr. Colin Campbell to the Further Education Department as Deputy Director-General, on the other. The vacancy at the Further Education Department arose as a result of the retirement of Mr. Max Bone, and the subsequent elevation of Mr. Kloeden to the Director-Generalship. Dr. Colin Campbell's application was, I think, somewhat of a surprise, but a very pleasant surprise, as far as the Further Education Department was concerned. I say that without any sort of reflection on the other people who had applied for that vacant position. At the same time, the Board of Advanced Education is very sorry to lose a person of Dr. Campbell's ability. To suggest, as does the Editor of the *Whyalla News*, who seems to have got himself into somewhat of a tizzy over the whole matter, that this is all part of some sort of devious plot (that, the recommendation having been brought down, the next step is that the Government slots into very convenient positions one of the authors of the report), is really to take the conspiratorial view to absurd lengths. In many ways, perhaps it could be argued that Dr. Campbell would have been in a more advantageous position to influence the outcome of things in relation to tertiary institutions had he remained with the Board of Advanced Education.

I take the opportunity, in relation to what the *Whyalla News* has been saying about this matter, to point out, without any prejudice as to the outcome of the whole of these negotiations and what Dr. Anderson might say, that if people in tertiary institutions are now saying that they refuse to be placed in any way cheek by jowl with those who are teaching other than tertiary courses, not only are they being somewhat near-sighted but also they are ignoring much of what is happening at present. The Institute of Technology, not only on North Terrace but also in Whyalla itself, runs a considerable number of

what we could call sub-diploma courses, and this is a carry-over from the pre-Further Education Department days. Some of these courses originally were to have been transferred to the Further Education Department, and this has not happened. I am not suggesting there is any quarrel about that, but am simply saying that that is where they are, and they are accepted in that place. One of the colleges of advanced education other than the Institute of Technology applied to the commission not long ago to be able to run technical and further education courses at its institution, and we know that for years the University of Adelaide has run an Adult Education Department. No-one, as far as I am aware, feels in those institutions that, because there are sub-tertiary activities going on, the academic tone of the institutions is lowered in any way, or indeed that somehow they find it more difficult to attract staff to their institutions because these other forms or levels of education take place there. I understand that at one stage the Editor of the *Whyalla News* and other people up there were of the opinion that the submission from the Board of Advanced Education to the Anderson inquiry envisaged the total removal of tertiary courses from Whyalla. Nothing could be further from the truth. In fact, the submission made it perfectly clear that those courses should be retained. People had not got around to reading the actual report.

Mr. Millhouse: Do you want to make them multi-level institutions?

The Hon. D. J. HOPGOOD: I think one of the answers to the future of colleges of advanced education, wherever they might be, is that they should become multi-level institutions and, so far as I am aware, up until the publication of the board's report this had much support within the institution.

Mr. Millhouse: It does not seem to have it now.

The Hon. D. J. HOPGOOD: I believe it still does, and I find it peculiar that, for various reasons, people now want to make other noises.

Mr. Mathwin: You are out of touch.

The Hon. D. J. HOPGOOD: I do not think I am out of touch, in fact, I am sure I am not out of touch. I invite the member for Glenelg to consider this proposition. If colleges of advanced education are to have a viable future as educational institutions, and given that recruitment into the professional vocational areas on which they have traditionally relied is to be limited in future (and no-one denies that and I am referring not only to teaching but also to nursing, social work, and so on), where else do the colleges of advanced education go but into other forms of vocational training? Why, after all, should a college of advanced education see its future as being purely within the professional aspects of vocational training and not consider commercial and trade training and other sorts of things? We have in our colleges of advanced education a magnificent set of educational institutions, and what we have to ensure in future is that these institutions are used to their fullest capacity.

The SPEAKER: I call on the honourable member for Glenelg, but in fairness to the honourable member and to the Minister, who is to reply to his question, I remind the House that, according to Standing Orders, at 3.15 p.m. Question Time must cease.

FIREARMS

Mr. MATHWIN: It is rather strange for me to ask a question, because it is so long since I have had an

opportunity to do so. Can the Premier say whether the Government supports the recommendation of a meeting yesterday of about 100 police officers that all policemen should be armed when on duty? The *Advertiser* today reported on the meeting as follows:

All policemen should be armed a meeting of off-duty policemen at Elizabeth agreed yesterday. About 100 police, mostly from Adelaide's northern suburbs, voted unanimously at the meeting to recommend to the Police Association of South Australia that an application be made to the department for the wearing of firearms.

Does the Government support this recommendation?

The Hon. D. A. DUNSTAN: The consistent recommendation of the Police Commissioner is against such a proposal and, in fact, members opposite at times have raised such questions with me on the basis that police should not be commonly armed.

Mr. Millhouse: Times have changed.

The Hon. D. A. DUNSTAN: That may be true, but it is a question that would normally have to be raised with the Government. If it were raised on behalf of rank and file police officers by the Police Association as a whole and not a section of police officers, naturally we would consult with the Police Commissioner about it. However, I have not been informed of this matter. The honourable member's information to me is the first I have heard of it. It has certainly not come to the Government in any representation to date from the Police Association or the Police Commissioner.

At 3.14 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

LAND COMMISSION ACT AMENDMENT BILL

The Legislative Council intimated that it had divided the Land Commission Act Amendment Bill into two Bills, namely, the Land Commission Act Amendment Bill (No. 1) and the Land Commission Act Amendment Bill (No. 3); and that the Land Commission Act Amendment Bill (No. 1) comprising clauses 1, 2 and 4 has been agreed to without amendment.

NOISE CONTROL BILL

At 3.15 p.m. the following recommendations of the conference were reported to the House:

As to amendment No. 1:

That the Legislative Council do not further insist on its amendment.

As to amendment No. 4:

That the Legislative Council do not further insist on its amendment.

As to amendments Nos. 5 and 6:

That the House of Assembly do not further insist on its disagreement to these amendments.

As to amendments Nos. 7, 8 and 9:

That the Legislative Council do not further insist on these amendments.

As to amendment No. 10:

That the Legislative Council do not further insist upon this amendment but make the following amendments in lieu thereof:

Clause 11, page 6, line 30—After "Minister may" insert " upon application by the occupier of any non-domestic premises."

After line 32—insert—

(1a) Where the Minister refuses an application under subsection (1) of this section he shall forthwith publish notice of that refusal in the *Gazette*.

and that the House of Assembly agree thereto.

As to amendments Nos. 11 to 23:

That the Legislative Council do not further insist on these amendments.

As to amendment No. 24:

That the House of Assembly do not further insist on its disagreement.

As to amendment No. 25:

That the Legislative Council do not further insist upon this amendment but make the following amendments in lieu thereof:

Clause 21, page 11, line 23—Before "shall be liable" insert "with whose knowledge and consent the offence was committed".

Line 23—Leave out "unless he proves that the".
Lines 24 and 25—Leave out all words in these lines.

and that the House of Assembly agree thereto.

Later:

The Legislative Council intimated that it had agreed to the recommendations of the conference.

Consideration in Committee.

The Hon. D. W. SIMMONS (Minister for the Environment): I move:

That the recommendations of the conference be agreed to.

The conference took place this morning and lasted for about four and a half hours. There were 23 amendments that the Legislative Council insisted on and that this House rejected. The amendments were in special groups, and that is how I shall deal with them. The Legislative Council's first amendment provided for the insertion of a new definition referring to the Noise Control Exemption Committee, and this was one of the main points of issue between the two Chambers throughout the conference. The Legislative Council believes that it is desirable to set up a committee to consider applications for exemption from noise control orders to be issued in the case of industrial noise. The Governments contended that this was provided for by the procedure set out in the Bill, as passed by this House, that allowed the Minister to give the necessary exemption and set out the necessary conditions.

Much debate took place about that point, and it was eventually agreed that the Legislative Council do not further insist on its amendment No. 1. It followed from that that later amendments in the schedule were also removed. The next group referred to penalties. The Bill as it left this Chamber, generally speaking, provided for penalties of up to \$5 000 for breaches of the law in respect of industrial noise. The Legislative Council had asked that these penalties be reduced to \$1 000, and in one case that a penalty of \$1 000 be reduced to \$500. The Legislative Council eventually accepted the argument that the penalties set out in the Bill were maximum penalties and only likely to be imposed by the court when there was a gross breach of the Act and, therefore, they could reasonably stand.

It was also considered desirable that the Legislature should give some idea of the importance of this problem by the penalty, which on the face of it could be quite severe. The Legislative Council withdrew a series of amendments to those clauses. The next area of dispute was one canvassed in this House, the concept of a measurement place to determine the noise level emanating from industrial premises. Clause 10, as it left this Chamber, provided that noise emitted from industrial premises is excessive if the noise level at a place outside the premises

during a period when the noise is emitted from the premises exceeds a certain level. It was put forward strongly before the Select Committee, this Chamber and another place that this was unfair because there are some cases where industrial premises are situated some considerable distance from the nearest habitation or employment. It was unreasonable to industrialists to say that a certain standard had to be met outside premises, when the only people affected would be those passing by in the street. Therefore, the Legislative Council included an amendment that provided for a measurement place in relation to a non-domestic premises being any place outside the non-domestic premises where any person resided or was regularly engaged in any remunerative activity. I argued against that provision in this Chamber on the ground that it was only fair to the industrialist that he should have certainty, and that no changes in the area outside his control should put him in conflict with the Act. As long as he was able to ensure that the noise level going across his boundary did not exceed a certain level he was safe, come what may, concerning the outside occupation of land.

That argument was sincere. Also, I was concerned about the possibility that in some areas people in public places, such as the southern bank of the Torrens River, could be annoyed by excessive noise from what would come under the heading of industrial premises for the purposes of this Act on the northern side, say the Memorial Drive tennis courts, if a rock concert was in progress. However, it was decided at the conference that the amendments suggested by the Legislative Council would be accepted. This poses one or two problems in controlling noise in public places, such as the example I have just given. We are examining ways of getting around that. If industry generally thinks it would rather have the advantage of not having to meet the standards, instead of being forced to adopt definite standards from the beginning, I am willing to agree to that, and the Government agreed to the Legislative Council's amendment.

The Legislative Council's amendments provided that the period for action under a notice to control excessive noise should be at least three months. This was considered to be unreasonable, because some noise annoyances could be disposed of almost immediately. The concept of a measurement of domestic noise was not acceptable to the Government, and the managers from the Legislative Council withdrew the amendment. It would have meant that, regarding domestic noise, instead of a neighbour enjoying the use of the whole of his premises he would be able to complain only if the noise inside the building was above a certain level. That seemed an unfair restriction on the enjoyment of the whole of his premises. He may want to sleep out on a hot night, and be kept awake by his next-door neighbour's air-conditioner and, at the same time, not be able to complain unless the noise of the air-conditioner inside the house was above a certain level.

The Legislative Council sought to remove clause 21, which provides that, where an offence is committed against the Act by a body corporate, every person concerned in the management of the body corporate shall be liable to be convicted of the same offence unless he proves that the offence took place without his knowledge or consent. We eventually agreed that that provision may be too broad in scope. For that reason, the onus of proof has been shifted from a member of management of the company to the Crown. It is now more reasonable, while still retaining personal liability on the part of the person in the company who is responsible for creating the nuisance. I commend the recommendations of the conference to the Committee.

Mr. DEAN BROWN: The deadlocked conference this morning, as the Minister has said, was lengthy: it lasted for more than four hours. Frankly, I was embarrassed to be part of a team from this Chamber, some of whose members were so inflexible and unwilling to reach a reasonable compromise, and I think that this Chamber should be ashamed of the managers it sent to the conference. Although I supported it, I had difficulty in following the line taken by the Minister at the conference. I support the recommendations for the sole reason that they will save what is an important Bill. South Australians have wanted control over noise within the community for some time, but the Government had failed to deliver it. If the Bill had been defeated, unfortunately, these people would have had to wait even longer.

Mr. Keneally: Do you support the Bill?

Mr. DEAN BROWN: Yes, despite what went on at the conference this morning. It was a disgrace. The Minister was dogmatic, unbending, invariably verbose, and was extremely ponderous. I thought that we would not even finish the deadlocked conference by this evening, and we did not finish by the time Parliament was due to sit. The Minister accepted amendments Nos. 5, 6, and 24, which is a consequential amendment to amendment No. 5, together with a slight alteration to amendment No. 25, plus one other minor amendment. All of the other amendments put forward by the Upper House were rejected, simply because the Government would not give in to what the Upper House was hoping for, and was unwilling to reach any compromise. At one stage the delegates were getting to their feet, because they believed that the Bill had been defeated, simply because several members of this Chamber refused to give an inch. The whole purpose of a deadlocked conference is to reach a compromise between the two Chambers.

The positions were clearly set, and it was not up to the Legislative Council to have to give every inch of the way, although it almost did that. I was appalled at the Minister's talking on and on, and not listening to any reason. I was disappointed that it was not possible to have motor vehicles included in the Bill. Unfortunately, Standing Orders prohibit it, although I checked at the conference to ascertain whether they could have been included. The Bill is only half what it could have been, because motor vehicles have been excluded. The major source of noise within the community is not being controlled under the Bill.

The Hon. D. W. SIMMONS: On a point of order, Mr. Chairman, what the honourable member is now saying has nothing to do with the conference or the Bill.

The CHAIRMAN: The honourable member must confine his remarks to the motion before the Chair.

Mr. DEAN BROWN: Thank you, Mr. Chairman. The question of granting exemptions from the provisions of the Bill was rejected. Upper House members were willing to examine all solutions. Several other solutions were recommended, but the Minister refused to budge from the way in which the Bill was drafted. This aspect did not alter the functioning of the Bill, but altered in a minor way some administrative matters. However, the Minister refused to budge, and the whole Bill went close to being lost.

Mr. Millhouse: Are you supporting the recommendations of the conference?

Mr. DEAN BROWN: Yes, although I am complaining that the Bill, as it has come out of the conference, is not

altogether suitable. Many aspects need improving but, unfortunately, the Minister was not willing to give an inch to allow the Bill to be improved.

Mr. Millhouse: What are you complaining about?

Mr. DEAN BROWN: If the member for Mitcham is not willing to listen to the debate, he should not come in and try to interject by asking for a repetition of what has been said.

The CHAIRMAN: Order! Will the honourable member for Davenport resume his seat. I have been in the Chamber this afternoon. The honourable member for Mitcham has been warned once and, if he continues in this way, I will warn him again, and he must take the consequence.

Mr. Millhouse: You seem—

The CHAIRMAN: I warn the honourable member for Mitcham.

Mr. DEAN BROWN: The main point with the exemptions is that the Minister has entire power over them. He said yesterday that he would set up objective standards when granting exemptions. If one examines the conditions under which the Minister may grant exemptions, under clause 11 one will see that it is not possible to set objective standards. The clause refers to the economic effects of noise control on a company. The Minister, having obtained this considerable power, was not willing to give any right to individuals to appeal against his decision, and that is unfortunate. The Minister could close down or financially break any company by not granting an exemption. Yet, there is no recourse for the company to fight for its survival or to protect its employees. Any responsible Minister would be willing to allow his decisions to stand up before a committee or some sort of appeal tribunal to be examined. The dogmatic stand taken by the Minister at the conference was unreasonable and was against the best interest of the implementation of this Bill. I support the Bill simply to protect what is left in it. It is not an ideal Bill. As I said when the Bill was passed previously, it does not include motor vehicles, and that that is most unfortunate. Other provisions of the Bill also are unsatisfactory.

Mr. MILLHOUSE: We have just heard an extraordinary speech from the member for Davenport.

Mr. Goldsworthy: You couldn't have heard much of it because you came in late.

Mr. MILLHOUSE: Yes, but the member for Kavel forgets that in my room, as no doubt in his, there is a speaker that relays the proceedings of this Parliament. I was pricked to come back into the Chamber because I heard what the member for Davenport was saying.

Mr. Dean Brown: Why did you interject and ask about what I had already said?

The CHAIRMAN: Order! The member for Mitcham has the floor.

Mr. MILLHOUSE: I know that I am not a favourite of the members of the Liberal Party—those gutless wonders—but let me make a few points about what I heard the member for Davenport say this afternoon. First, he said that he was championing this Chamber at the conference.

The Hon. G. R. Broomhill: That was nonsense!

Mr. MILLHOUSE: I suspect from the tone in which the member for Davenport made his speech that it was nonsense and quite untrue that he has championing this Chamber, because the whole drift of his remarks was that the Minister had been too successful in championing this

Chamber. The member for Davenport criticised the Minister up hill and down dale for browbeating the old gentlemen in another place into accepting what he wanted. How can those two matters be put together?

The Hon. J. D. Corcoran: You can't win all the time.

Mr. MILLHOUSE: No, and he would have gone the other way if the Minister had given in. That shows the illogical stance the member for Davenport has adopted on this Bill. As for the question of including motor vehicles in the Bill—

The CHAIRMAN: Order! Nothing in this Bill relates to motor vehicles.

Mr. MILLHOUSE: No, but the member for Davenport canvassed it and—

The CHAIRMAN: Order! The honourable member for Mitcham will resume his seat. Perhaps the member for Mitcham was not here at the time, but I upheld a point of order concerning that matter. I hope that the honourable member will not continue in that vein.

Mr. MILLHOUSE: The member for Davenport referred to that matter after I got back into the Chamber and you, Sir, did not pull him up. That is why I referred to motor vehicles and to the fact that his own members in another place would not support their inclusion; in fact, it was lost on amendment. How the member for Davenport believes he can get that provision in now or be justified in complaining about that now, I do not know. The drift of his speech was to the effect that this compromise should not be accepted; that the Bill is hardly worth anything. The Liberals are caught in that way; they prated much in this Chamber about motor vehicles (and I will not refer to that again) but their own crowd in another place would not include motor vehicles and would not stand firm on what Liberal members in this Chamber wanted. Now, because the Minister has been successful at the conference, the member for Davenport complains. He cannot have it both ways. I remind the member for Davenport that that is what he and his cronies in the Liberal Party always seem to want, but I can tell them that they will always fail.

Motion carried.

FIREARMS BILL

Adjourned debate on second reading.

(Continued from April 20. Page 3631.)

Mr. BECKER (Hanson): In supporting the Bill, I recognise the Government's attempts in this regard. For at least 10 years I have been campaigning for stricter penalties for crimes committed with weapons, as I have been especially concerned on behalf of bank officers and people handling public money. When I was President of the Bank Officials Association I tried to have the Government of the day introduce legislation that would act as a deterrent in this regard. Since entering this House in 1970, I have asked numerous questions to seek Government support for legislation. It was explained to me by a former Attorney-General that the legislation provided a maximum penalty in this State of life imprisonment, but there was no minimum penalty, and the decision was left to the courts. I am disappointed with this legislation. In Victoria, as there is an armed hold-up almost every day, there is a need for stricter control over the use of firearms. Police Commissioners meeting in Melbourne recently requested stricter laws dealing with gun crimes. On page 19 of the *News* today, an article headed "Top police ask for tough law on gun crimes" states:

All State Governments will be asked to introduce tough, uniform gun laws to help fight the growing number of crimes involving firearms. Police Commissioners, at their annual conference, have decided to seek urgent action to plug loopholes in present laws. The conference was told crime involving firearms was increasing, with the common .22 rifle being the most valuable and most dangerous weapon.

"Criminals are obtaining firearms, and the hold-up, which was almost unknown 30 years ago, is quite common now," said the New South Wales Police Commissioner, Mr. M. Wood. In South Australia there were 39 armed hold-ups in the 1975-76 financial year and 27 the year before that.

Police are concerned at the growing number of automatic weapons being used in crime, ranging from machine-guns to automatic rifles with up to 30 cartridges and rapid-fire pistols. In 1975, there were 222 armed robberies in Victoria and 376 in New South Wales. Last year there were 230 in Victoria and 377 in New South Wales. More than 290 firearms were used in New South Wales robberies last year and 232 in Victoria.

The article refers to other statistics in that regard. This is an extremely difficult area in which to legislate. I turn now to a book which was written by Chief Inspector Colin Greenwood of the West Yorkshire Constabulary in England and which was called "Firearms Control". On page 246, under the heading of "Conclusions and Suggestions", he states:

How then, should policy on firearms control be affected by the facts produced? The system of registering all firearms to which section 1 applies as well as licensing the individual takes up a large part of the police time involved and causes a great deal of trouble and inconvenience. The voluminous records so produced appear to serve no useful purpose. In none of the cases examined in this study was the existence of these records of any assistance in detecting a crime and no-one questioned during the course of the study could offer any evidence to establish the value of the system of registering weapons.

That gives us partly the reason why it has been difficult to know the real worth of this type of legislation. It is interesting to note that here we have a chief inspector commenting on the amount of time taken by police officers in recording applications to register firearms. On page 249, paragraphs 1 and 2, he further commented:

The amount of time spent on administering the controls could be substantially decreased in a number of ways without in any way losing such effectiveness as the controls may have. In the first instance, it is necessary to keep in mind the object of the controls, and it is to be regretted that these are not clearly stated in the legislation in the United Kingdom. If the object is, as has been suggested, "To prevent, as far as possible, firearms falling into the hands of criminals and unsuitable persons", then this must be clearly borne in mind. It is apparent that a number of chief officers believe that they also have a duty, through firearms controls, to promote public safety. It is not easy to find a brief for this in the legislation—

again I assume that is in the United Kingdom—but it could quite properly be included as one of the objects of controls.

It continues further down the page to suggest that in one area 17 per cent of time could be saved with the various types of certificates being used.

We believe that the legislation is necessary. At the same time, it may create the situation where the police will have a record of all law-abiding citizens who own firearms but still not have a record of criminals, who are able to procure firearms by various means. We do not want to create the opportunity for criminals to obtain firearms under the counter or from the illegal gun running market. How, then, does one stop the criminal from committing the offence? I cannot see how this legislation does that. All it does is keep a register of firearms sold and of people who seek to get a licence before they buy a firearm. Those people will have to undergo some sort of examination to see whether they are of sound and

reasonable mind. They may be so at the time they apply for the firearm, but who knows what will happen to the applicant in five or 10 years?

This is a real problem. While we will be keeping a form of statistical record (and that is already kept), we are not really achieving what certain sections of the community would like to see; that is, that those handling public moneys be given protection. That must be dealt with by the court. However, the Government could issue instructions to the courts, if it wanted, but it would not be politic to do so. Someone has to make a protest and make their feelings known. The problem really lies with the courts. I am concerned that the police will be charged with the responsibility of taking the applications. The argument is that perhaps the police are the best people to do so, but there is much time involved, as mentioned in the book from which I have read, in firearms control, and it may be advisable to place this responsibility in another area. If the police are to control the matter, we must expect an increase in the number of personnel, which makes it a costly operation. The Bill is, regrettably, a Bill of regulation. Much is left to regulation, and it is really a guess as to what the Government intends to do.

I believe the Bill was rushed in. The Government had discussions over a long period with people concerned. The police officers association has been promoting this legislation. We were informed that it was sought, was prepared and was acceptable to the Deputy Premier, but it seems to me that the legislation came to this House in a rush. In presenting it, the Government has put forward a framework of legislation saying that it will sort out the rest of it later under the regulations. I believe that the regulations will not come into force until January 1, 1978. That is a considerable time away, and one wonders why it should take so long. The questions the Opposition would like answered by the Minister are immense, which means that it would be better to seek the answers from the Minister in Committee. No doubt the member for Fisher, who took the legislation on this side, wants to obtain much information from the Minister.

I support the Bill because it is making some attempt in this area, but I believe that the 6 000 bank officers I represented for many years and those involved in other areas believe that the Bill does not go nearly as far as they want it to go because it does not incorporate an instruction about penalties for armed hold-ups, which is a pity. I believe the Bill requires closer examination in Committee, and then, when the regulations come before the House, it will need serious consideration at that stage, too.

Mr. BOUNDY (Goyder): I think that everything has been said with regard to this Bill. I join the debate because of recent events in my own electorate and because of the tragedy that occurred at the Wauraltee Hotel. I do not wish to canvas the details of that happening. All honourable members have read about the tragedy in the daily press and again now while the coronial inquiry is under way. I think that we all support and applaud legislation if it will reduce the chances of juveniles and others gaining possession of firearms for use in criminal activities. I agree with the sentiments of the member for Playford, who spoke regarding the psychopathic killer. Legislation such as this may assist and have an effect in reducing the number of firearms that can get into the hands of those who have homicidal and psychopathic tendencies.

I am sure that all members agree with the need for the Registrar to have control over the issuing of licences in this way. We all agree, too, that there is no more

appropriate person to be the Registrar than the Commissioner of Police, and we agree about the delegation of his powers that would result from his being in control of this duty. Further, we all agree with the need for a comprehensive register of firearms held by individuals and organisations throughout the State. I agree with the member for Hanson that all that really does is chronicle the number of firearms held. I agree with the point he made that at the time of the issuing of the licence a person may have been responsible. I am not suggesting that I am irresponsible, but I do possess a shot gun that came into my hands by succession. It had belonged to my grandfather and then to my father, and now it is mine. While I have taken all necessary steps to register it, and so on, the time lapse could mean that, although responsibility was present at the time of the granting of a licence, it may not continue to be so.

However, I believe that no amount of legislation can prevent all the horrible events similar to those which we hear about and which affect the safety of the community. The Minister, in his second reading explanation, referred to offences against persons that occur as a result of matrimonial troubles or romantic jealousy. I suggest that crimes of passion, such as these, are committed whatever firearms are available. The weapon nearest at hand is the one that is used, be it a saucepan or a bottle of sauce. As with vandalism, the detection of which is difficult, particularly in rural areas, such offences will continue despite the measure before us. It seems to me that otherwise sensible people will transgress in this way out of youthful bravado or alcoholic incentive.

I believe that it is these factors that bring about damage to road signs, etc. Vandalism, such as we heard of recently in Eastern States where a hang glider pilot's kite was hit by a bullet, is to be deplored. It indicates great irresponsibility at the least, and possibly a sick mind. This legislation could not cover such an occurrence. However, that does not lessen the need for the Bill or the hope that, in some measure, it will lead to the result we want in reducing the number of criminal tragedies. The measure is aimed at improving the current situation. It will prevent the means whereby firearms can be bought in department stores. At present, they can be bought easily, almost like buying confectionery.

I turn now to the other side of the coin, namely, the misgivings of some sections of the community about the measure before us. This point has been expressed many times. Clubs and individuals, particularly in my area, are concerned that the Bill does not specify what it really means. When the member for Fisher was leading the debate for the Opposition, the Minister indicated by nods of the head and interjections that, in his view, collectors and landholders did not need to fear the contents of the Bill. Clause 11 (5) (f) provides that no offence is committed under this section by virtue of the fact that a person has a firearm in his possession in circumstances prescribed by regulation. I trust that this provision covers all the desirable aspects we want in the Bill, but it is in no way certain now. As the member for Hanson has said, it is a Committee Bill, and perhaps in Committee we will discover what it really means. My concern in this area is that the Registrar may capriciously withhold a licence. Landholders on their own land should suffer minimum restrictions and so, too, collectors and enthusiasts should be given every assistance not only to keep and collect firearms for themselves but also to acquire them on behalf of clubs. These responsible people should not be needlessly restricted in making their own projectiles. I do not think that that is contained within the ambit of the Bill, but I hope that

the Minister, in reply, will spell out what is intended under the clause. Will he allow such responsible people who are not landholders to hold high-power rifles for hunting purposes? I cite the recent case of the dingo shot at Marion Bay.

The Hon. D. W. Simmons: Did you allege that it came from the park?

Mr. BOUNDY: No, I did not.

The Hon. D. W. Simmons: The *Advertiser* gave that impression.

Mr. BOUNDY: I assure the Minister that that was not intended. Vertebrate pests (for example, goats, in some cases kangaroos, foxes and rabbits) need controlling, if not destroying, and I am concerned that we need the support of responsible hunters other than landholders in this field, and I hope that their involvement will still be possible. I believe that discretion is necessary in this matter. Clause 29 (b) provides that the possession of a silencer is an offence. I agree with the member for Light that the blanket refusal to allow silencers in any circumstances is wrong. I hope that the Minister will reconsider this point and recognise that a discretion is necessary in this matter.

Clause 32 (3) allows the police to break and enter on suspicion of possession. This clause worries the genuine collector. I recognise (and so do they) the need for wide powers where criminal intent is present. No-one would deny the need to break and enter in those circumstances, but I hope that the Minister will give an assurance that other than in criminal emergencies search warrants will be required before entry is made.

Regarding clause 37, I will repeat what has been said by the member for Hanson. Clause 37, which is the penalty clause, should embody a minimum penalty for second and subsequent offences. As these are serious offences, real and definite deterrents should be provided.

The Bill is overdue. It offers real improvement in the whole situation of possessing firearms. However, by its nature, it is obscure to the interested layman. It is a Committee Bill, and I hope that the Minister will reassure those responsible people who own, collect, or use firearms that they have nothing to fear from its provisions, and I hope that he will take into account all of the improvements to the Bill that have been promoted by the Opposition.

Mr. BLACKER (Flinders): I support the principle of the Bill, which makes some attempt to reduce the seemingly unlimited supply of weapons available in the community. Having said that, however, I question whether the Bill will do what we are asking it to do. I do not believe that anyone as yet has questioned the wisdom of tightening the gun laws; nevertheless, the object of the Bill is to prevent the indiscriminate use of the weapons that are available as well as restricting the proliferation of extremely dangerous weapons. No-one would argue with those points. The Minister, in his second reading explanation, gave examples of where firearms and pistols were used. We all know that for some time it has been necessary to register pistols, yet in many armed robberies pistols have been used. I question whether the registration of pistols has played a part in the reduction of the number of robberies. I ask the Minister whether he has information that suggests that the registration of pistols has been a deterrent or has in any way restricted their availability or illegal use. How has the criminal obtained such weapons? Have those weapons been registered and, if they have, were they in the hands of the rightful owner or were they stolen? The replies to those questions

will throw some light on the exercise and will cause the effectiveness of this measure to be questioned in the community.

What guarantee can the Government give that the criminal will be more law-abiding? I know that is a ridiculous question, but it poses a question in our minds about whether the person who sets out to break the law deliberately will be hampered by the Bill or whether the Bill will only tighten up the availability of weapons in the law-abiding community. This measure is another restriction on innocent people and has been introduced solely because of abuses by a minority of people. The Minister, in his second reading explanation, stated:

Many reports are received where valuable stock has been either deliberately or accidentally shot. One of the greatest problems with this type of offence is that the detection rate is low. A strengthening of the law to prevent firearms coming into irresponsible hands is a necessary precautionary measure.

Strengthening the law is probably good. We would probably all remember the incident south of Adelaide where horses were shot. It was an irresponsible act, yet the people who were charged with the offence received only a light sentence. If that is what is to happen, where is the protection for innocent people?

Mr. Vandepuer: Don't you think the Registrar might refuse those people the right to carry rifles?

Mr. BLACKER: If people are going to shoot stock deliberately, will they carry registered weapons? Although the objective is ideal, the practicalities can be questioned. I have been trying to ascertain from sporting associations in my district their view on this measure, but I have had considerable communication problems in trying to locate them. Therefore, I cannot say much more than that, even though the Bill is seemingly anomalous from the practical viewpoint, I support tightening up the laws if they will reduce vandalism or assault, even to a minor degree. I recall several instances of vandalism in my own district where water tanks, windmills, and items that are life-supporting for livestock have been damaged by deliberate acts of vandalism. I question whether the provisions of this Bill will stop vandalism. Its provisions may help to curb vandalism, however. In America, where firearms are available in large numbers, the percentage of firearms used in crimes is less than one-tenth of 1 per cent. If that is the percentage of firearms that will be used in offences in this State, we will be fighting a tough battle to curb the irresponsible use of firearms.

I will raise several other aspects in Committee, one of which relates to protection for the collector. I understand that the only protection offered to him is afforded by additional powers that may be provided by regulation. Two collectors have contacted me about this problem and have expressed their concern because they have not yet been given sufficient protection. However, I understand that that problem has not been overlooked by the Minister. Another aspect relates to clause 12 (3), which provides:

Where the Registrar is of the opinion that a firearms licence should not be granted to an applicant—

(a) because he is not satisfied that the applicant is a fit and proper person to hold the licence;

or

(b) for any other reason, he may refer the matter to the consultative committee and if the committee . . .

I hope that that contains a typist's error, because otherwise it could take someone quite a long time to have his application review considered by the review committee if he was planning a shooting or camping trip six months

hence. It could be held up in the process of administration. If the word "shall" were inserted, it would speed up the procedure.

The Hon. R. G. Payne: I suggest that the honourable member considers the following clause relating to dealers. That contains the correct wording.

Mr. BLACKER: I thank the Minister for clarifying that matter for me. I had noted something along those lines in relation to dealers. I support the Bill at this stage.

The Hon. R. G. PAYNE (Minister of Community Welfare) moved:

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

Motion carried.

Mr. GUNN (Eyre): I, too, support the Bill. Along with other members, I have been aware of acts of irresponsible people discharging firearms and damaging property, road signs and various other aids that are so essential for the travelling public. I have been perturbed about that situation for some time. I am aware that many people who should not have access to firearms really have open access to them. It was pointed out yesterday by an honourable member that it was as easy to buy a rifle as it was to buy a tube of toothpaste. A person wishing to purchase a firearm does not have to state a reason for doing so. When a person obtains a licence for a firearm he should be told that the National Parks and Wildlife Act and other Acts restrict the use of firearms and also restrict the rights of the shooter to enter private property or property under the control of the National Parks and Wildlife Service. Some people travel around the countryside and shoot with little regard for other people's rights or for the trouble they cause property owners in those areas. Recently, the Minister's officers have been active in my area, apprehending people trespassing on pastoral properties. This legislation may assist in apprehending these people, because the Police Department will have an up-to-date list of all people who own firearms, and I believe that is essential.

In a democracy any law-abiding and responsible citizen should have the right to own a firearm. However, I draw a line in this matter, because I do not believe that there can be a logical reason for an average citizen wanting to own an Armalite rifle, unless such a person belonged to a sporting club. Such a rifle is dangerous, and powerful enough to cause much damage. Therefore, when regulations are gazetted, I hope that this rifle will be given attention, as I believe that the general public should not be able to purchase it, and such firearms should be in a special category. An article in the *Advertiser* of April 16, 1977, reporting the comments of a gentleman well known in Adelaide in relation to this legislation states:

Mr. . . . owner of one of Adelaide's oldest gun shops, said some aspects of the proposed law were "utterly ridiculous". They would penalise the "ordinary, honest, law-abiding citizen."

This person made other critical comments, which I thought to be misleading. I should like the Minister to answer those comments, as this report was given some prominence. I hope the Minister will comment on this matter, in order to assist people who are concerned about the criticism that was made. I support the Bill.

The Hon. R. G. PAYNE (Minister of Community Welfare): First, I should like to thank members on both sides for the way in which they have approached this debate and for the way in which they have limited their

remarks to the points contained in the Bill or to matters raised with them by interested persons outside this House. It has been refreshing to find that in no way has this matter developed into a political matter. That, in itself, behoves well for this legislation and, if it can continue to be treated in this way, then sensible legislation, which will allow responsible people to be able to follow their recreation pursuit or hunting pursuit with properly obtained and licensed weapons, will result.

The most useful thing I can do is to remind members of my opening remarks in my second reading explanation, and point out to them and to members of the public that the Bill is not designed to penalise responsible people. The position is to the contrary, as the explanation states:

It is designed to introduce stricter controls upon the possession and use of firearms.

The Bill is not intended to go any further than that: it is not designed to prevent crime, to ensure that there will be no more mishaps with guns, or that no more guns will ever be used in crime, and so on. Members will realise that that is a difficult assignment, and it will be difficult to achieve. However, the Bill sets out to provide reasonable legislation for possession and use of firearms by responsible people.

As the Bill can be considered in Committee, I do not intend to reply at any length, although two or three major aspects were raised. Concern was expressed about the position of a collector or a person with many firearms, which he or she obtained on the basis of their comprising a collection of antique or historical weapons. In conjunction with the legislation, regulations will describe them as antiques, or as any cartridge firearms manufactured prior to 1900 and for which no ammunition is commercially available, and/or other classes of firearms manufactured prior to 1900.

Those weapons will be totally exempt if kept as *bona fide* collectors' items, curiosities, or ornaments and not intended to be fired. That statement will alleviate much of the concern and fear that has been expressed. Some weapons manufactured after post-1900 would also be considered by some people to be collectors' items. The final regulations will be produced in consultation with such bodies as the Antique and Historical Firearms Association of South Australia, for example.

Mr. Evans: Will it be a requirement that they have to be made unusable?

The Hon. R. G. PAYNE: No. I contemplate that it will require a declaration that they are kept as *bona fide* curios, ornaments or collector's items, and not intended to be fired. I am merely trying to indicate that the approach in this matter is intended to be reasonable at all times. The definition of "antiques" will apply to pistols as well, because the new legislation, as pointed out by the member for Fisher, is all embracing, whereas previously we had separate legislation.

The member for Fisher asked whether young people would be able to obtain a pistol licence and referred to the 15-year-old age limit, but I can assure him that it is intended (again, in the regulations) to provide that persons under the age of 18 years will not normally be licensed to obtain pistols. I believe that the proper concern expressed by the honourable member can be met with that reply.

Concerning dangerous firearms, I indicate to honourable members that, once again, the licensing system intended will provide for a licence on the basis of a classification of weapon, rather than to an individual weapon. It is intended that the regulations will create five classes of weapon: class A will include air guns or air rifles of all calibres

(this is the lower order); class B includes shotguns of all gauges; class C, pistols; class D, dangerous firearms (and I will give honourable members a little more information on that in a moment); and class E will include all firearms not being of classes A, B, C or D.

The category of dangerous firearms will include all fully automatic weapons (which takes care of the queries in respect of Armalite rifles); mortar guns (I do not think there are many people around with those, but doubtless there are some); and bazookas and certain other weapons. All members know that, in recent overseas events, those weapons have been used in assaults on ordinary people in airports. I am trying to explain that we will deal with this legislation in as reasonable a way as possible. The time factor was queried by the member for Fisher. The Government intends to have the legislation passed as soon as practicable, because there is a need for it. During the past 10 years, 473 people have died in Australia as a result of gunshot wounds. That is a terrible waste of life, some of which may have been prevented by more stringent gun laws. In order to pass the legislation as quickly as possible, it has been necessary to proceed in this way. In their speeches most members indicated that they had had some association with weapons. Because of the numbers and types of weapon and of the complexities involved, it will be necessary to issue regulations.

Legislation could not cover the magnitude of the task, and anomalies and omissions could have occurred. For this reason the legislation will be administered by regulation. There is no other reason. That is the quickest way in which something can be done about this problem. A large administrative programme is involved in the introduction of regulations such as these.

I have been told that there are more than 250 000 guns in South Australia, as well as other types of firearm. Some of these will be registered, but many will not be registered. Consideration will be given to granting amnesty in certain cases, and every action will be taken to encourage people who own firearms to use them in a responsible way, and it is hoped that this legislation will result in an improvement in overall safety, and that the overall use of weapons for irresponsible actions or for crimes generally will be reduced. When crimes are committed, it should be easier for the police to trace the weapons. The kind of work I am referring to involves computer programming as well as the establishment of records. If this legislation can be passed quickly, the regulations should be in force early in 1978, but I hope it will not take any longer than is necessary.

The member for Light raised the question of the use of a silencer for humane destruction. I ask members opposite to accept the fact that I do not intend to make any changes in this legislation, because my colleague is examining the use of silencers. I suggest there is sufficient evidence to show that legislation relating to silencers should be supported by all members. I can give good reasons for that, but that does not detract from the arguments put forward for the use of silencers for the convenient destruction of vermin. I ask members opposite to examine the use of all weapons when they are considering this legislation. It is hoped to increase safety generally in relation to weapons. I ask Opposition members to consider the ease that the use of silencers allows to those who act irresponsibly in the community, whether they are committing acts of vandalism or more serious crimes against persons.

Some members have received representations from interested persons and gun groups. Mr. John Neville,

President of the Sporting Shooters Association of Australia (S.A.) Incorporated, approached me last week about this. I arranged a meeting, attended by Mr. Neville, representing his association, police officers and the Minister in another place. We had a full discussion concerning the worries and minor misunderstandings that Mr. Neville and his association had about these matters. I have Mr. Neville's authority to say that he, on behalf of his association, told me this morning by telephone that he has 100 per cent support for the legislation, and he has no further worries in that regard. He believes that the legislation will be workable, and that the need for regulations is fair and reasonable.

Bill read a second time.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

Later:

Clauses 2 to 4 passed.

Clause 5—"Interpretation."

Mr. EVANS: I understand that the Minister in charge of the Bill in another place suggested that dangerous firearms could be described as the type of firearm that was made for the purpose of killing man in warfare. Is that what the Minister considers to be a dangerous firearm? Also, I am concerned about the situation under subclause (2) (a) (i). I refer to a person under 15 years of age who lives with his family on a farm and who wishes to learn to use a firearm, because I believe it includes such a person. I have been told that the Minister in another place told a group that no person under 15 years of age could use a gun except on recognised gun club property. Does the Minister believe that that provision covers a person under 15 years of age even if he is on his father's property and his father has a licence for a registered firearm?

The Hon. R. G. PAYNE (Minister of Community Welfare): I believe that a person under 15 years of age is covered in that circumstance. I suggest (and I mean nothing more than this) that a policeman does not stand outside the door of every farmhouse in South Australia. I tried to indicate earlier that reasonableness was the keynote of the Bill. I take the point the honourable member is raising.

Dr. Eastick: That is inciting young people to break the law.

The Hon. R. G. PAYNE: No. I am simply pointing out what is the fact of life. It is necessary for the police to have power set out in Acts of this Parliament to charge people with offences as necessary. Regarding dangerous firearms, for brevity I will refer to some of the more titillating weapons. I was correct, because the member for Glenelg seized on a couple of those straight away. I mentioned them also because they were easy to picture, as we had either seen them on television or, as in the case of some honourable members, experienced them in the services. We have all seen mortars and bazookas. There is a range of firearms that will be classified as dangerous firearms. There is a long list. The honourable member will understand why, for example, a shotgun having a barrel or barrels of less than 45 cm in length is placed in that category. I recall their being described in that form, except for their length, in the last five bank hold-ups in Melbourne.

Mr. Mathwin: Sawn-off shotguns.

The Hon. R. G. PAYNE: Yes. No matter how many weapons we included in this group, someone would claim that a weapon had been left out, and that is the reason for the regulatory approach. I refer to one other example to indicate the range contained and perhaps to obviate the need for further questioning. A weapon made from a rifle, gun or shotgun, if such weapon as modified has an overall length of less than 66 cm. I am sure that honourable members would agree that such a weapon should be so classified, and much justification would need to exist for it to be licensed. That is what it comes down to, and there should not be any quarrel with that requirement.

Mr. MATHWIN: Will there be a classification system for firearms similar to that used for a driver's licence in relation to the class of vehicle a person is permitted to drive? Will there be a grading down? A person making a gun out of a piece of conduit would obviously be a criminal, because he would intend to inflict some harm. Regarding subclause (2) (a), can the Minister say whether I can teach my young son or daughter of about age 12 to shoot correctly, as I did with my older children, as long as I am the owner of the gun?

The Hon. R. G. PAYNE: I understand that that would be the correct procedure, provided the weapon was not fired except within the confines of a recognised club range.

Mr. Mathwin: What about if one takes them out to the country?

The Hon. R. G. PAYNE: There are people 12 years of age shooting on ranges now.

Mr. MATHWIN: If I take my son or daughter to a property to teach them to shoot, provided I am with them, are they able to fire my gun? Are we breaking the law?

The Hon. R. G. PAYNE: How many times must I say "Yes"?

Mr. MATHWIN: The Minister did not say that. He referred to a firing range, but I am referring to a broader situation. Provided I am with my gun, my registered gun, can my son or daughter shoot it on a property?

The Hon. R. G. PAYNE: No.

Mr. BOUNDY: Can the Minister say whether I have any right to allow my 12-year-old son, if I had one, to shoot a rabbit on my property?

The Hon. R. G. PAYNE: I understand that he could not fire a gun.

Mr. EVANS: That is the point I sought to clarify earlier. The member for Glenelg was given a different understanding about this matter. Now that the Minister has cleared up this aspect, I do not believe we should attempt to slow the Bill down by amending it but, if the Minister's colleague in another place holds a similar view, there will be an attempt to amend it in another place, because I believe there is a necessity to amend the legislation along the lines suggested. There is not an opportunity for many young chaps living on farms to attend a registered club, yet people living near the city may have access to a registered gun club and can learn to shoot.

The Hon. R. G. PAYNE: I would be less than truthful if I said that I had not anticipated what has been outlined by the honourable member. A son or daughter under the age of 15 can fire a weapon on a registered range. The aim of this legislation, apart from regulating the ownership and possession of firearms, is to try and reduce the number of guns used unwisely and in crime. Honourable members understand that. Any honourable member could claim that his son or daughter was a

special case, and I am not arguing about that. I am trying to show what my understanding of the legislation is.

Mr. MATHWIN: Can the—

The CHAIRMAN: Order! The honourable member for Glenelg is out of order: he is permitted to rise only three times on a clause.

Mr. EVANS: I accept what the Minister has said, but I disagree with him, and I will attempt to have others make a move in another place, because we are disadvantaging some people. Not all people in the community have equal access to a licensed or registered club.

Mr. BOUNDY: I seek further information on the definition of "range". Will the requirement be for proper registration and licensing of all ranges so that some *de facto* country clubs, clay shooting clubs and the like, may have to tidy themselves up?

The Hon. R. G. PAYNE: There will be provision for the Minister, in effect, to set the standard for the ranges concerned.

Clause passed.

Clause 6—"The Registrar."

Dr. EASTICK: In the second reading debate I referred to the possible conflict between clause 6 (1) and clause 32 (3) regarding whether or not the police are given an opportunity to break and enter. I accept that this precise situation exists in the present legislation. Will the Minister say whether, in considering the new legislation, thought was given or promotion made by people outside as to the possible problem of Caesar looking after Caesar? Under clause 6 (1), the Commissioner of Police will be the Registrar of Firearms, and under the provisions of 6 (2) he may, in certain circumstances, delegate his powers and later revoke them. The whole of this area has been under the control of a Superintendent, and I have no reason to believe that that will not be so in future; that is, I have no reason to believe that there will not be tight control over the matter, but I must voice public concern in this regard.

Mr. McRAE: In a case in the Supreme Court some years ago, much was made of the meaning of the word "suspect". The then Chief Justice said that there was no difference between suspecting and believing, whereupon the late Mr. Villeneuve Smith, Q.C., said, "In that case, Your Honour, in future when I say the Apostles Creed I shall say 'I suspect in Almighty God'." There is a great width in the word "suspect", but at the same time there is protection in the clause. If the police were validly in pursuit of the criminal class, then "a reasonable suspicion" has a great ambit and there is scope for breaking and entering by force. On the other hand, the honourable member will note the words "may be found a firearm liable to seizure under this section", and it seems that that breaks down the potentiality raised, that perhaps the police on the rampage, so to speak, might break into some respectable and legitimate household.

Dr. Eastick: I would not personally believe that of them. Let us be clear on that.

Mr. McRAE: Quite so. I am not suggesting the member would hold that view. It seems to me that this clause covers the criminal class as well, but protects the good citizen.

Clause passed.

Clause 7—"Establishment of consultative committee."

Mr. EVANS: I think it is unwise to have a representative of the Commissioner of Police on the consultative committee. The Commissioner makes the first decision, and he has a double barrel to the gun: he is the Registrar

and he has a representative on the consultative committee. I should have hoped that someone else could be on the committee. I hope that there will not be a need in the future to change this. I accept it because it is there, but if we find it unworkable a change must later be made.

Clause passed.

Clauses 8 to 11 passed.

Clause 12—"Application for firearms licence."

Mr. EVANS: What fee is likely to apply for a firearms licence? Is the licence expected to be for individual weapons or for classes of weapon? I hope that it will be for classes of weapon, and not the individual or garden pistol or rifle.

The Hon. R. G. PAYNE: I believe the likely fee to be of the order of from \$3 to \$5 for a firearms licence, and that it will be for classes of weapon as distinct from individual weapons.

Mr. EVANS: It is suggested that the period of the licence should be not more than three years. Is there to be a gradual process of taking the period up to three years or will it be for three years?

The Hon. R. G. PAYNE: I believe the fee I have outlined for the class I have outlined will be for a period of three years.

Clause passed.

The Hon. R. G. PAYNE: Mr. Chairman, I should like to draw to your attention an error in the Bill that may not be apparent. It does not exist in the tabled Bill signed by me as the Minister introducing it. It is a genuine typographical error which I mentioned earlier in reply to the member for Flinders. At the top of page 6 in the second line, the word "may" should be "shall".

The CHAIRMAN: Under Standing Orders, the Committee cannot go back. However, the matter has been brought to my notice. It is merely a clerical adjustment.

Clause 13 passed.

Clause 14—"Application for dealer's licence."

Mr. EVANS: What will be the period of time and the cost for such a licence?

The Hon. R. G. PAYNE: The information I have suggests a figure of \$50 for the same period.

Clause passed.

Clauses 15 to 19 passed.

Clause 20—"Notice of change of address."

Mr. EVANS: I pose a question to the Minister in the hope that he will take it back to the Government. Will the Minister consider a suggestion that, when people re-enrol and when a notice is sent from the Electoral Office, some form of general notice should accompany it informing people of the other areas to be checked regarding notification of change of address? I hope the Minister will take up this point with the Government. I am sure many people do not realise that they could be involved with so many Government departments when they change their address. Under this Bill it would be an offence not to notify change of address.

The Hon. R. G. PAYNE: Australia Post charges only a small fee for readdressing correspondence for a certain period. I will examine what the member has suggested, but I believe in general one is required to exercise reasonable care in these matters. A constituent told me recently that he had not had a driver's licence for four years because of an oversight!

Mr. EVANS: I do not wish to labour the point. All I am saying is that the Electoral Office could send out a general note advising people to check all their licences.

That may prevent people committing offences unwittingly and unconsciously.

Clause passed.

Clauses 21 and 22 passed.

Clause 23—"Duty to register firearms."

Mr. EVANS: Already there is a register of firearms. Will there be a need for these people to reregister? If so, will the people involved be advised of that need or will there be a general publicity campaign?

The Hon. R. G. PAYNE: I expect there will be some publicity on the matter. A transfer will be effected by the authority rather than by the person holding the registration. There will be a time during which the Government and the police will institute an amnesty period. That would be a suitable time to advise people possessing weapons that were registered that there would be no need for them to reregister, because they would be transferred from the existing records.

Clause passed.

Clauses 24 to 26 passed.

Clause 27—"Registers."

Mr. EVANS: We are referring to a register of persons and a register of firearms. Some people who collect weapons (historical and antique) have had experiences in the past, when a police friend has allowed a person to inspect the register to isolate guns that are of high value and of some historical or collector interest, and he has then harassed the owner of such a gun in an attempt to buy it. Under the provisions of this clause the Registrar has to be satisfied that the person has a genuine interest in a part of the register. Copies of these registers will be in all police stations in the State, and there will be a real responsibility on personnel in those stations not to allow the register to be used to isolate guns of a special interest, so that owners may not be harassed in an attempt to persuade them to sell the gun. I hope the Minister will give some guarantee that at least he will consider these comments, because concern regarding this matter has been expressed to me.

The Hon. R. G. PAYNE: I will certainly pass the comments on.

Clause passed.

Clause 28 passed.

Clause 29—"Offence to possess dangerous firearms and silencers."

Dr. EASTICK: I noted with interest the assurance given by the Minister with respect to discussions he has had with his colleague in another place. Obviously, without committing the Minister, he saw the point of my argument that there could be a need for a reconsideration of this clause. I want the strictest control by the Registrar on this point, and I believe with that type of control there would be no fears that the matter would get out of hand.

At most there would be 10 or 12 silencers in the State. I say that against the background knowledge that has been put to me that there could be more than 200 000 silencers existing in South Australia now. Personally, I find that hard to understand, because I know of many rifles, and few of the people with whom I have had contact would bother to have a silencer. It certainly has been suggested authoritatively that one manufacturer in Australia has produced 500 000 silencers, and that a large percentage of them are in South Australia. Some could be fitted to .22 rifles, but even so I cannot accept the need for a silencer on a .22 or on any other gun. I have indicated fairly clearly to the Minister where there is a definite need.

The Hon. R. G. PAYNE: I reassure the honourable member that I understood entirely the point he put forward, and I have discussed it with the other Minister and with the police. The police viewpoint is interesting, because we would be the only State at present in which silencers are freely allowed. The Commonwealth and the other States prohibit them entirely. If any silencers are allowed at all, even if only 10, there would always be the possibility of one being stolen and misused in some way. I have made that viewpoint known to the Minister in the other place, but I will not accept other than what is in the Bill.

Mr. BOUNDY: If the member for Light is correct and there are thousands of silencers in the State, how are they to be confiscated? It would be different, if there were only 10.

The Hon. R. G. PAYNE: I have no knowledge of how many silencers there are in this State or how many have been manufactured. I undertake to get that information for the honourable member if he wants it. Periods of amnesty would be one way of handing in a weapon. I had an unregistered weapon I brought back from the war that I returned under the amnesty. I filled in three particulars on a form, and that was all that was required. Perhaps the same procedure could be followed.

Mr. EVANS: I know that the Minister handling the Bill, in the end result, is in the other place. I believe we should leave the opportunity for the Registrar to grant exceptions where he thinks it is justified. It is estimated there are 300 000 silencers in South Australia worth \$12 each. I think some people can justify the use of a silencer. Silencers are virtually useless to any person who wants to use them for crimes of violence, because a silencer is not effective upon any bullet that breaks the speed of sound, and a sniper is not going to use a short .22 bullet to shoot at anyone. It is an emotional thing. There is no less crime in places where silencers are banned.

Mr. MATHWIN: I support the member for Fisher. I think the Minister has been plucking at straws on this clause. He has produced no figures, and the only thing he has said was about vandalism. No crime has been committed during the past 18 months by a criminal using a silencer.

Mr. McRae: That is totally wrong.

Mr. MATHWIN: If the Minister has any information, let him produce it. It has been said that there are many thousands of silencers in the State, but crime figures in this State are not as bad as those in States where silencers have been banned. If one wants to ban something that is lethal, one should ban all cars from the road because of the possibility that someone might get killed. I agree with the member for Fisher that the Commissioner could deal with this matter. I know that silencers have been used by people killing vermin or rabbits, and most silencers are used on .22 rifles. If somebody were trying to kill someone he would not be using a .22 fitted with a silencer.

Mr. McRAE: So that that allegation does not stand unchallenged I point out that, in the South Australian criminal court, in August of last year, a man was charged and convicted of the murders of three people. The circumstances were that he had gone to a retail store, purchased on credit and without question a rifle, magazine, two boxes of bullets and a silencer. He then went to his mother-in-law's home, where he shot his wife, mother-in-law and father-in-law. He then proceeded to Oodnadatta, where he was captured.

Mr. Evans: Of what calibre were the bullets? Did the silencer silence the gun or could the shots be heard?

Mr. McRAE: I cannot answer that question in technical language, what the calibre of the bullets was, but the silencer was effective, because the neighbours were not aware that there had been a shooting in the house. That is not the only time a silencer has been used, and this is well known in Supreme Court circles.

Clause passed.

Clauses 30 and 31 passed.

Clause 32—"Powers to seize firearms."

Mr. EVANS: Clause 32 (1) (d) refers to a firearm being mechanically unsafe. I accept the comment the Minister made earlier about the classification of guns, and about antique and historic guns. Many of these guns would be unsafe in modern terms. If a person is keeping them as a collector's item there is no problem, but another category arises: some people might like to use them because they are historic and antique. To some people, if we apply modern standards, they may be considered unsafe. If a person commits an offence, the Registrar or the police may seize the firearm. One can see the implied risk regarding a person with a valuable historic or antique, albeit unsafe, weapon who may wish to fire it on odd occasions. We should consider this class of gun and person when the regulations are promulgated.

The Hon. R. G. PAYNE: It was for that reason that I outlined earlier that I proposed to ask my colleague to ensure that, when preparing the regulations, the views of people interested in antique and historic weapons should be taken into account. We are talking about reasonableness in this matter. If some irresponsible person has a firearm in a dangerous condition for no reason other than to subject someone to possible injury, obviously the police would have to act.

Clause passed.

Clauses 33 and 34 passed.

Clause 35—"Power of sale of forfeited firearms."

Mr. EVANS: A group has put to me a similar problem. One does not argue with the procedure whereby, in normal circumstances, a confiscated article may be disposed of, with the proceeds going to the Treasury. However, it has been put to me that, for minor offences against the Bill, a person may place valuable weapons at the risk of being confiscated. It would be difficult for him, if convicted of, say, two minor offences, to prove that the weapons should not be confiscated. It might even be a collection of guns. Will the Minister ask his colleague to consider providing the opportunity for some of the money to be returned to the owner if the Commissioner, Registrar or Government believes that the case is not an unreasonable one?

Clause passed.

Clause 36 passed.

Clause 37—"Penalties."

Mr. EVANS: I move:

Page 12—

Line 21—Leave out "and".

Line 22—Leave out "or subsequent offence to a fine not exceeding two thousand dollars" and insert "to a fine of not less than two hundred but not more than two thousand dollars".

After line 23 insert paragraph as follows:

and

(c) for a third or subsequent offence, to a fine of not less than five hundred but not more than five thousand dollars, and imprisonment for not less than one month but not more than two years.

We believe that, once a person has committed a second, third or subsequent offence, he is either very careless or in the class in which we should make it as difficult as possible for him to operate, and penalise him. The Commissioner

or Registrar may revoke the licence, but the penalties set out in my amendment might make people realise the seriousness of the situation. I believe that the amendment would not weaken the Bill but strengthen it. I hope that the Minister will accept the amendment.

The Hon. R. G. PAYNE: I oppose the amendment. The honourable member would agree that there could be a wide range of circumstances in which this class of offence could occur. In the main, this matter has been allowed for in the past in all kinds of legislation, and it has been accepted that it ought to be left to the discretion of the courts. The courts look to Parliament's view on the offence, in terms of its gravity, by the maximum penalty that it lays down. It allows the courts to be in possession of facts, for example, which we in Parliament in trying to set the laws cannot visualise. After the legislation had been in force for a time (and it would be several months before the Bill would be fully operative—perhaps even a year from now), it might be ascertained that there had been much deliberate flouting of the provisions. At that time, I think it would be reasonable to put forward an argument that Parliament should be called on to do more than merely set a maximum penalty and ask the courts to exercise their discretion. That was accepted with respect to certain penalties under the Road Traffic Act. There is a long history to that legislation and the penalty range, and there is also a great increase in actual offences. We might extend the same thinking to this legislation, and that is what I have done. I will bring the honourable member's remarks to the attention of my colleague, who, I am sure, will consider the matter.

Mr. MATHWIN: I support the amendment. If the Government is fair dinkum about its legislation, all it has to do is provide a minimum penalty. It is the mandatory minimum penalty that has the most effect on the criminal. He knows that, if he disobeys the law time and time again, he must go to gaol. A criminal must go to gaol if there is a mandatory minimum penalty. If it is against Government policy to impose a mandatory minimum penalty, I suppose one must accept that, but if the Labor Party is fair dinkum about doing something to solve this problem in the community, a problem which it has expounded throughout this Bill, for God's sake make the punishment fit the crime and impose a mandatory minimum penalty. It is fair enough to give a person a chance for a first offence, but when it is obvious that no good will be served by doing that a minimum mandatory gaol sentence should be imposed. That is the only way to get the message over. Last evening I pointed out that the minimum penalty for a first offence in Alaska was 10 years imprisonment and for a second offence it was 20 years imprisonment. The Alaskan authorities do not have much bother, because they have solved the problem. If criminals create problems it is up to the Government to do something about solving those problems. We need not be as severe as the authorities are in Alaska, but the Minister should, if he is fair dinkum, impose a mandatory minimum penalty.

Dr. EASTICK: I genuinely believed from what Government members had said that they desired legislation that would benefit the people of South Australia. I suggest sincerely to the Minister that unless this measure has the right sort of teeth, teeth that are tempered with reason (and I believe the amendment moved by the member for Fisher would have so tempered it), it will be a miserable failure in significant areas. True, it will have advantages in several ways, but it will lack effectiveness. I certainly support the amendment as being essential to this legislation.

The Committee divided on the amendment:

Ayes (20)—Messrs. Allen, Allison, Becker, Blacker, Boundy, Dean Brown, Coumbe, Eastick, Evans (teller), Goldsworthy, Gunn, Mathwin, Nankivell, Rodda, Russack, Tonkin, Vandeppeer, Venning, Wardle, and Wotton.

Noes (20)—Messrs. Abbott, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Connelly, Corcoran, Duncan, Groth, Hopgood, Hudson, Jennings, Keneally, McRae, Olson, Payne (teller), Simmons, Slater, Virgo, Whitten, and Wright.

Pairs—Ayes—Messrs. Arnold and Chapman. Noes—Messrs. Dunstan and Wells.

The CHAIRMAN: There are 20 Ayes and 20 Noes. There being an equality of votes, I give my casting vote in favour of the Noes.

Amendment thus negatived.

Mr. EVANS: I am sorry that the member for Mitcham had left, because that vote would have been interesting. I am disappointed in the clause as it stands. I should have liked the minimum penalty to be as I originally intended in my amendment, but I am told that I cannot do that because I moved my amendment to line 23 first, and can therefore not go back. I am disappointed that the Government would not accept my amendment to increase the penalty or provide a minimum. Members of the Police Force will also be disappointed, because my amendment would have given them an opportunity to see reasonable penalties imposed on people who broke the law. That reasonable penalties are not being imposed is a reason for this problem in society.

Clause passed.

Clause 38 passed.

Clause 39—"Regulations."

Mr. EVANS: This clause carries most of the power in this Bill and the machinery of how it will affect the holders of this equipment in the community. I am pleased that the Minister has said that he will consult with interested groups. I hope that farmer organisations show interest

in this matter, because of the obvious implications. I believe that the Bill will help in the field that we wanted it to and, as the regulations are a critical part of it, I hope they are drafted with all reasonableness.

Clause passed.

Title passed.

Bill reported without amendment.

The SPEAKER: I should like to announce to the House that in the last division held in Committee the name of the honourable member for Albert Park was omitted from the list, and I intend to have that corrected.

The Hon. R. G. PAYNE (Minister of Community Welfare) moved:

That this Bill be now read a third time.

Mr. MATHWIN (Glenelg): I rise merely to say that, although this Bill has been needed for some time, I have been disappointed in clause 37. The Minister had the opportunity to support an amendment from this side to provide a minimum penalty, but his action has proved that the Government is pursuing its policy of mollycoddling people who break the law and giving no help or assistance in any real way to the people who must uphold it. The Government has a responsibility not only to the law breakers but also to the law keepers. The policy of mollycoddling people is a bad policy which I believe will incur the displeasure of the people of South Australia. Therefore, I am disappointed that the Minister did not support a fair dinkum effort to impose a penalty fit for the crime committed.

Bill read a third time and passed.

ADJOURNMENT

At 5.43 p.m. the House adjourned until Tuesday, April 26, at 2 p.m.