HOUSE OF ASSEMBLY

Thursday 6 March 1980

The DEPUTY SPEAKER (Mr. G. M. Gunn) took the Chair at 2 p.m. and read prayers.

PETITION: SHOPPING HOURS

A petition signed by 899 residents of South Australia praying that the House would oppose the Bill to extend trading hours for retail food stores until 6 p.m. on Saturdays was presented by Mr. Langley.

Petition received.

QUESTION TIME

The DEPUTY SPEAKER: Before calling on questions I wish to say that in the two days I have been in Chair it has become obvious, once again, that Question Time is not being used to the greatest effect. Last year the Speaker stated his view on the conduct of Question Time. Part of what he said is as follows:

> In explaining a question, a member should give only sufficient information for the Minister to identify what the question is about, and should not use the explanation as a political platform.

The Speaker then went on to say:

> Although members, including Ministers, may not debate the answer to a question, Ministers have always been allowed more latitude than have other members. This has been the practice in this House and in the House of Commons for many years. It is in the best interests of members and the House generally that all questions and answers be as brief as possible, and I ask all members to observe these rules to ensure that the maximum number of questions may be asked and answered.

I now make a similar appeal, particularly to Ministers, in view of the length of some of their answers.

The Deputy Premier will take questions for the Minister of Industrial Affairs, who will be a few minutes late.

BUILDING AND CONSTRUCTION

Mr. BANNON: Will the Premier inform the House of the total amount by which Government building and construction work flowing to private sector builders and contractors has been reduced as a result of the $25 000 000 reduction in payments from the Loan Account in the seven months ended January 1980 compared with the same period of the 1978-79 financial year? The Premier claimed yesterday in reply to a question from the member for Florey that to date the 1979-80 Budget was in better shape than the 1978-79 Budget for the same period. The major difference between the two progressive Budget positions to the end of January has been the $25 000 000 cut in payments from the Loan Account. Most payments from that account are for public works.

The Hon. D. O. TONKIN: I will be delighted to answer the Leader of the Opposition's question. It is a matter which he has raised in places other than this Chamber, and I understand he has recently written to a number of people in the private sector expressing exactly the same point of view. I quote from a letter dated 25 February 1980 in which he says:

> I am writing to bring to the attention of your organisation some aspects of the change in the level of expenditure by the South Australian Government.

He goes on to say, amongst other things:

> No doubt your organisation will be aware of the lower volume of Government work flowing into the building and construction industries.

I think it is far better, rather than my answering his question in my own words, that I should quote an answer which the Leader has received from the Earthmoving Contractors Association of South Australia Incorporated, which sets out the position equally as well as I could and which, coming from that organisation, would carry a tremendous amount of first-hand knowledge, and therefore be regarded as an authoritative document. The letter states:

> Dear Mr. Bannon, We reply to your letter on the reduction in Loan fund expenditure dated 25 February 1980. Yes, we are aware of the lower volume of Government work flowing into the building and construction industries. We have been aware of this for several years, and have followed this trend with sorrow. Over the past two years approximately 50 per cent of our labour force has been retrenched and many small operators have been forced out of business. The previous Government carried out irresponsible schemes and projects regardless of cost. The public workforce was built up and a large amount of capital equipment purchased. Instead of giving the work to private enterprise—which can do the job quicker and more efficiently in the vast majority of cases—and certainly at less cost—it was handed out to the day labour force.
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> Apart from personal income tax and tax on fuel, who provides the rest of the tax money to run the country? Certainly not the Government sector, which pays no sales tax or payroll tax. More than half of State Government revenue from taxation is derived from payroll tax paid by private industry. We would refer you to Mr. Corcoran's speech in 1973 (*Hansard* of 24 July 1973, page 18). He spoke of the efficiency of the Public Buildings Department and the setting up of its own construction branch, how it would operate efficiently and lead to greater efficiency in private enterprise, when private enterprise had to compete with the P.B.D. when it tendered for Government work.
>
> Sounds good—but the Jackson Report, August 1979 says, "Statistics show that in the non-construction building area, the average amount in all Australian States (excluding South Australia) put out for open or selective tender was 84½ per cent—in the same period South Australia's figure was 44 per cent, with 56 per cent carried out by day labour." Do you call this competitive tendering?
>
> Yes, we are aware of what is happening. We suggest that when considering these Budget figures available to December, that present Government had only been in office for two months, and in that time had little opportunity to deal with a legacy inherited from your Government. We believe that private industry is more efficient than day labour in both building and construction. With less money available, even now the industry is beginning to pick up.
>
> K. P. Allen,
> Secretary

PITJANTJATJARA LAND RIGHTS

Mr. MATHWIN: Can the member for Mitchell tell the House why the former Government did not proceed with the Pitjantjatjara Land Rights Bill?

The DEPUTY SPEAKER: Order! The question is not in order because it is not a matter for which the honourable member for Mitchell now has responsibility. I rule the question out of order.

RANDOM BREATH TESTING

The Hon. J. D. WRIGHT: In view of today's statement by the South Australian Police Association, will the Minister of Transport indicate to the House what progress has been made by the Government in giving effect to its election promise that:

> As a positive initiative we will introduce random breath testing, as has been done so successfully in Victoria.

Why, when we were given a quite definite announcement by the Government as to what would be happening and when, has there been a delay in its acting on this matter?

The *News* of 19 October reported that a modified form of random breath testing was being considered and that legislation would be presented before the end of 1979. The same report stated that random breath testing was also under consideration. The Premier was quoted as saying that the whole question was being discussed as a matter of urgency.

An article in the *News* of 26 December stated that modified breath testing would be introduced. The Minister of Transport was reported as saying that the matter had been approved by Cabinet and would be given top priority by the Government in its legislative programme. Further, an article in the *Advertiser* of 15 January reported a split in the Liberal Party over the question of random breath tests (there are many splits in the Liberal Party, as we are aware).

The DEPUTY SPEAKER: Order! The member for Adelaide will not comment.

The Hon. J. D. WRIGHT: I am very sorry I deviated, Mr. Deputy Speaker. An article in the *Advertiser* of 16 January stated that legislation had been discussd at length in the Party room and that legislation would go before Parliament on 19 February.

The Hon. M. M. WILSON: It is very simple to answer the Deputy Leader's question: there are three urgent matters that the Government wished to introduce from its transport policy which was laid before the people before the last election; the transport policy, of course, was very well endorsed by the people. Those matters were compulsory child restraints, which the House dealt with yesterday; the introduction of probationary licences, which the House will deal with today; and the introduction of partial random breath testing. I hope to give notice of a Bill on the latter, when the House resumes after the coming two-week break.

PITJANTJATJARA LAND RIGHTS

Dr. BILLARD: Can the Minister of Aboriginal Affairs tell me what reservations he has about the Pitjantjatjara Land Rights Bill in the form originally introduced into this Parliament by the previous Government? In recent times I have been approached by a number of people and groups regarding Pitjantjatjara land rights. They have all expressed concern that justice be done and be seen to be done. The attitudes expressed are summed up in a letter I received yesterday from the Aboriginal Land Rights Support Group. In that letter the issue was described as follows:

> This is a matter of immense significance in the history of black-white relationships in this State, in fact, in the whole of Australia, and, what is more important, it deals with matters vital to the survival of the Pitjantjatjara people.

However, in this and many other representations (though not all) the concern for fairness and trust and justice has been linked to the original Pitjantjatjara Lands Rights Bill. It is for this reason that I seek the Minister's view on the original Bill.

The Hon. R. G. PAYNE: On a point of order, Mr. Deputy Speaker. My understanding is that this matter is currently before the House—it appears on the Notice Paper.

The Hon. E. R. Goldsworthy interjecting:

The DEPUTY SPEAKER: Order!

The Hon. R. G. PAYNE: If the Deputy Premier will allow me to finish my point of order, you may be in a position to make a judgment. The matter is currently before the House, because the wording of the motion before the House is that the report of the Select Committee be adopted. Inherent in that sentence is what the Select Committee report recommends to the House, namely, that the Bill for Pitjantjatjara lands rights, together with the amendments thereto recommended by the Select Committee, be passed.

Members interjecting:

The DEPUTY SPEAKER: Order! I cannot uphold the point of order. The Minister of Education may answer the question. I would like to point out to the Minister that he must make sure in answering the question that he does not refer to a matter currently before the House.

The Hon. H. ALLISON: Very well, Sir. Like all honourable members, I received a recommendation from the Aboriginal Land Rights Support Group. There is no doubt that since coming to office this Government has had access to documents other than those which were available to the Select Committee which throw additional light on the whole matter of land rights. I believe that one of the more important matters was brought to the attention of a former Minister of the Crown serving in the former Government, the Minister of Mines and Energy, who, in fact, requested advice from the Crown Solicitor. He received an opinion that certainly raised legal doubts as to the possibility of any mining or petroleum operation, exploration, or production proceeding under the terms of legislation previously proposed.

The Hon. R. G. Payne: This is the hoary old chestnut.

The Hon. E. R. Goldsworthy: Why don't you want to hear the answer?

The Hon. R. G. Payne: If you want to hear about this Bill, agree to the motion on the file.

The DEPUTY SPEAKER: Order! The member for Mitchell will cease interjecting.

The Hon. R. G. Payne: On the next private members' day—Wednesday the 26th—just agree to it.

The DEPUTY SPEAKER: Order! I do not want to have to ask honourable members again to cease interjecting.

The Hon. H. ALLISON: The motions on file will be debated in due course. This question is a spontaneous one in response to a letter sent to every member of this House. All members on this side have received it only today. The Crown Solicitor's opinion is as follows:

> I have misgivings about the practical consequences of the requirement contained in the Bill for any person contemplating prospecting or mining first to seek the permission of Anangu Pitjantjatjaraku to enter the lands and of the requirement that no mining tenement be granted without the consent of Anangu Pitjantjatjaraku. I assume, in view of the corporate status of Anangu Pitjantjatjaraku, that the intention is for a resolution by a simple majority of all the

> Pitjantjatjara people in appropriate terms to constitute sufficient signification of their or its consent.
>
> At the very least, the Bill should contain a provision to that effect, but even this has practical difficulties. The Bill should make provision for the validity of a resolution of Anangu Pitjantjatjaraku, notwithstanding the fact that a majority of the members of the Pitjantjatjara people was not present at official meetings of Anangu Pitjantjatjaraku. There should also be some plainly prescribed procedures for official meetings. I do not read clauses 6, 7 and 8 as providing any clear or practical way out of the difficulties that the present terms of the Bill create. Furthermore, I cannot see how the Bill helps in getting the scheme of the legislation off the ground—

this is the original Bill, the subject of the letter before all members of the House today—

> given the definition of "Anangu Pitjantjatjaraku", "Pitjantjatjara", "Aboriginal tradition" and the notion of Anangu Pitjantjatjaraku collectively having a corporate identity. In the absence of proper clarification of or provision for these matters, and in order that there should be no doubt as to the validity of the permission or consent of Anangu Pitjantjatjaraku, as matters stand, any person (including South Australian Oil and Gas)—

and they were negotiating with the Minister and the Pitjantjatjara—

> seeking it will be obliged to seek it of every person—

and the words "every person" are underlined—

> who has an interest in nucleus lands in accordance with a body of traditions, observances, customs and beliefs based upon an interest in land, or under which an interest in land is recognised and which binds together Aboriginals living on that land (clause 4 of the Bill refers). S.A.O.G. (for example) would need to be able to establish not only the identity of every person who at the relevant time possessed an interest in nucleus lands, in accordance with the criteria contained in clause 4 of the Bill, but would presumably have to arrange for every such person to meet together to consider S.A.O.G.'s application.

The opinion goes on at some length. But, even more than that, there are other points that I would like to make. There is a comment regarding the report of the Select Committee about fears of mining interests that the limitation on the powers of the Anangu Pitjantjatjaraku to lease land would affect mining leases granted in respect of nucleus or non-nucleus land vested in the Pitjantjatjara. The concern is that Anangu Pitjantjatjaraku cannot grant a lease for a term exceeding five years. Any assurances that were given to me that the mining leases could be granted under the Mining Act are held in question by the Crown Solicitor. He says that in his opinion the assurances that were given to me were incorrect. They do not take into account the overriding powers of the Anangu Pitjantjatjaraku to withhold consent to the granting or registration of tenements of mining. It is an effect of the former legislation that the Mining (Petroleum) Act is subordinate to that legislation, and this is different from assurances that were previously given.

The DEPUTY SPEAKER: I draw the Minister's attention to the statement I made prior to Question Time.

The Hon. H. ALLISON: We have another legal opinion from an eminent Australian authority, which states:

> While neither supporting nor opposing the philosophy of the Bill, I believe the Bill bristles with so many mechanical and procedural defects such as to make the every-day use of its provisions cause conflict with other people in the State who may have a legitimate interest in the lands.

Referring to the difficulty of gaining consent to enter on to lands, the subject of the Bill, the opinion continues:

> It seems not improbable that, for a mining interest to be granted permission to enter on to the nucleus lands, it may well have to satisfy each of the 2 000 owners individually, and jointly . . .

The Hon. R. G. Payne: Who is the other opinion from?

The Hon. H. ALLISON: I will not say at this time.

An honourable member: Another judge?

The Hon. H. ALLISON: It is a judge. I am not just inventing a name.

The Hon. R. G. Payne: Tell us who it is.

The Hon. H. ALLISON: The opinion continues:

> Conflict arises through endeavouring to marry a sophisticated system of land tenure with an Aboriginal culture requiring ownership by a large group of people operating by a consensus. It may be that, if it is considered appropriate to grant the people their interests in the lands as proposed, they may, in turn, have to accommodate to societies' traditional manner of dealing with such situations, that is, by statutorily giving power to some designated group or person who can be easily identified and whose decisions are binding and final. It is probable that the report on which the Bill is based allows for this. Without some such provision it seems most improbable that anyone would embark on any financial obligations relying on the present confused structure of the Bill.

The Hon. R. G. Payne: Who cares about that? It is supposed to be for the benefit of the Aborigines, not the mining interests.

The Hon. H. ALLISON: It is significant that frequently in debate between myself, the Premier, the Deputy Premier and others, the Pitjantjatjara have repeated that they do not necessarily object to mining exploration and development. This very thing may benefit and help them in their social adjustment. Also, we cannot divorce the economic welfare of South Australia from the physical wellbeing not only of the rest of South Australia but more specifically of the Pitjantjatjara people. This may bring these people royalties in due course to assist them to do as they like and to enable them to carry on independently of Federal and State Governments. These points were made before the Select Committee; let us not forget that. The very thing from which the Pitjantjatjara may benefit and which they certainly have not refused to consider may be denied them by the legislation as presented.

We are simply saying that there may be just reason not only in the eyes of people on this side but also in the eyes of the public to re-examine the Bill which was brought into the House previously and which was not passed by the former Government despite its having had nine days before the dissolution of Parliament, for example, to do so. The fact that this was not done, that the legislation may preclude the Pitjantjatjara from benefiting should they so desire, is certainly one reason why the Bill might be reasonably re-examined. The Government puts it to the House that the present negotiations that are continuing between this Government and the Pitjantjatjara have not closed the minds of either party to the possibility of some reconciliation of ideas.

I will not pre-exempt further discussions between the Pitjantjatjara and ourselves by saying any more in the House. However, I ask people to be open-minded rather than empty-headed on this subject.

EDUCATION CUTS

Mr. PETERSON: Will the Minister of Education say whether it is a fact that officers of the Education Department have been instructed to prepare submissions for even further education budget cuts? I have received information that, in addition to the current proposal for a

3 per cent cut in the budget, officers of that department have been instructed to investigate a further 3 per cent cut, and that even a third reduction is being contemplated. As about 90 per cent of that relevant budget is related to salaries and wages, obviously such reports create considerable apprehension among teachers and other staff. It is felt that the current proposal is bad enough, and that any other reduction will further affect the education of pupils. A feeling is developing among school staffs that they may have to resort to industrial action to highlight the serious situation that is developing. That this feeling even exists among the teaching fraternity is an indictment and illustrates surely that budget cuts are not in the best interests of our education system.

The Hon. H. ALLISON: I appreciate the honourable member's concern and that of members of the teaching fraternity, whether further, primary or secondary teachers, were the facts correct. But, how many times must we reiterate what we have said during the past two or three weeks? This Government was brought into power with a promise of smaller government. Every Director-General and head of a statutory authority or semi-government authority has been asked to examine the workings of his department with a view to seeing whether an overall 3 per cent might not be effected.

I do not think that anyone in his right mind would suggest that a department that is expending about $400 000 000 *in toto* might not benefit from a little self-examination. I state once again, that there has been no positive decision. People are being told there is to be an additional 3 per cent cut simply bears out something that was telephoned to me by a Greek constituent in an Opposition district who said, "Is it true that our school will lose three members of the staff in the near future because of the 3 per cent cut?" That was a figment of someone's imagination. As I have said, no decision has been made. Every department is examining the situation, and Cabinet and Treasury will come to no definite conclusions before the Budget propositions are consolidated later in the year.

There is certainly no definite suggestion that the Education Department or any other department would achieve a 3 per cent overall cut. It is a suggestion to every department that it should be examining the possibility, commenting to the Treasurer as to the desirability or otherwise of cuts that might be suggested. Until the entire suggestion is before Treasury, no composite picture will emerge and nothing is more definite than that.

RAPE

Mr. SCHMIDT: Is the Premier aware of the reported rape of a 15-year-old schoolgirl in a suburban street last night, the second such rape of a 15-year-old girl this week and, if he is, what are his and his Government's reactions to such attacks?

The Hon. D. O. TONKIN: I think that everyone must share a feeling of revulsion and horror that this should have happened to any young female, particularly in these circumstances, where we have had two such occurrences within such a short time. It was, as has been pointed out by a member of the Police Force, a cowardly attack of a kind that we cannot tolerate on our streets.

Members interjecting:

The Hon. D. O. TONKIN: If honourable members want to make politics out of this matter, all I can say—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. D. O. TONKIN: —is that it can do them very little good at all.

Members interjecting:

The DEPUTY SPEAKER: Order! There are far too many interjections. The Premier should be heard in silence.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. D. O. TONKIN: I have been in touch with the Acting Commissioner of Police. He has provided me with a report which unfortunately does not put us far along the way towards detecting the perpetrators of this cowardly crime. The report states:

> Extensive inquiries are being conducted by police personnel from the Major Crimes Squad, Burnside C.I.B. and the Rape Inquiry Unit.

The most objectionable part of this objectionable occurrence is the fact that it occurred in a well populated street very close to a main highway and that it was not reported and not noticed. I appeal to all members of the public to keep their eyes open and not to hesitate to report to the authorities any suspicious circumstances whatever. It would be far better if police were required to make a number of visits to certain incidents or possible incidents of crime and find that there was no need for their attendance than to miss out on something like this.

I have already had some informal discussions with the Commissioner of Police about the institution of a system that applies currently in New York where people who have radio telephones (for instance, taxi drivers and bus drivers, and some people with C.B. radios) are encouraged to attend a course of lectures given by the Police Department, at which they are instructed in looking out for occurrences which could indicate that some illegal activity was either going on or was being threatened. They are encouraged to report such matters as someone loitering or a car parked in a suspicious place not to the Operations Room but to a separate number, at which place all these reports are collated.

Obviously, this does not mean that, if a member of the public believes that some illegal activity is occurring, he should not immediately contact the Operations Room. I understand that the system in New York is working particularly well. The amount of intelligence that is being built up about crime is being most helpful in the prevention of crime. I commend the scheme to the South Australian Police Force and the people of South Australia.

Once again, I believe that this was a most cowardly and loutish attack, and no stone will be left unturned in order to find these people and to make them realise that they are not able to do this sort of thing in Adelaide and its suburbs. I am quite certain that in that the Government will have the support of every member of this House.

SIR NORMAN YOUNG

The Hon. J. D. CORCORAN: Will the Minister of Health confirm or deny that, despite her generous vote of thanks to him, Sir Norman Young resigned from the chairmanship of the Royal Adelaide Hospital board because of persistent and major differences with the Minister over her managerial and organisational approach and competence and over financial arrangements imposed by the Health Commission on the hospital? Is it true that, because of a break-down in communications, Sir Norman Young felt it necessary to contact the Premier directly regarding the Royal Adelaide Hospital budgetary situation and that Sir Norman complained about the lack of flexibility in the Minister's approach? All Opposition members believe (as does this morning's editorial in the *Advertiser*) that the onus is on the Minister to explain to

the public what has happened, what the problem is and what she intends to do about it.

The Hon. JENNIFER ADAMSON: I am pleased to have those questions from the member for Hartley. In response to the first question, I deny absolutely that Sir Norman's resignation has anything to do with clashes with me personally. That is simply not so. I have enjoyed an excellent relationship with Sir Norman Young. I have great admiration for his very fine service to successive Governments.

The Hon. Peter Duncan: It is your lousy policies that he's opposed to.

The DEPUTY SPEAKER: Order!

The Hon. JENNIFER ADAMSON: I deeply regretted that Sir Norman felt the need to resign. The honourable member may be interested to know that, immediately I assumed office, I had discussions with Sir Norman Young, during which he indicated to me that it had not been his intention to serve a full term as Chairman of the board of the Royal Adelaide Hospital. He said it was an extremely demanding honorary job, which he had taken on in order to help the first board become established. Those discussions were held in mid-September 1979, and they should give the lie to any suggestion such as the one that has just been made.

I should point out that it is an extremely demanding honorary position, and Sir Norman advised me at the beginning of this week that he felt unable to give the commitment that the position required.

The Hon. Peter Duncan: But he was opposed to your financial policies, wasn't he?

The DEPUTY SPEAKER: Order! The member for Elizabeth shall cease interjecting.

The Hon. JENNIFER ADAMSON: The House should bear in mind that Sir Norman is, among his very many other responsibilities, Chairman of the South Australian Oil and Gas Corporation, and of the Pipelines Authority of South Australia. He rightly believes that anyone who holds the position as Chairman of the Royal Adelaide Hospital should be able to give full commitment to that demanding honorary task.

I also indicate to the member for Hartley that Sir Norman has expressed his willingness to continue to assist me, as Minister, and the Government, in serving on a committee that has been established, on his initiative, to look at the financial management of training hospitals. So, if the suggestion implied in the honourable member's explanation was correct, we could assume that that offer would not have been made. That is an important point, and I think it is unworthy to suggest that a man of Sir Norman Young's calibre would not wish to continue to serve the Government, irrespective of whether there had been the inevitable differences of opinion between a hospital and the Health Commission, which differences are inevitable when decisions are being made to reduce expenditure. I venture to suggest that, if I were to say to the honourable member for Hartley that I was about to cut his income, he might have a few objections, and we might have some clashes.

Obviously, there are differences of opinion when expenditure has to be cut. However, I can also say that Sir Norman has made some extremely valuable suggestions. The Government will implement those suggestions progressively in a way that the previous Government did not have the intestinal fortitude to do. If the honourable member has the patience to wait, he will find that the considerable problems that have developed at the Royal Adelaide Hospital over the past years under his Party's Government will be resolved, given a little goodwill, patience, understanding and competence on both sides.

METROPOLITAN FLOOD

Mr. ASHENDEN: Will the Minister of Water Resources enlarge on the feature article in Tuesday's *News*, entitled "The Torrens Torrent", warning of the potential for severe flooding in the metropolitan area, and based on the Tonkin report of 1976. It warned of a possible major flood, and said in part:

> Low-lying areas . . . would be swamped, while in the upper reaches . . . there also could be widespread damage.

The southern part of Todd is bounded by this river, and constituents along the River Torrens have expressed concern about the potential danger to their homes, and have asked what plans the Government has to alleviate any potential dangers to their homes.

The Hon. P. B. ARNOLD: The article to which the honourable member refers in the *News* was, I believe, very responsibly written, and clearly indicated to the people of the metropolitan area of Adelaide the consequences of a no-action policy in relation to the Torrens River. There is no doubt in my mind that floods that have occurred in the past in the Torrens River will occur again, in exactly the same way as they will in the Murray River. There is no doubt in my mind, also, that floods of the magnitude of the 1956 Murray flood will occur again, but just when, we do not know. The report to which the honourable member referred, by B. C. Tonkin and Associates in 1976, was a preliminary study to determine what the effects of a flood would be.

The Government is now entering into a programme of investigation with the assistance of B. C. Tonkin and Associates and also the Snowy Mountains Engineering Corporation to determine how to alleviate the damage that will be done in the event of a flood situation occurring from the Torrens River. The Government has approved funds of some $478 000 to have this work undertaken. Also, an amount of $200 000 has already been allocated. These funds will be used for the purpose of clearing some of the more densely overgrown sections of the Torrens River. This work is proceeding at the moment; it is well advanced, and it is anticipated that more work will be able to be undertaken with the $200 000 allocated than was first thought.

The area being cleared at the moment is between O.G. Road and Darley Road, and it is hoped that a substantial additional amount of river clearing can be undertaken with the $200 000. The extent of the damage predicted in the 1976 report of B. C. Tonkin and Associates—

The DEPUTY SPEAKER: Order! There is too much audible conversation in the Chamber.

The Hon. P. B. ARNOLD:—indicated that up to 14 000 homes in the metropolitan area of Adelaide could be affected in the event of a very severe flood. The Government intends to forge ahead to reduce the likelihood of any such flooding and to reduce the extent of damage to an absolute minimum.

PITJANTJATJARA LAND RIGHTS

The Hon. R. G. PAYNE: I direct my question to the Minister of Aboriginal Affairs. If the Opposition accepts the point that the Minister has made to this House today concerning the validity of contracts that may be made between the Anangu Pitjantjatjaraku people and prospective mining interests, will the Minister and the Government agree to support on the first available private members day the motion standing in my name, to pass the Pitjantjatjara Land Rights Bill with the amendment, as suggested by the Minister and approved by the Crown

Solicitor? I do not believe there is any need to explain my question other than to say that this is called "putting your money where your mouth is".

The Hon. H. ALLISON: It is interesting that, having precluded me from answering the previous question more fully and having—

Members interjecting:

The DEPUTY SPEAKER: Order! The Minister should not invite interjections.

The Hon. H. ALLISON: Honourable members seem to have got dressed and left their brains at home today; it is an unfortunate repetition of yesterday.

The DEPUTY SPEAKER: Order! I suggest to the Minister that he should not attempt to reflect on honourable members opposite.

The Hon. H. ALLISON: The point I am trying to make is that I was precluded from mentioning a number of issues which are faulty. I did manage to say that at least one eminent legal authority in Australia had said that the Bill was bristling with technical imperfections.

The Hon. R. G. Payne: Whom you refuse to name.

The Hon. H. ALLISON: Perhaps more will be heard about that later when we get down to a whole range of imperfections. The point is that, even though there are a number of imperfections in the legislation, the Pitjantjatjara people themselves and the previous Government were seeking to have that legislation entrenched in its existing state, imperfections and all. Just imagine what might have happened had there been no extensive consideration.

The Hon. R. G. Payne: The committee did not recommend in that way, and you know it.

The Hon. H. ALLISON: As I said, the committee itself was not in possession of a number of facts, including legal opinions, which have now come to light but which were in the possession of the former Minister of Mines and Energy. That is a very significant point.

Therefore, if there is any suggestion that we accede to just one request to alter one clause in the Bill and then continue to accept the Bill with its remaining imperfections, I suggest there is something radically wrong in relation to legislative procedures in the minds of the present Opposition, and I am not surprised that members opposite have landed where they are now.

Mr. RANDALL: Will the Minister of Mines and Energy say what negotiations were in progress with the Pitjantjatjara people before the last election regarding proposals for exploration on their lands? The member for Mitchell has, from time to time, made statements in the House on this matter one of which is as follows:

> The former Minister of Mines and Energy certainly entered into negotiations in respect of mining in that area, but strictly in accordance with the terms of the proposed legislation.

It has been pointed out in this House that a prominent member of the Pitjantjatjara tribe was advised by a Mr. Toyne that the Pitjantjatjara people should not proceed at this stage of the negotiations but wait until oil and gas had been found. Mr. Toyne wrote a letter to the Minister's department, as follows:

> Re: Officer Basin oil negotiations:
>
> On 17 September 1979, I wrote to Mr. Hudson, the former Minister of Mines, asking for clarification in relation to an undertaking by the Labor Government to negotiate an agreement for the exploration and development of oil and gas in the Officer Basin area. The previous Government [the Labor Government] had embarked upon these negotiations with the council, and they were reaching an advanced stage with an agreement in draft being prepared.

The Hon. E. R. GOLDSWORTHY: It is evident to me that the member for Mitchell does not know what his stance is in relation to the Pitjantjatjara Land Rights Bill. He said in this House the other night that the former Minister, Mr. Hudson, had entered into negotiations in respect of mining in the area, but that these were strictly in accordance with the terms of the proposed legislation. Today he said, by way of interjection, words to the effect, "What the heck, it doesn't matter whether mining or exploration went on anyway; the Bill is all about Aboriginals." So he has changed his stance during the course of the afternoon.

Mr. Bannon: What do you think it is about?

The Hon. E. R. GOLDSWORTHY: I will enlighten the Leader. It is about the duplicity and hypocrisy of members opposite, or their abysmal ignorance of what their Deputy Premier and Minister of Mines and Energy, the Hon. Hugh Hudson, was about.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: Either they are completely hypocritical, or they did not have a clue what their Deputy Premier and the Government were about. Let me enlighten them for a moment or two. The fact is that an agreement was drawn up by the former Deputy Premier and Minister of Mines and Energy, on behalf of the Government, so that the South Australian Oil and Gas Company could begin exploration in the Officer Basin, which flows largely into the non-nucleus and nucleus lands, the subject of this Bill, and, in addition, into the conservation park. Not only did the former Deputy Premier and Minister of Mines and Energy, the Hon. Hugh Hudson, want to get into the non-nucleus and nucleus lands—he also had a note written on the bottom of one docket, as follows:

> Now, I think, the time is ripe to move into the conservation park!

Mr. Bannon: Really!

The Hon. E. R. GOLDSWORTHY: Yes, really.

Members interjecting:

The DEPUTY SPEAKER: Order! There are far too many interjections.

The Hon. J. D. WRIGHT: I merely want to ask whether the Deputy Premier will table the document from which he has just quoted. I ask him to table it.

The DEPUTY SPEAKER: Order! Is the honourable Deputy Premier prepared to table the document from which he is quoting?

The Hon. E. R. GOLDSWORTHY: I will consider it. I will have a look at the document—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: I offer to show the Deputy Leader the document and the handwritten note. I will not give an off-the-cuff answer. If there is no objection, and no other confidential material is involved, I will certainly table the document. I saw it with my own eyes. The handwriting was that of the former Deputy Premier and it was to the effect that the time was now ripe to move into the conservation park, and it was followed by an exclamation mark. It will be verified. I bring up this matter because I also have one of these letters. We read in the *News* yesterday that the Hon. Barbara Wiese in another place says that we must pass the original Bill. I received an invitation to a march later in the month.

The Hon. R. G. Payne: Are you going?

Members interjecting:

The DEPUTY SPEAKER: Order! The continual interjections across the House do nothing to enhance the reputation of this Chamber in the eyes of the community. I ask that the honourable Deputy Premier be given a

reasonable opportunity to answer the question.

The Hon. E. R. GOLDSWORTHY: We know perfectly well why the previous Government delayed passing that Bill—because the Deputy Premier was actively working to get it amended. Other material in my office shows the hypocrisy and the duplicity of members opposite. The former Premier is trying to rehabilitate himself by jumping on this band waggon. What hypocrisy! He is trying to make a come-back. I have one thing in common with the member for Mitcham (and I do not have much in common with him)—I do not like hypocrites.

Mr. Langley: What about when you were on the other side?

The DEPUTY SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: I do not like hypocrites. The Crown Solicitor's opinion has already been referred to by the Minister of Aboriginal Affairs.

The Hon. J. D. Wright interjecting:

The Hon. E. R. GOLDSWORTHY: I will speak in a lower key—some members opposite seem to be deaf.

The DEPUTY SPEAKER: Order! The Deputy Premier must not answer interjections.

The Hon. E. R. GOLDSWORTHY: Not only is the Crown Solicitor's opinion available, and also the opinion of another judge—

The Hon. R. G. Payne: Unnamed.

The Hon. E. R. GOLDSWORTHY: The Crown Solicitor is not unnamed.

The DEPUTY SPEAKER: Order! I warn the honourable member for Mitchell for continually interjecting.

The Hon. E. R. GOLDSWORTHY: The Crown Law opinion was dated 10 August 1979. Two days before that, Mr. Hudson held a meeting with the Pitjantjatjara Legal Service and a departmental representative to discuss the negotiations to allow exploration by S.A.O.G. That is the type of exploration that the member for Mitchell says we do not want. Notes of that meeting, which are on the departmental file, state:

> He [Mr. Hudson] is at present solely concerned with exploration by S.A.O.G. for petroleum in the area of the Officer Basin, as this issue has sufficient political muscle to generate agreement to modifications to the Bill and subsidiary negotiations.

Those notes were approved by the former Deputy Premier.

Mr. McRae: Will you table that document?

The Hon. E. R. GOLDSWORTHY: I will verify it for you. Those comments are contained in the files of the department that I now head.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: The file further states:

> He [Mr. Hudson] sees the need for amendments to the Bill to allow for petroleum exploration and production, together with an indenture to cover specific requirements for S.A.O.G.

Members will recall that at the very time these negotiations were going on the Bill and the Select Committee's report were before this House, but the Bill did not proceed. It seems that the former Government was contemplating amendments to the Bill. Certainly, the Deputy Premier and Minister of Mines and Energy was contemplating amendments. I have revealed this information to the House and to the public because the Government is being pressed from all sides. We are being pressed by letters, such as the one that came today from the Aboriginal land rights group. It is time some of these people became aware of the way in which the previous Administration was moving to amend the Bill.

WEST LAKES DEVELOPMENT ACT

Mr. HAMILTON: Will the Chief Secretary give an undertaking that the Bill to amend the West Lakes Devlopment Act, of which he has given notice, will be available in draft form to interested parties, including me as local member, well before it is introduced in the House?

The Hon. W. A. RODDA: Yes, I will do that.

GOVERNMENT PHOTOGRAPHS

Mr. OSWALD: Does the Premier have any information that would indicate to what use the previous Government put sections of the Publicity and Design Services Division, which it set up and which cost nearly $600 000 a year to run?

The Hon. D. O. TONKIN: I am aware of some of the activity of the Publicity and Design Services Division as used by the previous Government, and I can perhaps understand the embarrassment of the Deputy Leader, who seems to be leaving the Chamber.

Mr. Keneally interjecting:

The DEPUTY SPEAKER: Order! I do not want to have to warn the honourable member for Stuart for interjecting.

The Hon. D. O. TONKIN: One item in particular has caused me a considerable amount of concern. It appeared in the form of an account from a publicity agent and public relations firm for a considerable number of photographs that had been taken of Cabinet Ministers of the previous Government. That account met my eye for two reasons: first, it was rather an exorbitant amount, namely, over $3 500 for photographs of Cabinet members. The other point which caused me rather more concern was that there was no record of any authorisation for this expenditure given by the previous Government. That is a most serious matter, bearing as it does on the question of the Auditor-General's activities when investigating the accounts of the Government.

The Hon. D. C. Brown: What company was it?

The Hon. D. O. TONKIN: Leo Burnett came into it somewhere. The Leader of the Opposition was kind enough to make some inquiries on my behalf, and his reaction was that the photographs had been taken and approved verbally by the previous Premier but, unfortunately, the authority had not been signed. Certainly, there is no record of that happening. I have had to approve of the payment of that account of over $3 500. There is no way in which I can avoid doing that because, unfortunately, the photographers concerned in the private sector will suffer as a result if we do not pay. It is necessary that we pick up the tab for the expenses of the previous Government in that way.

Having made some inquiries, I find that the list of photographs is absolutely amazing. The breakdown is as follows: about April-May last year, the photography was arranged by the Labor Party's advertising agency, I understand (Leo Burnett Pty. Ltd.), and the Hon. Dr. Cornwall ran up a bill of $711·83.

Mr. Mathwin: They must have had a job touching him up.

The DEPUTY SPEAKER: Order! I warn the honourable member for Glenelg. He must not interject again.

The Hon. D. O. TONKIN: There were 80 black and white prints at a cost of $400, together with 18 colour prints at a cost of $191·83. The breakdown of expenses for the other members of the former Cabinet is as follows: Mr. Corcoran (the former Premier), $593·38; the member for Elizabeth, $516·20; the member for Baudin, $435·35; the

member for Mitchell, $409·55; the present Leader of the Opposition, $324; the Deputy Leader, $171; the Hon. Mr. Sumner, $120; and the member for Spence, $115—very moderate indeed.

At first glance this may be a rather amusing anecdote, except that it is a gross and disgraceful waste of public money. I have been assured by the Leader of the Opposition that these photographs were not taken at the order of the Australian Labor Party and that they are a proper charge against the Government. I must accept that that is so.

Mr. Langley: What about your cars?

The DEPUTY SPEAKER: Order! I call the member for Unley to order.

The Hon. D. O. TONKIN: At the swearing in of the present Government some photos were taken by a photographer from the Publicity and Design Services Division, one of those who will be redeployed, of course, now that the P.D.S. has been modified; he will be available to the Government still. The account for the proofs of the photos taken at that stage of the swearing-in ceremony, photos of Cabinet and individual members, has come, I understand, to $59·30. I point out that photos were taken by the Education Department for inclusion in one of their booklets on the Government. Coloured prints were provided to all members of Cabinet through the good offices of the Minister of Education at a cost which was met by every Minister from his own pocket according to the number of prints of which he took delivery.

ETHNIC INFORMATION SERVICE

Mr. PLUNKETT: Will the Premier confirm or deny that the responsibility for the Ethnic Community Information Services is being transferred to local government, and that the decision not to proceed with further initiatives in State-funded community and ethnic information services was made before the report of the State Government's working party into information services that is due soon?

The Hon. D. O. TONKIN: In the matter of ethnic information services, which I regard as being of prime importance and indeed one of the major functions of the Government's Ethnic Affairs Division, there is certainly the closest possible co-operation with the Department of Local Government. For obvious reasons local government has a most important part to play in the provision of information services (and other services as well) to all members of the community. Ethnic information services will be covered in the discussions being held at present in the lead up to the introduction of an ethnic affairs commission. The matter will be brought to finality before the Bill to establish the commission is introduced. We hope to introduce the Bill for an ethnic affairs commission in the next session of Parliament.

URANIUM ENRICHMENT

Mr. GLAZBROOK: Has the Minister of Mines and Energy anything further to add to his comments reported in this morning's press regarding the report of the Uranium Advisory Council on uranium enrichment?

The Hon. E. R. GOLDSWORTHY: Yes, I have some information that I am quite sure will be of value to the House and of great interest particularly to the Opposition, which established in 1974 the Uranium Enrichment Committee which has done such valuable work to put South Australia in an advantageous position in relation to the establishment of an enrichment facility in Australia. I think the thanks of the public of South Australia are due to the former Government, now in Opposition, for the foresight it showed and the foresight of former Premier Dunstan in establishing that Uranium Enrichment Committee in 1974.

Mr. Langley: When will you get down to the truth?

The Hon. E. R. GOLDSWORTHY: I am giving a bit of the truth. One of the things for which we should thank the former Premier are his assurances that are on record in relation to the safety of enrichment facilities and the fact that there is no environmental hazard due to the operations of an enrichment facility. For that we have the former Government to thank, and I am sure that the Opposition, because of its pioneering work in this area, would have welcomed the announcement yesterday by the Deputy Prime Minister, Mr. Anthony, about the favourable decision to further the establishment of an enrichment facility in Australia.

The Uranium Advisory Council was set up as a result of the Fox Ranger inquiry. I think it is valuable to recount to the House the membership of that council: Sir Laurence McIntyre, A.C., C.B.E. (Chairman), formerly Australian Ambassador to the United Nations and Director of the Australian Institute of International Affairs; Mr. G. J. Lynch (alternate Chairman), Chairman of the National Energy Advisory Committee; the Rev. William Daniel, S. J., Professor of Moral Theology, Jesuit Theological College, Melbourne; Mr. Galarrwuy Yanupingu (who is well known to members of this House), Chairman, Northern Land Council, N.T.; Mr. C. W. Bonython, (also well known in Adelaide), conservationist, Adelaide South Australia; Dr. G. A. Letts, C.B.E., formerly Majority Leader, Northern Territory Legislative Assembly; Mr. Bill Kelty, Assistant Secretary, Australian Council of Trade Unions; Mr. E. D. J. Stewart, General Manager, Western Mining Corporation Limited; Professor R. W. Parsons, Professor of Physics, University of Queensland; Professor R. J. Walsh, A.O., O.B.E., Dean of the Faculty of Medicine, University of New South Wales; Mr. Harry Butler, M.B.E. (who will be known to all members), conservation consultant, W.A.; and Dr. Susan Bambrick, Sub-Dean of the Faculty of Economics, Australian National University.

I have named those people to highlight to the House the calibre of the members of that council, which gave advice to the Federal Government that led to the announcement yesterday by the Deputy Prime Minister about the establishment of an enrichment plant in Australia. I do understand—

Mr. Trainer: How about naming the judge, who is also of some significance?

The Hon. E. R. GOLDSWORTHY: I understand that is a complete list of the membership of that council, but if the honourable member knows more about this then I stand corrected. I have been given that list as a complete list of the membership of that council which advised the Government in relation to this matter. It will be noted that on the list is the name of Mr. Bill Kelty of the A.C.T.U. I believe that Mr. Kelty made his position clear; he declared that he was bound by official A.C.T.U. policy. To achieve complete unanimity it would have been preferable to have had the President of the A.C.T.U., Mr. Bob Hawke (soon to enter Federal politics), on the council because his views in relation to uranium mining would have made the report unanimous. Mr. Bob Hawke is on record as early as 1977, in an address to Monash University, as saying that it is foolish of us not to make available our uranium resources.

This leads logically to the establishment of an enrichment facility. He said that all we would be doing in effect, would be making the cost of energy dearer to the

developing nations, which we should be helping.

If my memory serves me correctly, in a more recent discussion on this matter at the A.C.T.U. conference Mr. Hawke made his views equally clear. These are not my words because I do not use this sort of language, but I quote Mr. Hawke as follows:

> What is the good of resisting this when we can do bugger-all about it on the world scene?

I think I am quoting the President of the A.C.T.U. correctly. He is on record on numerous occasions as saying that it is a union problem only in Australia; there is no problem with unions overseas in relation to this matter. In Britain the trade union movement knows that it is in the atomic age.

I make the point that, if Mr. Hawke had been on the committee instead of Mr. Kelty, it could have been unanimous. I thought that information was of value to the House, simply to point out the calibre of the council which is advising the Federal Government in relation to these matters. The South Australian public owes thanks to the former Premier and former Administration for their pioneering work in relation to uranium enrichment.

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

The DEPUTY SPEAKER: Call on the business of the day.

SOUTH AUSTRALIAN HEALTH COMMISSION ACT AMENDMENT BILL

The Hon. JENNIFER ADAMSON (Minister of Health) obtained leave and introduced a Bill for an Act to amend the South Australian Health Commission Act, 1975-1979. Read a first time.

The Hon. JENNIFER ADAMSON: I move:

That this Bill be now read a second time.

The purpose of this short Bill is to make fundamental changes to the constitution of the South Australian Health Commission. It is clear to the Government, after several months assessment of the operations of the Health Commission, that the commission is not functioning as the effective co-ordinating body that it was originally intended to be. As it is currently structured, the commission relies heavily on collective decision making. The structure fails to establish clear lines of authority and accountablility and predisposes the commission to the kinds of financial and administrative problems with which the commission and the Hospitals Department have in the past been beset. The Government believes that firm and sustained action is necessary if the commission is to fulfil its purpose. It is an operative commission, not an advisory commission, and it is clear that it must have sound line management if it is to succeed.

The Bill seeks to establish the commission on a sound adminstrative basis. It is the Government's policy that there should be a Chief Executive Officer of the Health Commission, who should also be the Chairman of the commission and the only full-time member thereof. The Government believes that this will improve management and decision making. It is proposed that the Chief Executive Officer be assisted by a Deputy Chief Executive Officer, who will be directly responsible for ensuring the effective and immediate implementation of decisions made by the Minister, the commission or the Chief Executive Officer. The Deputy Chief Executive Officer will not be a member of the commission. Both officers will be employed on contract, and neither will be subject to the provisions of the Public Service Act.

The Government believes that the proposed changes will be of benefit to the staff working in the Commission (and I pay a tribute to the well-motivated staff who have been working under difficult conditions), to the many health institutions and organisations that have dealings with the commission, and, ultimately, to the community at large.

Clause 1 is formal. Clause 2 provides for the Act to come into operation on a day to be proclaimed. Clause 3 deletes the definition of "Chairman", as the question of the Chairman's deputy is to be dealt with specifically in the section of the Act that deals with the meetings of the commission.

Clause 4 provides that the commission shall consist of one full-time member who will be the Chairman, and seven part-time members. The appointments of all existing members will terminate upon the commencement of the amending Act. The criteria for choosing members are broadened to include persons with expertise in business management generally. Clause 5 amends the provision relating to deputies, by providing that a part-time member of the commission may be appointed as the deputy of the Chairman of the commission. Clauses 6, 7 and 8 effect consequential amendments.

Clause 9 provides for the establishment of the offices of Chief Executive Officer and Deputy Chief Executive Officer. The Chairman of the commission will hold the office of Chief Executive Officer. The Deputy Chief Executive Officer will be appointed by the Governor. Neither office is to be subject to the Public Service Act.

Mr. HEMMINGS secured the adjournment of the debate.

LOCAL AND DISTRICT CRIMINAL COURTS ACT AMENDMENT BILL

Second reading.

The Hon. H. ALLISON (Minister of Education): I move:

That this Bill be now read a second time.

This Bill contains amendments to the Local and District Criminal Courts Act upon three separate subjects. First, it amends the provisions dealing with the conduct of proceedings on behalf of persons of unsound mind. The provisions presently utilise concepts of the Mental Health Act, 1935, which has now been repealed. Consequently, the amending Bill introduces into the principal Act the concepts of mental illness and mental handicap, which are the fundamental concepts of the new Mental Health Act.

Secondly, the Bill enables students undertaking the Graduate Diploma Course in Legal Practice at the South Australian Institute of Technology to appear in the limited and special jurisdictions of the Local Court on the instructions of legal practitioners of at least five years standing. Many students now qualify for admission to the Bar by undertaking this course, rather than by serving articles of clerkship. It is felt that they should have the same rights of appearance in the Local Court as articled clerks. This amendment has been suggested by the Law Society of South Australia.

Thirdly, the Bill expands the special equitable jurisdiction of local courts of full jurisdiction to include claims for contribution of up to $20 000. A claim for contribution may arise where a number of persons are subject to the same liability. For example, where a number of persons have separately guaranteed payment of a debt,

a guarantor who pays out under his guarantee may have recourse to the other guarantors for a proportionate contribution. Claims for contribution may be brought at common law as well as in equity, but the procedure in equity is more convenient, in that all the persons who may be liable to contribution can be brought before the court at the same time. I seek leave to have the remainder of the second reading speech inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clauses 2 and 3 introduce into the provisions of the principal Act relating to the conduct of proceedings on behalf of persons of unsound mind the relevant concepts of the new Mental Health Act. Clause 4 authorises a student undertaking the Graduate Diploma Course in Legal Practice at the South Australian Institute of Technology to appear in a local court of limited or special jurisdiction on the instructions of a legal practitioner of at least five years standing. Clause 5 expands the equitable jurisdiction of a local court of full jurisdiction to include claims for contribution not exceeding $20 000.

Mr. HEMMINGS secured the adjournment of the debate.

CRIMES (OFFENCES AT SEA) BILL

Second reading.

The Hon. H. ALLISON (Minister of Education): I move:

That this Bill be now read a second time.

It forms part of legislation agreed by the Governments of the Commonwealth and the States to be introduced into their respective Parliaments for the purpose of applying State criminal law to the waters adjacent to the States. In 1975, the High Court decided in *New South Wales v. Commonwealth* (The Seas and Submerged Lands Case) (1975) 135 C.L.R. 337 that the territory of each State ends at the low-water mark, and not at a point three miles on its seaward side, as had been commonly supposed since last century.

The States do not have absolute power to legislate beyond their boundaries. To be valid, such legislation must be seen to be for the peace, order and good government of the State. As was shown in *Robinson v. The Western Australian Museum* (1977) 51 A.L.J.R. 806, such a connection cannot be taken for granted where legislation extends to the coastal waters. Robinson had discovered the wreck of the *Gilt Dragon*, which was a Dutch ship that had sailed too far to the east on her voyage to the East Indies. The site of the wreck was less than three miles from the coast of Western Australia. A majority of the High Court held that the Western Australian legislation that purported to vest the wreck in the Western Australian Museum was invalid because the wreck was situated outside the State, and that the legislation was not necessary for the peace, order and good government of the State.

Three members of the High Court, in the Seas and Submerged Lands Case, expressed the view that the Commonwealth Parliament, by reason of the external affairs power given to it by section 51 (XXIX) of the Constitution, has power to legislate on any subject in relation to territory beyond the low water mark of the Australian coast. The Commonwealth Parliament was therefore in a position to legislate on behalf of the States to remove the hiatus caused by the States' lack of power. The effects of this hiatus were graphically demonstrated in the case of *Oteri and Oteri v. the Queen* (1977) A.L.J.R. 122. In that case, crayfish pots and tackle were stolen on a boat that was more than three miles off the coast of Western Australia. The prosecution conceded that the criminal law of Western Australia did not apply. The Privy Council held that because the ship in question was owned by an Australian citizen (and therefore a British subject) it was a British ship, with the result that the English Theft Act, 1968, applied to the offence. In its judgment the Privy Council made the following comment:

> It may at first sight seem surprising that despite the passing of the Statute of Westminster 1931 and the creation of separate Australian citizenship by the British Nationality Act 1948 (Imp.) . . . Parliament in the United Kingdom when it passes a Statute which creates a new criminal offence in English law is also legislating for those Australian passengers who cross the Bass Strait by ship from Melbourne to Launceston.

The Commonwealth and the States, after consultation, have now agreed on a scheme of co-operative legislation to establish Commonwealth and State areas of legislative jurisdiction in off-shore areas. This Bill is part of the scheme and deals exclusively with the application of criminal law in off-shore waters. It is drawn on the model agreed to by all the States and the Northern Territory and it complements the Crimes at Sea Act, 1979, passed by the Commonwealth Parliament in 1979. Under the Commonwealth Act, State criminal laws will be applied as Commonwealth law to foreign ships on a voyage to the State, to ships based in the State which are on interstate or overseas voyages, and to offences on the high seas adjacent to the State. By reason of the power conferred on the Commonwealth by the Statute of Westminster Act, 1931, the Commonwealth legislation will override inconsistent imperial law that would otherwise apply on the high seas adjacent to the State and replace it with South Australian laws.

Under the State Bill, the criminal laws in force in the State will be extended to apply to ships on voyages between places in the State and to all offences in the coastal sea of the State. When the Commonwealth Bill and the State Bills are enacted, there will be in force in the territorial sea and high seas of Australia the same body of criminal law that applies in the littoral State.

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

Mr. Keneally: No.

The DEPUTY SPEAKER: Leave is withheld. The Minister will read the rest of the explanation.

The Hon. H. ALLISON: The provisions of the Bill are as follows. Clause 1 is formal. Clause 2 provides for the Bill to come into operation on a proclaimed day. The Commonwealth Act and this Bill, after its enactment, will have a common commencement date. Clause 3 provides definitions of terms used in the Bill. The Bill applies only to the coastal sea which is defined in this clause. The territorial sea extends three miles from the low-water mark except in the case of some bays and gulfs where a base line is drawn from one headland to another. The territorial sea extends out from this baseline.

Mr. KENEALLY: On a point of order, Mr. Deputy Speaker. I ask whether you might ask the Minister whether he could speak more slowly, as I am having difficulty in hearing what he is saying.

The DEPUTY SPEAKER: I cannot uphold the point of order.

The Hon. H. ALLISON: The definition includes the water on the landward side of the baseline. It also includes

the airspace above and the seabed and subsoil below the sea.

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

Leave granted.

Remainder of Explanation

Clauses 4 and 5 enable arrangements to be made between the State and Commonwealth Governments for the administration by the State of the criminal laws applied under the Commonwealth Act as Commonwealth law beyond the territorial seas. The arrangements are similar to those made under the Commonwealth Places (Administration of Laws) Act, 1970, which relates to the application by the Commonwealth of South Australian laws as Commonwealth law in Commonwealth places in the State, a scheme which in many respects corresponds to the scheme given effect to in this Bill.

Clause 6 is the substantial provision of the Bill applying the criminal laws in force in South Australia to—

(*a*) acts or omissions at places in the coastal sea—that is to say, the territorial sea and sea on the landward side of the territorial sea adjacent to the State;

(*b*) acts or omissions on Australian ships—defined in clause 3 as ships registered or based in Australia—beyond the outer limits of the territorial sea during a voyage of the ship between places in the State—what constitutes a voyage is defined in clause 3 (3) and applies to intrastate voyages;

and

(*c*) in order to avoid any anomaly in the application of the laws, to acts or omissions by survivors of wrecks on ships.

The Commonwealth legislation, on the other hand, applies State criminal law to ships registered or licensed in the State, or that are based in the State or have any other connection with it during voyages that are not intrastate voyages.

Clause 7, together with the power to make regulations under clause 13, is included to enable inappropriate criminal laws to be excluded from application in the off-shore area—for example, traffic laws.

Clause 8 relates to offences committed from foreign ships and provides that proceedings shall not be brought without the consent of the Attorney-General after consultation with the Commonwealth Attorney-General. That procedure ensures that full recognition is given to international conventions or other arrangements or procedures relating to proceedings taken against foreign nationals.

Clause 9 enables State authorities to exercise their powers under the criminal laws applied in the off-shore areas in the same manner as they may be exercised in respect of offences committed within South Australia.

Clause 10 will prevent a person being punished under this Bill if he has already been punished under the law of the Commonwealth or of another State or Territory for the same offence.

Clause 11 is an evidentiary provision presuming an act or omission to have occurred in the course of the voyage or at the place alleged unless there is evidence to the contrary.

Clause 12 enables proceedings to be stayed where other proceedings have been brought in respect of the same offence.

Clause 13 is the regulation-making power.

The Hon. D. J. HOPGOOD secured the adjournment of the debate.

OFF-SHORE WATERS (APPLICATION OF LAWS) ACT AMENDMENT BILL

Second reading.

The Hon. H. ALLISON (Minister of Education): I move:

That this Bill be now read a second time.

This Bill makes consequential amendments to the Off-Shore Waters (Application of Laws) Act, 1976, in view of the provisions of the Crimes (Offences at Sea) Bill, 1980. The Off-Shore Waters (Application of Laws) Act, 1976, was passed to overcome problems resulting from the decision of the High Court in *New South Wales v. Commonwealth* (the Seas and Submerged Lands Case) (1975) 135 C.L.R. 337. In that case the court decided that the territory of each State ended at the low water mark. It became necessary to apply State laws to off-shore waters by enacting specific legislation for that purpose. The Off-Shore Waters (Application of Laws) Act, 1976, applied both civil and criminal laws of the State to off-shore waters. The Commonwealth and the States have now agreed to a scheme whereby the State criminal laws will be dealt with separately. The Crimes (Offences at Sea) Bill, 1980, will, together with the Commonwealth Crimes at Sea Act, 1979, apply State criminal law to off-shore waters. It is proposed that the State's civil laws will be applied by separate legislation to be passed by both State and Commonwealth Parliaments. In the meantime, amendments are required to the Off-Shore Waters (Application of Laws) Act, 1976, in order to remove criminal laws from the operation of that Act.

The provisions of the Bill are as follows. Clause 1 is formal. Clause 2 provides that the Act will come into operation on a proclaimed day. The Act will be brought into operation on the same day as the Crimes (Offences at Sea) Act, 1980. Clauses 3 and 4 amend sections 3 and 4 of the principal Act respectively. The amendments remove criminal laws from the operation of the principal Act.

Mr. HEMMINGS secured the adjournment of the debate.

SITTINGS AND BUSINESS

The Hon. E. R. GOLDSWORTHY (Deputy Premier): I move:

That the House at its rising do adjourn until Tuesday 25 March at 2 p.m.

Motion carried.

ALSATIAN DOGS ACT AMENDMENT BILL

Second reading.

The Hon. D. C. WOTTON (Minister of Environment): I move:

That this Bill be now read a second time.

This short Bill proposes an amendment to the principal Act, the Alsatian Dogs Act, 1934-1979, relating to the part of the State to which the principal Act applies. At present, the principal Act prohibits the keeping of Alsatian dogs and authorises the destruction of Alsatian dogs in certain parts of the State, principally the pastoral areas outside local government boundaries. This Bill proposes an amendment designed to enable the Governor to declare by regulation that the Act shall not apply in any specified part of the State.

Mr. KENEALLY: Mr. Deputy Speaker, I draw your attention to the State of the House.

A quorum having been formed:

The Hon. D. C. WOTTON: The Government is aware of the concern of the pastoral industry that Alsatian dogs should not be kept in pastoral areas, and it intends that the amendment will be applied only to exempt the opal mining townships, such as Coober Pedy, where there is a concentration of population and the dogs are kept as domestic pets and for security purposes. I understand that Alsatian dogs have been kept in the mining townships for many years, and the amendment will therefore enable effect to be given to what is, in fact, the present situation.

Clause 1 is formal. Clause 2 amends section 2 of the principal Act by inserting a new subsection providing that the principal Act shall not apply in any part of the State to which the Governor declares by regulation that it shall not apply.

Mr. HEMMINGS secured the adjournment of the debate.

MOTOR VEHICLES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 26 February. Page 1199.)

The Hon. J. D. WRIGHT (Adelaide): The Opposition supports this legislation, although with some reservations. I should like to bring some matters to the attention of the Minister for his consideration. The Bill is broken up into three major areas, the primary object being to introduce probationary licence plates. The secondary object is the speed restriction to 80 km/h. The third object is the broadening of the powers of the consultative committee.

To be more specific, I will break up the Bill into eight parts, as follows:

1. A speed limit of 80 km/h on roads where higher speeds are generally permissible.
2. A licence suspension for three months if a probationary licensee is convicted of a traffic offence that attracts three or more demerit points.
3. A requirement to undergo a standard driving test before a licence is restored; following this mandatory suspension, a new probationary licence period would follow.
4. A requirement to display P plates front and rear.

Probationary licences with a currency of 12 months will be issued to:

1. Learners after passing their practical driving test.
2. Drivers who have completed periods of disqualification for serious traffic offences.
3. Motorists who have bad motoring records (the Registrar of Motor Vehicles will have the power through a consultative committee to place any driver on probation).
4. Previously-licensed drivers who have allowed their licence to lapse for more than three years.

I believe that they are the major categories to which we must address ourselves. As I said yesterday, the Opposition supports the implementation of any legislation that will establish safer driving conduct in cars and on the roads. There is no doubt where the Opposition stands in relation to this matter. However, I am not convinced that the introduction of probationary licence plates is a really sure way of improving the quality of drivers. I know that the Minister, in his second reading explanaton, made clear that he thought that the education programme during that period would be effective. I am not arguing that it will not be; indeed, I hope that it is effective.

The evidence at our disposal does not really indicate that they are the facts of the matter. I have obtained this evidence by researching this matter. I discovered that there are no real studies that show that the P plate system reduces road accident levels. The only study carried out on P plate drivers was one carried out in New South Wales in 1970.

Researchers examined P plate drivers involved in accidents over a period of five years—two years immediately preceding the introduction of P plates, one interim year, and two full years after their introduction. The survey found that there was a slight reduction in the mean accident ratio from 1·953 for the years before 1964-65 to 1·713 for the period after 1967-1969 and that this difference was statistically significant. However, the report cautions that the data used was of doubtful consistency, so that the results were, therefore, inconclusive.

It may be worth noting that for years South Australia has been the only State without P plates and that, our overall road accident rate compares favourably with that of other States. It is significant that in the years 1967 to 1971 inclusive South Australia had the lowest accident rate in the Commonwealth. In 1972 and 1973 South Australia had the second lowest accident rate; in 1974, it was third lowest; in 1975 it was third highest; in 1976 it returned to the lowest, and in 1977 it was again the second lowest.

I am not saying that those figures are conclusive, standing alone, because one may need to consider other aspects, such as the density of traffic, and so on. Perhaps the other important factor is that South Australia has the best roads in Australia. That is one of the most important things to consider when one tries to assess the reason why South Australia has such a good record. It may or may not be significant that during the period that South Australia was the only State that did not have P plates it had the best record by far in the Commonwealth. It is doubtful (and I hope I am wrong about this) that the introduction of P plates will, to any great degree, reduce the overall accident rate. I sincerely hope that I am wrong about that.

I spoke to a Royal Automobile Association representative about this matter. While it is the policy of the R.A.A. to support the introduction of probationary plates, that organisation was not convinced (and, like me, unable to find any statistics on which to rely) that P plates would have the effect for which we are hoping. Nevertheless, I stand with the Government and the R.A.A. on this matter, because anything that can be implemented to assist in this matter ought to be considered. I suppose that only time will tell whether or not this scheme is effective. I think it will be introduced at a high cost.

When the present Government was in Opposition it was critical of the then Labor Government in relation to costs that were incurred. I am not being critical of those costs. Rather, I am pointing out that, when a Party in Government takes actions to overcome hazards to the public and to reduce the road carnage, a cost factor is involved. I can recall the Liberal Opposition's condemning the former Government for over-regulating, interfering with the rights of citizens, and incurring unreasonable costs. The facts of the matter must have come home to the present Government, because it is clear that the introduction of this Bill will create a high cost factor, and that there will be no way of avoiding certain extra costs in this regard.

I turn now to the reduction to 80 km/h of the present 110 km/h speed restriction. I am not convinced (and I know that the member for Glenelg is not convinced, because he introduced a Bill regarding pillion passengers on motor bikes) about this matter. The honourable member virtually asked the Government on that occasion not to

lower the speed limit in relation to motor cycle pillion riders. Evidence then and now suggests that there is some difficulty about establishing whether restricted speed limits for these drivers are worth while.

The Committee on Driver Improvement, which consists of members from State transport departments, when considering the introduction of the P plate system in 1975, did not recommend the imposition of special limits for P plate drivers. No reason was given for this recommendation. Relevant to this issue is the debate in 1976 about lower speed limits for motor cycles carrying pillion passengers. At that time, the limits were set at 70 km/h as opposed to 100 km/h for other vehicles. As I said, the member for Glenelg on that occasion introduced a Bill to change that situation.

Although the Opposition will support this part of the Bill, I remind the Government that we have some reservations in this area. I am supported in my views by correspondence I have received from the R.A.A. That association, which has no doubt examined this issue over the many years that it has been discussed, states:

> The major feature in the announcement at variance with association policy is the imposition of a speed limit of 80 km/h. Objections to special speed limits have been made because of the impediment to free flowing traffic and the increase in overtaking which is occasioned on rural roads. However, it must also be recognised that inexperienced drivers may find emergencies more difficult to overcome at higher prevailing speeds.
>
> It may be inadvisable for the association to oppose the speed limit provision. A compromise would be to express doubts on the score of the difficulties for other traffic and to suggest a review after some months of operation if the provision is included in the scheme. Other questions on the manner of the cancellation of the licence and reduction . . .

I am not convinced that it is proper to introduce this restriction; but I am sitting on the fence, because I am also not prepared to say that it is not a good idea. I believe that the only real solution to this matter can be established by the test of time.

I impress on the Minister that it will be necessary for him to watch this matter closely. Some States have not introduced these speed restrictions, although the legislation has been in operation for some time. I hope that there are not further accidents in this area. The position must be watched carefully, and accidents that occur because drivers are restricted (which restrictions must ultimately slow traffic in areas where people exceed speed limits) must be monitored and checked. Positive monitoring can take place if care is exercised.

The third point to which I refer is the broadening of the powers of the committee. I do not object to this, because there is a need for broadening of powers in certain areas. However, I am concerned about the provision relating to the automatic cancellation of learner or probationary licences. It seems that automatic licence suspension, irrespective of the offence, would be mandatory. Because of the way in which the Bill has been drafted, the court must advise the Registrar to cancel the licence involved.

That is not natural justice. There should be a discretion in the Bill or regulations to allow the court to make a determination on the basis of guilt or on the basis of whether the offence is sufficiently serious to necessitate cancellation of the licence. It appears that there will be no such discretion. In those circumstances, natural justice would not apply, particularly in relation to minor offences. I am supported in this view by the R.A.A., which has expressed doubts. The R.A.A. stated:

> One aspect of the Bill which is viewed with some concern relates to the automatic cancellation of a probationary licence or learner's permit where the holder contravenes a probationary condition. The association believes that the Bill should provide for judicial discretion in relation to cancellation under section 81b (2)*(a)*.

The association cites examples of minor offences. Because there would be no option and no discretion, the holder of a licence would have to go through the whole process of obtaining a licence. There are appeal provisions, but an appeal is burdensome and like an afterthought. Discretion should be provided in the Bill. Perhaps the Minister will take notice not only of my assessment but also that of the R.A.A. and ensure that discretionary powers are provided in the regulations or the Act.

The Bill has merit. Anything that we are able to do to stop road carnage should be supported and receive public support. This point was made in the Government's policy speech, and was obviously accepted by the people. For other reasons also, the Bill must be supported. The Opposition will not make the passage of the Bill difficult. We do not intend to move amendments. Rather, I want merely to place on record my reservations about the situation. I support the Bill.

Mr. BLACKER (Flinders): I support the Bill because I believe that it is a constructive step towards providing an education process for new drivers. When I say "new drivers", I am talking respectfully, because these young people have not driven before but are beginning to use our road system, and are therefore obliged to take the necessary responsibilities that go with it.

Of major public concern is the implementation of provisional plates. Two things in the driver education process need to be understood: first, the physical ability of the individual to be able to handle a vehicle and, secondly, the responsibility of that individual to other road users and to society in general. For that reason, the provisional plates are an ideal addition to the present learner-plate system.

I approve of the whole system, but I have a reservation, which has also been expressed by the Deputy Leader, as to the practicability of the 80 km/h speed limit. It is for that reason that I express some concern. Only last night we spent some time in debating an issue designed to make the law more practical to the conditions of the day. On this occasion, I believe that 80 km/h is not reasonable when we are talking about State-wide blanket legislation. If we were talking about regional centres within, say, 100 kilometres of the metropolitan area, perhaps a good case could be made for that speed limit. However, when we are asked to place an 80 km/h limit on provisional drivers in the far-flung areas of the North and West of the State, I think that, somewhere along the line, there will be an abuse of the law, and the practicability of the situation will diminish.

Further, the step from a provisional plate, with an 80 km/h limit, to a full licence, with a 110 km/h limit, is a large step. The average young driver, having been a provisional driver for three years, would probably not have much difficulty in taking that step, but there could be a closer gap between the two speed limits. A driver's licence should be a licence of privilege, and respected as such. A licence too easily acquired may be treated with contempt. I believe that that has been a failure of our system in the past. Drivers' licences decades ago were issued merely on people walking in and picking up a licence; it was almost that easy. The more requirements we place on the driver, particularly stressing his obligations—not only his ability to operate a vehicle—to other road users and to society in general, the more the licence holder will respect his licence. If the licence is

made hard to get and relatively easy to take from him, he will treasure it and treat it with far more respect than have many drivers in the past. I support the measure at the second reading stage, pointing out that I will be moving an amendment in Committee.

Mr. WHITTEN (Price): I, too, support the Bill, in principle, and one of my reasons for doing so is to achieve uniformity. I believe that road traffic laws should be uniform throughout the Commonwealth, so that we do not have the schmozzle whereby various States have varying laws. That is my main reason for supporting the Bill.

I believe that drivers carrying P plates will certainly be much more careful during their probationary period. I also agree with the member for Flinders that licences should not be granted too lightly, and that a driver's licence is a privilege and not a right. I bring the Minister's attention to some of the comments made in 1974, when a similar measure was debated and when the points demerit scheme was amended. At that time reference was made to an investigation that was taking place. I shall be pleased if the Minister says later that investigations have taken place along the same lines as in 1974. In 1974, the Hon. Geoff Virgo, as Minister of Transport, said:

> I appointed a committee to investigate the desirability of introducing a probationary licence scheme. I did that not for the purposes of political expediency, but because I wanted the matter properly researched. I asked the Registrar of Motor Vehicles, the General Manager of the Automobile Association, and Chief Superintendent Laslett, who is officer-in-charge of the South Australian Police Force, Traffic Division, to constitute themselves as a committee to study this whole question.

He also commented:

> I do not know where anyone would get three more competent people than these.

The results of that investigation and of an investigation by the Australian Road Research Board indicated that there was no convincing demonstration of the effectiveness of probationary licences. I hope that the Minister can assure us later that there has been an investigation and that he is able to relieve me of certain doubts I have about the effectiveness of the system, particularly regarding speed limits. It appears to me that, where we have speed limits, and where they are properly enforced, it certainly helps the flow of traffic. Considerable reference was made yesterday to country roads. If we are going to have a 110 km/h speed limit, and most drivers will probably drive at speeds between 100 km/h and 110 km/h on the open road) and also a P plate system with an 80 km/h restriction, such restricted drivers might impede the flow of traffic. As the member for Flinders would well know, in country areas drivers with a restriction on their speed limit could cause a problem.

The other point I make concerns accidents involving newly licensed drivers. We are virtually saying in the Bill that a driver holding a P licence is not a proficient driver, and is liable to cause more accidents. After the qualifying period of a year, such a driver should be proficient, but statistics taken out in 1974 indicate that that is not the case. In 1974, an investigation was conducted by the Road Traffic Board. I quote from the Minister's statement at that time, as follows:

> If one studies the statistics of road traffic accidents in South Australia for 1973, which were produced by the Road Traffic Board, one finds that the drivers responsible for the largest number of accidents were those who had been driving for between six and 10 years.

That is the weak spot.

Mr. Slater: Over-confidence.

Mr. WHITTEN: They may be over-confident. The investigation also showed the following:

> There is fairly conclusive evidence to show that the drivers in the six-10 years group are the largest group involved in road accidents, and the P system will not have any effect on them.

I stress uniformity; we should not have different road laws in the various States. I still have certain doubts whether the Bill will be truly effective, but we give our support to the Bill.

The Hon. M. M. WILSON (Minister of Transport): Once again, in the short period of 24 hours, I congratulate the Deputy Leader of the Opposition on his and the Opposition's constructive attitude towards this legislation. I believe it does them credit to accept that it was a part of the Government's pre-election policy on transport and it is one of the four major measures that the Government is introducing to try to alleviate the road toll, something that concerns every member of this House. Once again, I congratulate those members who have spoken in the debate for the constructive way they have put their suggestions to me.

Let me say at the outset (and I say this in answer to virtually what was repressed in the case of the Deputy Leader), in this State this is pioneering legislation and, as with all pioneering legislation, it must be kept under review. The Deputy Leader has my assurance that the legislation will be kept under review as, in fact, will be all legislation that I introduce that is of a pioneering nature.

The Deputy Leader made one or two remarks about the statistical evidence available from other States where the probationary licence system applies, saying that it was difficult to use statistical evidence to prove the case for probationary licences. I agree with him because, on a statistical basis, it is difficult indeed to prove the effectiveness or ineffectiveness of the legislation in other States. However, the prime purpose of this legislation is to aid driver training. I make no bones about it: to my mind the most important thing that drivers can do to reduce the tremendous road accident toll in this country and all over the world is to undergo driver training. We can have P plates, child restraints, breathalysers and whatever, but in my opinion the most important thing is driver training because I believe it is only by driver training that we will reach the goal that everyone in this House is trying to reach on the question of the road accident toll.

I believe that the driver training provisions of this legislation are important. When a new applicant for a licence is forced, because of the penalties attached for breach of the legislation, to drive under certain probationary conditions, including a maximum speed limit, that must stand him in good stead for his future driving capabilities. It has been pointed out to me that the main accident age group is not the 16-year-old group, but is the 18 years to 21 years group, and I accept that. The statistics cannot be disproven.

Mr. Whitten: Do you think 16 is too young for a licence?

The Hon. M. M. WILSON: No, I do not believe the driving age is too low. I would not be a party to increasing the driving age in this State. I believe that a 16-year-old undergoing the probationary conditions for 12 months, knowing that if he does break those conditions he will have to start from scratch again, will be a salutary lesson which will stand him in good stead for the rest of his driving life. I believe that when such drivers reach the main accident-prone years of 18 to 21 they will be better drivers, and we will therefore see a reduction in accidents caused by drivers in that age group. The purpose of this legislation is to achieve that situation.

The Deputy Leader mentioned costs. I have obtained from the Registrar of Motor Vehicles some costs, because I am sure members will be interested to know the cost of implementing this measure. I do not think the costs are as high as the Deputy Leader expects them to be. These are fairly conservative figures, but the estimates for setting up the P plate registration system, for the first year only, would be about $10 000. From then on, the on-going costs are estimated to be between $2 000 and $3 000 a year. This work would involve no extra staff in the Motor Registration Division. If the Deputy Leader wishes to apportion costs of policing by the Police Department of offenders on the roads who are still holders of probationary licences, and the cost of extra work in the courts (if there will be any extra work; we hope there will be less), I cannot give him that cost because it is a subjective value judgment. I cannot do any more than give the Deputy Leader those costs.

The question of the 80 km/h speed limit seems to be concerning most members who do not agree entirely with the provisions of this Bill. Many people in the community believe that this provision of an 80 km/h limit in the legislation is not necessarily in the best interests of the probationary drivers themselves. This has been put to me by one person who believes in driver training just as much as I do. He believes that this limit could affect marginally his ability to train young drivers, although he cannot say for sure and he will look with interest at the operations of this provision during the next 12 months.

We are faced with the situation in which every other State in Australia has a probationary licence system. Although there are marginal differences in other aspects of a probationary licence system, there is no difference in the maximum allowable speed limit for the holder of a probationary licence. The 80 km/h limit applies in every other State of the Commonwealth, except in the A.C.T. where there is no probationary licence system. The differences relate to how long they have to carry the P plate on the car, etc. That speed restriction on a probationary licence holder is universal in this Commonwealth. Thus, it seems to me that it would be irresponsible for this State to vary that limit, however much many of us believe, as perhaps does the member for Flinders, that it should be 90 or 100 km/h. How would we make that judgment?

The case for uniformity is overwhelming. The member for Price mentioned this when he said that it was absolutely ridiculous that we have these differences in road laws from State to State. I accept the member for Price's point completely. I shall be happy to discuss the other questions raised in the second reading debate during the Committee stage.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Enactment of ss. 81a and 81b of principal Act."

Mr. PETERSON: I support the legislation, particularly this clause, which is its strength. As the member for Flinders said, it was once a matter of just walking into a police station, answering questions and picking up a licence. I now know people who got their licences under that method, who drive only occasionally, and do not drive well. I am pleased that the member for Price supported a uniform law, which we should work towards in this country. It is true that habits developed early in a driving career can stay with you.

My 16-year-old son recently obtained his licence. I worry about him, as most parents do about their children, most of whom rush out at 16 to get their licence as a badge of adulthood. We cannot be with our children all the time, and 16-year-olds are not adults and cannot make real decisions. Their skills in driving are not what they should be. They probably spend a month or two backing, parking, and understanding enough rules of the road to pass the test. This clause puts the learner's badge on a driver. I support the 80 km/h limit, and the P plate system. Maybe it is my surrogate conscience.

The Hon. M. M. WILSON: I have a son who will be 16 years old in August, so I am not the most popular member of my family today. However, I have found that most young people to whom I have spoken about this measure have accepted the fact that it must be.

The Hon. J. D. Wright: Except your son.

The Hon. M. M. WILSON: He accepts it, because I have told him. I have asked the Registrar for the information requested about the increased rate in applications for learners' plates. It has gone up by about 1 000 a month since this legislation was introduced, an almost 20 per cent increase. I believe that the member for Semaphore is correct in what he says. Parents to whom I have spoken over the past three or four months are completely in favour of this measure.

Mr. EVANS: Why can a third condition not be placed on the licence? New section 81a provides for the Registrar to make endorsements on a licence. One of the conditions is an 80 km/h limit; the other is the P plate provision. I ask the Minister whether he could obtain from his department details in relation to laws in other States or countries in relation to liquor offences. I would like another condition, similar to that applying in Tasmania, whereby a person who has a blood alcohol content of ·02 loses his or her provisional licence. Could such another provision be considered in the future?

In Tasmania, 18 000 licences are issued annually, 12 000 of which are provisional licences. Approximately 700 of those provisional licence-holders are apprehended with over ·02 blood alcohol content. In general terms, the Tasmanian law is the same as ours, with a ·08 limit. Could the Minister's department collate details about this provision so that possibly in the future I, or someone else, can move an amendment to the Act?

The Hon. M. M. WILSON: I thank the honourable member for his concern about this matter. Mixing alcohol and driving is another question, but one that concerns us all greatly. I will have my department collate and supply those figures to the honourable member, after a statistically-relevant time has elapsed, so that it is useful information. On the question of introducing amendments, I take it that what the honourable member means is that we could introduce an amendment which would mean that a provisional licence-holder would lose his or her licence if found with a blood alcohol content of ·02 or greater. I would have to think carefully about that. The last thing I want is that this legislation be Draconian. I want it to be accepted by the community, so that it achieves its purpose.

On the other hand, of course, we cannot tolerate mixing alcohol and driving. Before we consider such an amendment, we would want perhaps to see how other legislation which is to be introduced by the Government and referred to in Question Time today affects the community. It is a very important proposal, and one that I will keep under review, as I promised the Deputy Leader to keep other provisions under review.

Mr. BLACKER: I move:

Page 2, line 6—Leave out the word "eighty" and insert "ninety".

The effect of this amendment has been fairly well understood by members. In effect, it contains the holder of a provisional licence to a maximum speed of 90 km/h,

instead of 80 km/h as in the Bill. I support this in all seriousness and again on the practicalities of the application of law in country areas and particularly in the wide open spaces. Operators of heavy transport vehicles are obliged to use country roads, and I see a conflict of road use with heavy transport operators travelling an average of 90 km/h, and in some cases more, and provisional plate holders who are obliged to travel on the road at 80 km/h. In that situation we would see heavy transports being obliged to pass a provisional plate holder in almost every instance. I think 90 km/h is a realistic and practical speed for the majority of heavy transport. Of course, some members would argue that many transport vehicles can do 110 or 120 km/h.

Mr. Whitten: And more.

Mr. BLACKER: That is so, the speed of 90 km/h is a practical speed for the majority of transports on the road. I am referring to the conventional semi-trailer to which a 50 m.p.h. speed limit would apply. If each one of these vehicles has to pull out and pass a provisional plate holder, I believe that we will be creating far more dangers and more hazards to the average road user than would otherwise be the case.

There is also the question of traffic flow. Many believe that an 80 km/h traffic flow is far too slow. While I am not suggesting that the whole traffic flow is determined because of provisional plate holders, if we have a scattering of provisional plate holders (even if it is only 5 per cent), those vehicles will be slowing up the traffic flow. The more impatient drivers will attempt to pass those vehicles, and as a result more hazards will be created.

It has been suggested that this amendment is not acceptable because of the question of uniformity. In many ways one could accept that in broad principle. However, I think I should also point out that the roads in South Australia, in the main, are on level terrain. The road laws in force in the Eastern States are designed for the extreme conditions in the Snowy Mountain areas and the like. I think it would be quite wrong and inappropriate for us to determine laws in South Australia that would be binding or set on the same standards as those required for the Snowy Mountains region or the Blue Mountains region of Australia. I believe that there is room for a tolerance here and for a commonsense approach to be used.

I ask for consideration of this amendment. I believe it to be a practical one, and I believe that it will be easier to apply to the general country areas of the State. If this were to apply to an area within a 100-kilometre radius of Adelaide only, I would fully support it, because in built-up areas the distances are not great, so a different approach is needed.

How would this system apply to the Eyre Highway? Obviously, the provisional plate speed limit would not be adhered to on that highway, particulary with respect to trucks, which account for a large portion of the road usage. I believe that this amendment is a realistic approach, that it has practical application, and that it deserves the support of honourable members.

Mr. ASHENDEN: I would like to reply to some of the points brought forward on this amendment. I am speaking against the amendment, because I do not believe that the arguments I have heard are valid. The factor that we must take into consideration is one that the member for Flinders has brought forward, namely, that although some P plate holders will be older people, most will be 16 years of age. South Australia is the only State that allows a 16-year-old the privilege of driving. Therefore, I do not believe that it is unfair that a 16-year-old, when driving in areas involving vast distances, should be required to drive slowly. After all, if those persons lived in any other State in Australia they would not be able to drive anyway.

In relation to the point made by the member for Flinders about the danger of slow driving, I ask which is more dangerous—a learner or provisional driver moving along at 80 km/h, or one travelling at 90 km/h? Remember, the 16-year-old has not had much experience in driving, and his reaction time will be much slower than that of a practised driver. I think that the question is very easily answered.

It is general knowledge that, in the operation of radar and amphometer units, the police allow a 10 per cent margin of error, so if we raise the speed limit from 80 km/h to 90 km/h we are really saying that these people will be allowed to drive at 99 km/h before they are charged. In other words, a P plate driver travelling at almost 100 km/h would go without being stopped by the police. I think that point must be borne in mind. The police must have some leeway. The further up the scale one moves with regard to speed limits for P plate drivers, the faster we are letting these drivers travel. At that age and with little experience in driving, do they have the ability to take appropriate action such as a practised driver may be able to do.

The member for Flinders also said that South Australia need not conform to the rest of Australia because of our flat terrain. I point out that Western Australia, which is a much bigger State than South Australia and which is just as flat, has an 80 km/h upper limit. I do not think that flatness is a very valid argument. Also, the point has been brought forward about transports being slowed down. Let us face it, not many P plate drivers will be moving along roads in country areas where transports will not be able to pass easily. Most country roads are straight and flat, so visibility is good, so I do not see that many transport drivers would be held up for long periods, if at all.

Too many people in the community do not realise that a driver's licence is not a right but a privilege. I believe that anything we can do to inculcate this idea in our young drivers must be good. I think that, if they can learn to respect speed and the laws of the road in their first licence period, hopefully they will carry at least some of these good ideals into the time when they have obtained an unrestricted licence.

Speed has been proved to be a major killer on the roads, particularly in the case of inexperienced drivers. When city drivers go into the country, many are inexperienced in country conditions, and they often get themselves into situations where they cannot control a vehicle at speed. I believe that is due to inexperience in those conditions. I believe that a person, when learning, will be just as inexperienced and must therefore be given time to learn to control a vehicle at speed. It has been shown quite clearly in the United States that, since the overall speed limit has been reduced to 80 km/h, the number of fatalities and nasty accidents involving very serious injuries has been reduced considerably.

This has involved experienced drivers on road systems that are far better than ours. Therefore, I do not believe that it is at all unfair to expect that all probationary drivers should spend a period learning to handle that thing called speed. I therefore speak strongly against the amendment.

The Hon. J. D. WRIGHT: I think it is essential to state where the Opposition stands on this matter. The amendment ratifies what I said initially, namely, that no-one is quite sure about this matter. I am concerned about it, and I commend the member for Flinders for raising the points he raised. However, if an amendment were to be supported in the House, it should go further than merely recommending a speed of 90 km/h. I said in the second reading debate there were doubts in my mind as well as in

the minds of R.A.A. representatives about the matter. The Minister may even have doubts whether 80 km/h is a practical speed to set for probationary drivers. Upon considering all the points raised and the fact that the Government has done the necessary work on this legislation to come up with what it considers to be the proper recommendations in the circumstances, I consider that, at this stage, anyway, the 80 km/h speed limit should be given a test. The Minister said in reply to the second reading debate that he would approach this matter with caution, would have studies conducted, and would review the legislation in six to 12 months time. I think that that stand should be taken at this stage, so I cannot support the amendment.

Mr. WHITTEN: I am unable to support the amendment. Although I favour the setting of no speed limit whatever, I am realistic and come down on the side of uniformity, so that the limit should be set at 80 km/h. If a speed limit is set for probationary drivers in one State the same speed limit should be set in every State. I do not think that it would serve any useful purpose to increase to 90 km/h the speed limit for P plate drivers. If anything at all is to be done with it, the speed limit should be removed completely. Will the Minister say whether any discussions about this matter have taken place at any ATAC meeting, and whether any alteration to the speed limit for P plate drivers in the various States has been introduced. Also, has any consideration been given to removing the 80 km/h speed limit for the holders of probationary licences, or to increasing that speed limit in any way?

The Hon. M. M. WILSON: I will answer, first, the question asked by the member for Price. The Australian Transport Advisory Council has discussed whether the open road speed limit should be 110 km/h, 100 km/h or 90 km/h. I made no comment about that at this stage; I have a reserved attitude on that question. There has also been discussion about uniform legislation for seatbelts, with which we dealt yesterday. To my knowledge, there has been no discussion about the variation of probationary licence provisions that apply in each of the States. If there has been, it was certainly well before I attended my first ATAC meeting. I tried to catch up with the last few ATAC meetings that Geoff Virgo attended by reading the minutes, but I could find no reference to this matter. I must therefore say "No" to the member for Price. I will have my officers investigate the matter and, if any further information is available, I will let the honourable member have it.

Turning to the amendment moved by the honourable member for Flinders, I appreciate the interest that the honourable members has shown in this measure. Who is to say whether 80 km/h or 90 km/h is the correct speed at which to drive? However, the line has to be drawn somewhere. We must have some criterion by which we set a limit and, obviously, the most important criterion in this matter is uniformity with the other States. If we were the pioneering State and no other State in Australia had provisional licences, we could certainly look at a speed of 90 km/h, and we would encourage the other States to follow suit. But we are the last State to the barrier, so we must conform.

Finally, if I could use the honourable member for Flinders' own analogy, he made the point that South Australia, when compared to New South Wales with its Snowy Mountains, and to Victoria, has a different terrain. It would be foolish to train people with a provisional licence to drive in South Australia at 90 km/h and then let them go over to the Snowy Mountains, where they would have to abide by an 80 km/h limit. That would be difficult for them to do. Although the honourable member's point about terrain is important, I believe that his own analogy counteracts his amendment. I regret that the Government cannot accept that amendment.

Mr. BLACKER: I thank other honourable members for participating in the debate. I moved the amendment principally because of my association with a large country electorate that is heavily dependent upon road haulage. I respect every word that members have uttered because, as the Minister said, who knows which is the correct figure? However, I can see considerable problems for the transport industry, and I believe that there will be repercussions in the future from the transport industry about, as they would term it, "the road hazard of slower provisional drivers". I leave the matter at that. I accept the views of other members. If, at some later date, an amendment is forthcoming, that is well and good.

Amendment negatived: clause passed.

Remaining clauses (5 to 7) and title passed.

Bill read a third time and passed:

DISTINGUISHED VISITOR

The DEPUTY SPEAKER: Order! I notice that Commander Glen Lamperd and Mrs. Dianna Lamperd are sitting in the gallery. Commander Lamperd is the Commanding Officer Designate of H.M.A.S. *Adelaide*, the first of the new guided missile frigates being built in the United States for the Royal Australian Navy. Commander and Mrs. Lamperd will depart shortly for the United States, where he will assume command of H.M.A.S. *Adelaide*, which is scheduled to be commissioned in September. H.M.A.S. *Adelaide* is expected to arrive in Adelaide on her first official visit late next year. I am sure that all honourable members would wish me to extend to Commander and Mrs. Lamperd, the ship's company, and H.M.A.S. *Adelaide* our best wishes for a successful commissioning and work-up in the United States.

All honourable members: Hear, hear!

DANGEROUS SUBSTANCES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 20 February. Page 1112.)

The Hon. J. D. WRIGHT (Adelaide): This Bill makes amendments to a measure that I introduced in this House in November 1978. My purpose then was to make sure that the Government was able to make regulations to ensure the safe keeping, handling, conveying, use and disposal of substances that were highly toxic, explosive or flammable. This further measure extends the operation of the Act so that regulations may be made to control the installation of l.p.g. conversion apparatus.

The Opposition believes that this is sensible and therefore supports the Bill. Members will recall a series of accidents towards the end of last year involving vehicles operated on l.p.g. At that time, the Minister of Industrial Affairs told the House that South Australia's regulations were already the most stringent in Australia, and that inspectors in his department constantly monitored developments to ensure that any possible risk was covered by regulation.

The regulations to which the Minister referred were drawn up by the former Labor Government and came into effect on 1 September 1979. I mention this because I want to make clear (and I am sure that the Minister would agree) that this measure does not imply criticism of the regulations or the safety inspectors who administer them.

The Government has decided that the regulations will be better made within the ambit of the Dangerous Substances Act, and the Opposition is prepared to support it in that action.

However, it is ironic that events of the past few months may well have reduced the urgency to control l.p.g. conversion equipment. Because the price for l.p.g. has risen and companies marketing conversion apparatus have crashed, the Bill may be irrelevant; at best, it may gather dust until some sanity returns to Australia's energy policy and to the pricing of l.p.g.

The need to control l.p.g. conversion equipment arose because of the boom in l.p.g. conversions which were set in motion by the Federal Government. On 27 June last year, the Prime Minister made a publicised statement about Australia's energy policy. In that statement he defended his oil pricing policy, claiming that it was necessary to promote the use of alternative energy sources, particularly l.p.g., coal and natural gas. L.p.g. was an important part of that policy and the positive measures that the Prime Minister announced on that occasion related to it. I deal with these measures because they lead directly to the rush to convert motor vehicles. There was a boom in the number of companies supplying conversion equipment and this led to the need for the South Australian Government to draw up regulations—

The Hon. D. C. BROWN: I rise on a point of order. I see no relationship between the Deputy Leader's remarks and the contents of the Bill. I ask that you, Sir, rule that the honourable member should no longer persist in this way, because his remarks have no relevance to the Bill.

The DEPUTY SPEAKER: I cannot uphold the point of order, but I point out to the Deputy Leader that I will listen carefully to what he has to say. He must adhere strictly to the Bill that is before the House.

The Hon. J. D. WRIGHT: Thank you, Mr. Deputy Speaker; I am sure that you will listen to my remarks intently. Before I was so rudely interrupted—

The DEPUTY SPEAKER: Order! The honourable member must refer to the Bill.

The Hon. J. D. WRIGHT: This, in turn, led to the need for the South Australian Government to draw up regulations to ensure the safety of motorists and the general public. I submit that this is directly in line with the Bill. In a statement on 27 June, the Prime Minister announced the lifting of a 2·1c per litre tax on l.p.g. for automotive use and the removal of a 15 per cent sales tax on l.p.g. conversion kits.

The DEPUTY SPEAKER: Order! I must ask the Deputy Leader not to continue in that vein. It is out of order.

The Hon. J. D. WRIGHT: I will not do so. These two measures most directly affected the motorist. In addition, the Prime Minister announced that where possible Commonwealth vehicles would be converted to l.p.g. and that the Government—

The DEPUTY SPEAKER: Order! I do not think that the Deputy Leader has understood the ruling that I have just made; I ask him not to continue in that fashion, and I suggest that he confine his remarks to the Bill.

The Hon. J. D. WRIGHT: I think that my remarks have direct relevance to the Bill. I am talking about l.p.g. and its effects, and the effects this Bill will have. However, I will try to keep away from what you, Sir, do not want me to say. Following this, literally hundreds of people joined the queues for conversion to l.p.g. Surely, that is relevant. We are talking about the safety of conversion. Within a month of the Government's encouragement and the dropping of the 2·1c tax, the price of l.p.g. rose by 2c a litre. During the next six months, the price rose by a further 7·4c a litre.

The Hon. D. C. BROWN: I rise on a point of order. I do not know whether the Deputy Leader came here with a speech which was obviously prepared for political reasons.

The DEPUTY SPEAKER: Order! The Minister must make his point of order.

The Hon. D. C. BROWN: I point out that remarks persistently made by the honourable member bear no relevance to the substance of the Bill, which is to allow regulations to be made under the Dangerous Substances Act instead of under some other Act under which the powers have existed previously. I argue that the only legitimate ground on which you, Sir, could disagree with me is whether this specific power should be transferred from one Act to another. I assure the House that this is a fairly routine matter.

The DEPUTY SPEAKER: I uphold the point of order and point out to the Deputy Leader that he must not refer to a pricing policy, as remarks of that nature are out of order. However, I will accept his other comments.

The Hon. J. D. WRIGHT: Effectively, I have been gagged in my second reading speech. I have never seen that happen in this House before. This is the first occasion on which a second reading speech has been treated in this way. I have been a member of this place for almost 10 years and I have never seen a second reading speech dealt with in this manner. There have been three interruptions by the Minister controlling the Bill, and I have now been ruled out of order. Certainly, I have a prepared speech, and I make no apology for that; most honourable members prepare second reading explanations. This is the first speech I have prepared. If I am not allowed to continue in the way that I want to, I object.

The DEPUTY SPEAKER: Order! The remarks that were ruled out of order referred to a pricing policy. The honourable member may refer to other matters. However, he may not refer to a pricing policy, because the Bill has nothing to do with that.

The Hon. J. D. WRIGHT: The Bill has a lot to do with whether or not l.p.g.—

The DEPUTY SPEAKER: The Chair must determine whether remarks are in order.

The Hon. J. D. WRIGHT: I will continue and try to make some progress. An article in the *Advertiser* of 30 January 1980 showed the widespread effects of the price rises. The article stated that, following the Prime Minister's statement, the South Australian Gas Company was swamped with orders. Surely, this is relevant.

The Hon. D. C. BROWN: I rise on a further point of order. Following your ruling, Sir, a few minutes ago, I again say that the Deputy Leader is simply pursuing the contents of his prepared speech, irrespective of your ruling on this matter.

It is obvious again that he is completely disregarding what the Bill is about. He is determined to speak on his own little pet subject, and I urge that, under Standing Orders, he come back to the substance of the Bill, which is in terms of giving power to make regulations under the Dangerous Substances Act and removing it from the Road Traffic Act. Under Standing Orders, all he can refer to is whether or not it is legitimate to transfer that power from the Road Traffic Act to the Dangerous Substances Act. He cannot debate what might be in the regulations or the general issue of the pricing policies for energy or anything else that has nothing to do with the Bill.

The DEPUTY SPEAKER: I uphold the point of order. The honourable Deputy Leader must not refer to a pricing policy. I point out that it is the right of the Chair to determine whether the matter is contained in the Bill. The honourable Deputy Leader must not refer to a pricing policy.

The Hon. J. D. WRIGHT: I hope that, in future, Standing Orders will prevail, as you have ruled in my case, in the case of all other speakers who find themselves in such a situation. I have gone to the trouble of preparing a speech in reply to the Minister's second reading explanation and now find myself ruled out of order.

The DEPUTY SPEAKER: I can assure the honourable Deputy Leader that the Chair will be quite consistent in its rulings.

The Hon. J. D. WRIGHT: If I am not permitted to pursue the Bill in such a fashion, I point out that I do not object to the proposed amendments. They are proper amendments. If the Australian Labor Party was still in power, we would have been able to know whether or not the legislation that was introduced last year was working as it should be working. There was obviously some misdirection on that occasion, otherwise this matter would have been attended to then. I support the Bill, to which the Opposition finds no objection. I place on record my total objection to the way in which I have been treated today, because I think it is wrong.

The DEPUTY SPEAKER: Order! The honourable Deputy Leader must not reflect on the Chair.

The Hon. J. D. WRIGHT: No, Sir. I am talking about the treatment I received from the Government in this regard, not from you.

The Hon. E. R. GOLDSWORTHY (Deputy Premier): I move:

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

Motion carried.

The Hon. R. G. PAYNE (Mitchell): In explaining the Bill, the Minister said:

> The Government, however, considers that the ambit of this general Act dealing with the safety aspects of dangerous substances should be enlarged so that regulations may be made under it regulating the installation of liquefied petroleum gas conversion apparatus, and any similar matter, as the need arises.

As an Opposition member, I support the Bill. The remarks to which I have just referred, relating to regulations associated with l.p.g., interested me considerably. I took the trouble, as did my Deputy, to research this question, together with the assistance of the very able research staff in the library. I was also interested enough to check on the parentage of the Bill that we are now seeking to amend. An Act was introduced in the House last year (I think it was Bill No. 47 of 1979). That legislation arose from an earlier Bill introduced in 1960—the Liquefied Petroleum Gas Bill.

It is interesting to note that, in November 1960, the Bill was received from another place, and was explained by the Hon. Baden Pattinson, the then Minister of Education. It was adjourned at the second reading stage by another former illustrious member, Mr. Frank Walsh, and subsequently supported by a third member well known to you, Mr. Deputy Speaker, Mr. John Coumbe, member for Torrens. In speaking briefly to the matter, he said that the Liquid Petroleum Gas Bill, as it then was, was timely. He said that the Hallett Cove refinery was in the offing. This prompted me, first, to find out what is involved with l.p.g. and what quantities are involved in South Australia, bearing in mind the need for regulations, the matter we are debating now.

Information obtained from the South Australian Gas Company discloses that, whilst the common term is l.p.g., the actual gas is sometimes known as propane or butane. In South Australia, it is supplied mainly in the form of propane, but butane is supplied in one area in the North of the State. It has always interested me, because of considerable discussion in the press, to know what quantities of l.p.g. were involved. I can inform members that the Gas Company supplied about 18 000 tonnes last year, a large quantity of gas. The outlets involved were in Adelaide (about 15 000 tonnes of the 18 000). The pertinence of the remarks I made earlier concerning what was said in the debate in 1960 by Mr. Coumbe becomes clear when we find that the Gas Company obtains about half of its supplies from what we now call the Port Stanvac refinery, which obviously is the same manufacturing centre for the gas as the Hallett Cove refinery to which Mr. Coumbe referred.

The Hon. E. R. Goldsworthy: This is about as irrelevant as your Deputy's speech was.

The Hon. R. G. PAYNE: I do not really believe it is irrelevant. I am trying, in a few minutes, to set the scene in relation to l.p.g., and then I will deal more directly with the regulatory powers—

The Hon. D. C. Brown: When are you going to get on with the Bill?

The DEPUTY SPEAKER: Order!

The Hon. R. G. PAYNE: Apparently, the Minister was not listening when I pointed out that, in his second reading explanation, he states in part:

> . . . regulations may be made under in regulating the installation of liquefied petroleum gas conversion apparatus, and any similar matter, as the need arises.

Those are the Minister's own words. I do not know why he is trying to delay the House. I do not want to argue with him, although I should be pleased to do so if we had more time. An arrangement has been made and I am trying to adhere to it, but there is a need for me to make certain points about regulations. The regulations may be made concomitantly with this power we intend to change from one Act to another. They could well be the same regulations now in existence under the Road Traffic Act. The Minister will not deny that; there could be additions or changes, but they could be the same regulations as exist now. The regulations relate to the installation, maintenance, conversion and so on. In reading those regulations, it has come to my attention that there are possibilities that, if the power is transferred (and we support that), there could be a need for greater care in drafting subsequent regulations directly affecting this matter.

I put it no more strongly than that; there could be a need. I have discussed this with one or two people outside this Chamber and their view is that there is a valid point in what I am bringing to the attention of the Minister. The regulations define gaswork fitting as meaning the installation, maintenance and repair, alteration, connection or disconnection of pipes, fittings or equipment used for or designed for use in the consumption of liquefied petroleum gas. It goes on to explain what is an internal combustion engine, and so on. If the regulations are reframed, if they are transferred in this form to this Act, that could lead to a situation in which a person who has had an l.p.g. conversion carried out on his vehicle, takes delivery of the vehicle and finds a leak (I have ascertained from the Gas Company that l.p.g. has an added odour so that leaks can be detected by smell).

What does that person do? I remind the Minister that the penalty for breach of the regulations is $1 000. Does that person then screw up the loose connection that he has discovered? How does the person get the leak fixed? How does he get the vehicle to a place where a permit holder or a licensed person can work on it? I am pointing out that the regulations need to be looked at carefully.

If the Minister wants to take the matter further, I suggest that gas fitting work, which is the item to be

prohibited except by persons permitted or licensed, should be defined carefully. Where does the l.p.g. conversion end and an internal combustion engine begin in that definition? There is a case where a person might well breach a regulation that carries a maximum penalty of $1 000 when that person is attempting to do what is the most sensible thing to do in a given situation.

As the member for Flinders would know, l.p.g. depots and permitted workers are not located all over South Australia. I support the Bill. I thought some appreciation would be shown by Government members of my pointing out that the original Bill was introduced in this House by a Government of the same political colour as now exists. I was not being critical. I was simply pointing out that the situation has progressed from a limited area to an area in which all dangerous substances are now proposed to be covered. When my Party was in Government we often had to argue that a regulatory power was not something disgraceful or sneaky or against Parliamentary thinking as was alleged by the then Opposition. At times it is not possible to write into legislation everything that one would wish it to contain.

I support the view that this matter needs to be handled by regulation and also to be handled by the transference of this regulatory power. If one checks back to 1960, it will be found that the legislation in this area has consistently lagged behind the need, and all Governments in this country are involved in this. Many of the explosions and injuries to people have occurred as a result of the fact that legislation is trying to catch up with the technology and with the need for it. On that note, I am happy to support the Bill.

Mr. PETERSON (Semaphore): Although the amendment has been phrased to relate to l.p.g. gas, I assume that it will apply to all other liquids and solids such as petrol or oil. If that is so, I wonder whether the ramifications of that Bill are understood. As it applies to petrol and related substances it relates specifically to my district. Within the boundaries of Semaphore are major petroleum storage facilities, and many hundreds of thousands of gallons of petroleum and associated products are held in the petrol company terminals. Petroleum is moved into these terminals by basically two methods: one is ex ships moored at the respective berths and the other is by pumping from Port Stanvac via a connecting pipeline.

Most of these terminals are situated along the river at Birkenhead, and one is at Pelican Point. The Amoco facility is a mile or so away from the Outer Harbor connection point and it is supplied by an above-ground pipeline. In addition to the petroleum storage, there is a dangerous storage installation and a gas tank at Osborne. The I.C.I. plant on that site also produces corrosive liquids. Most of these establishments are adjacent to the shipping channel of the Port River, and some are close to residential areas. One petroleum facility is only the width of a road away from a fairly substantial housing estate. That basically establishes the extent of the dangerous liquids storages on Le Fevre Peninsula, and the fact that the facilities spread right from one end of the electorate to the other.

A most significant factor is the transport out of the terminals of petroleum and related goods, as well as the corrosive and dangerous liquids. A related matter is the loading equipment and the vehicles (basically road and rail) transporting these liquids. There is also a ship bunkering barge used in the Port River for bunkering ships. As stated in the Bill, a licence has to be held by those involved, and any shortcomings in the manufacture, installation, repair or maintenance of any of the allied equipment could create a highly dangerous situation with a substantial threat to lives and the possibility of great damage to the facilities of ships in the port.

The basic question arising out of all that is that, although I think the Bill is good and I support it, will it be applied to all dangerous liquid, every piece of machinery, and all work involved within the State? Does that mean that everyone who changes the hose on a petrol pump has to have a permit, or that every person who operates the pump has to have a permit? I wonder whether the full extent of it has really been considered.

The Hon. D. C. BROWN (Minister of Public Works): I think I should outline to the House the history of this Bill. It was found necessary to ensure the implementation of S.A.A. standards for the fitting of any equipment to deal with l.p.g. and when it was looked at to see how these standards could be implemented or controlled by way of regulation, it was found that the power did not exist under the Dangerous Substances Act.

I commend the former Minister, now Deputy Leader of the Opposition, for showing wisdom in deciding to implement regulations as quickly as possible, and not to wait for an amendment to the Act. He decided to do it under another Act in which there was power, that is, the Road Traffic Act. The regulations implemented under that Act laid down the standards for fitting such equipment to motor vehicles, and also allowed for licensing of those persons. No unlicensed person was allowed to fit that equipment to a motor vehicle or alter it.

The member for Mitchell asked what he could do if he had a tank leaking gas and wanted to take it to his local licensed person to get it fixed. If it was leaking gas, I would not drive it but would get it towed. A Sydney taxi driver whose taxi was leaking gas had a notice in the taxi stating "Please do not smoke in this taxi. It is driven by l.p.g. and it has a leak." He was lucky not to have been blown off the face of the earth.

Because the Dangerous Substances Act is administered by the Minister of Industrial Affairs and because licences are issued by inspectors in the Department of Industrial Affairs and Employment, it was appropriate to bring the powers to make those regulations under an Act administered by that Minister, and associated with that department. That is why this power has been placed under the Dangerous Substances Act. The power still exists under the Road Traffic Act; it is maintained for other purposes, so we are not repealing that power.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Regulations."

The Hon. R. G. PAYNE: Did the Minister say that an unlicensed person is not allowed to work on l.p.g. conversion?

The Hon. D. C. BROWN: That is right.

The Hon. R. G. PAYNE: I would like some information from the Minister as to whether regulations under the Road Traffic Act are correct or not. Regulation 6 (ii) states:

> Gas fitting work may be carried out by a person or persons personally supervised by a holder of an auto. gas licence.

That seems to indicate that in this case unlicensed persons working under the personal supervision of an unlicensed person are able to carry out gas fitting work, which is the subject of a long definition in the regulations.

The Hon. D. C. BROWN: An unlicensed person is not allowed to carry out modifications, unless he is under the supervision of a person who holds a licence. The member for Mitchell asked whether, if a person was at home and

found a leak, he could carry out modifications. He could not, because he would not be under the supervision of a person holding a licence. The honourable member is quite correct in reading out the regulations, but such person would not be permitted to make alterations at home unless a licensed person was supervising.

The Hon. R. G. PAYNE: I did not direct my earlier remarks only to the particular case. I asked the Minister to examine later the information I sought from him on this occasion. It is quite clear that he did not understand the full details contained in the regulations. That has satisfied what I set out to do. It seemed to me that he was not entirely familiar with the regulations, which are the subject of the whole Bill.

Mr. PETERSON: I feel that I did not get an answer to my earlier question. It is a serious question. There is a real problem here—for instance, in the bunkering of ships. As I understand it, the man hooking up the pipes and turning the valve must, under that definition, have a permit, as does anyone who fills a petrol tanker or a railway tanker. A large petrol storage area is situated in my electorate. This provision would mean that, every time a valve was turned, a hose hooked up or a truck driven with petrol in it, the person concerned would need a permit. Is that correct or not? If it is, what is the permit, and how does anyone get it?

The Hon. D. C. BROWN: I appreciate the honourable member's sincerity, but, frankly, I think he misunderstood the regulations and the powers granted. It does not apply to the bunkering of vessels. That power does not relate to that situation in terms of motor vehicles. If he has any doubts, I suggest he discuss it in greater detail with the inspectors in my department. I am sure that they will assure him of the exact powers under those regulations, and tell him what controls exist to protect the community in relation to bunkers and fuel oil, and other dangerous substances.

Mr. PETERSON: This amendment does not apply to petrol?

The Hon. D. C. BROWN: The amendment simply allows certain regulations to be made.

Clause passed.

Title passed.

Bill read a third time and passed.

ADJOURNMENT

At 5.20 p.m. the House adjourned until Tuesday 25 March at 2 p.m.