HOUSE OF ASSEMBLY

Wednesday 14 October 1987

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

PETITION: ELECTRONIC GAMING DEVICES

A petition signed by 126 residents of South Australia praying that the House reject any measures to legalise the use of electronic gaming devices was presented by Mr S.J. Baker.

Petition received.

PETITION: TRANMERE MOTOR REGISTRATION OFFICE

A petition signed by 143 residents of South Australia praying that the House urge the Minister of Transport to reject any proposal to close the Motor Registration Division office at Tranmere was presented by Ms Cashmore.

Petition received.

QUESTIONS

The SPEAKER: I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 3, 46, 121 to 133, 144, 192, 208, 259, 263, 276, and 281.

PAPERS TABLED

The following papers were laid on the table:

By the Minister of Emergency Services (Hon. D.J. Hopgood):

Country Fire Services—Report, 1986-87.
Commissioner of Police—Report, 1986-87.
Police Pensions Fund—Report, 1985-86.

By the Minister of Forests (Hon. R.K. Abbott):

Woods and Forests Department—Report, 1986-87.

By the Minister of State Development and Technology (Hon. Lynn Arnold):

Technology Park Adelaide Corporation—Report, 1986-87.

By the Minister of Employment and Further Education (Hon. Lynn Arnold):

South Australian College of Advanced Education—Report, 1986.
Technical and Further Education Act 1976—Regulations—Principals, Leave and Hours (Amendment).

By the Minister of Transport (Hon. G.F. Keneally):

Metropolitan Taxi-Cab Board—Report, 1986-87.
South Australian Waste Management Commission—Report, 1986-87.
State Supply Board—Report, 1986-87.
State Transport Authority—Report, 1986-87.
Corporation of Henley and Grange By-laws—
No. 30—Traders in Public Places.
No. 31—Dogs.

By the Minister of Education (Hon. G.J. Crafter):

Attorney-General's Department—Report, 1986-87.
Credit Union Stabilisation Board—Report, 1986-87.
Legal Services Commission—Report, 1986-87.
Department of Public and Consumer Affairs—Report, 1986-87.

By the Minister of Housing and Construction (Hon. T.H. Hemmings):

Department of Housing and Construction—Report, 1986-87.

By the Hon. Frank Blevins, for the Minister of Agriculture (Hon. M.K. Mayes):

Metropolitan Milk Board—Report, 1986-87.

By the Hon. Frank Blevins, for the Minister of Recreation and Sport (Hon. M.K. Mayes):

Department of Recreation and Sport—Report, 1986-87.
Racing Act—Dog Racing Rules—Substitution and Eligibility.

MINISTERIAL STATEMENT: SHANDONG FLOOD RELIEF

The Hon. LYNN ARNOLD (Minister of State Development and Technology): I seek leave to make a statement.

Leave granted.

The Hon. LYNN ARNOLD: I would like to inform the House that during my recent visit to Shandong I offered on behalf of the State Government financial assistance for flood relief. A sum of 25 000 RMB (approximately $10 000 Australian) has been presented to the Vice-Governor Ma Zhongchen. I have since received a copy of a telex from the Australian Embassy in Beijing confirming that that transfer has been made. The telex also passes on some comments made by the Vice-Governor, who expressed his warmest gratitude for our gesture of sympathy, friendship and practical assistance. He has indicated that he regards the donation as a tangible expression of our growing relationship with Shandong, and says Government and enterprises in Shandong were well satisfied with the results of the mission which I led to the Province.

Further to this, a senior Shandong official, Madame Zhang Meiling, is quoted as saying that, although the Province has friendship ties with a number of foreign states and cities, none are as active or as good as the relationship enjoyed with South Australia. In closing I must say that, because of the recent mission, I believe that we have further established many opportunities to strengthen that relationship, and provided private companies in this State with a significant entree into the complex Chinese Government and trade system.

QUESTION TIME

POLICE PAY CLAIM

The Hon. E.R. GOLDSWORTHY: My question is to the Premier. Is it true that settlement of the pay claim by police officers will not require the additional cost to be completely offset by productivity savings and, if so, what is the impact on the State budget and can this be taken as a precedent by other Public Service employees seeking wage rises? A report in the *Advertiser* of 3 October stated that agreement had been reached with the Government on pay rises for members of the force of about 10 per cent, which will include the 4 per cent second tier. The report also states:

Under special provisions laid down by the commission, the police will not be required to guarantee complete cost offsets for any wage increase.

This runs completely counter to the Government's budget strategy, which provides no money to pay the second tier

and lays down that the cost must be completely offset by productivity savings.

The Hon. FRANK BLEVINS: The police situation is quite unique. The wage increase and the restructuring that are being negotiated at the moment will be undertaken within the terms of Arbitration Commission decisions and not necessarily the decision that was handed down on the 4 per cent second tier increase. I cannot see how a provision that has or has not been made in the budget is relevant. If the agreement that has been reached with the Police Association is ratified by the commission, then obviously the Government will finance any increases that the commission decides are appropriate.

MOTOR VEHICLE SECURITY

Mr HAMILTON: Will the Minister of Transport request the Federal Ministers responsible for the motor car industry to convene a national conference of Australian motor car manufacturers this year to discuss what new designs and mechanisms are available or are possible to upgrade the locking and security devices on motor vehicles? National statistics show that in the 1985-86 financial year 118 607 motor vehicles valued at $415 124 500 were stolen, and that equates to approximately 325 vehicles being stolen daily.

I have been requested to urge that the Australian design rules for motor vehicles be upgraded in such a way as to make the stealing of motor vehicles much more difficult. I have been told that the locks on steering columns and car doors basically have not been altered during the past 20 years, hence the need for State and Federal Governments to address the costly problem of car thefts.

The Hon. G.F. KENEALLY: I thank the honourable member for his question. I will certainly take up this matter with the Minister who is responsible for matters pertaining to the motor vehicle industry—that is, Senator Button. However, I think I should also ask the Transport Ministers at their December meeting in Sydney whether or not this matter could be added to the agenda. The whole problem of stolen motor vehicles is causing considerable concern not only to Governments, of course, and industry, but, more particularly, to the owners of motor vehicles and the police.

We have recently established in South Australia a vehicles security register. That is intended to give the authorities greater ability to check on vehicles that have been stolen in order to reduce the number of these offences. I believe that recently one of the major car theft rings in South Australia was broken by the South Australian police, working in cooperation with their interstate colleagues and the Federal Police.

I do not know whether or not the car industry has looked at this matter before or whether it has been asked to devise an Australian design rule standard that would make the stealing of cars that much more difficult. I am certain that if someone really wanted to steal a vehicle and was prepared to break the car windows, and so on, or indulge in any of the other tricks that thieves get up to, I guess that person could steal the car, but I think it is not unreasonable to make it as difficult as possible for people to steal motor vehicles. I am sure that every member in this House would know of a person who has arrived at a car park after a show in Adelaide, or elsewhere, and found that their car has gone. It is a quite dramatic shock, and is really a considerable shock for a person who has come to Adelaide from the country to suddenly find that their vehicle has been stolen. In those circumstances a person feels terribly isolated. That happened to a neighbour and a very close friend of mine, so, I am aware of the problem.

It may well be that, in devising an Australian design rule standard, the industry might suggest that as an optional extra a car owner might be able to have greater security control, but a person would have to pay for it. An ADR, of course, is designed to ensure that it is part of basic equipment. I think all these questions are relevant. I congratulate the honourable member for raising the matter here. I do not have all the answers, but I undertake to talk to my colleagues in the transport area throughout Australia and the Federal Minister who has responsibility for the industry to see whether or not some actions can be taken to reduce the great social problem of theft of motor vehicles.

STATE TAXES

The Hon. B.C. EASTICK: Will the Premier say what contingency precautions he has taken against the possibility that the High Court will declare constitutionally invalid State business franchise taxes? A report in this morning's *Advertiser* reveals that a High Court decision on the latest test case against State franchise taxes is expected before the end of the year. Previous test cases have resulted in differences between members of the High Court on the constitutional validity of this form of State taxation, and there has been speculation that recent changes in the composition of the court now expose franchise taxes to even greater jeopardy.

In view of the imminence of the decision and the impact that any adverse decision would have on this year's State budget, with this form of taxation estimated to provide more than 15 per cent of the State's total taxation revenue it would be normal and prudent for the Government to have contingencies in place, although a statement by the Premier in this morning's *Advertiser* suggests that this may not be the case.

The Hon. J.C. BANNON: The short answer is that the *Advertiser* is wrong: there is no contingency plan drawn up, because, quite frankly, there would be no point in doing so. I might add that I understand that this was stressed to the *Advertiser*; certainly, when I was asked I said that I was not aware of any such thing, and I understand that the Treasury officer who discussed the matter with the journalist concerned also stressed that there were no plans as such. Obviously, at the Federal level—

The Hon. B.C. Eastick interjecting:

The Hon. J.C. BANNON: I did not hear the honourable member's interjection, so I will ignore it. I am trying to provide information to the House in response to the question.

The Hon. Jennifer Cashmore interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: Obviously, the implications for State Governments, if business franchise taxes are declared invalid, are profound indeed. This is not a problem for which South Australia can have a contingency plan, or which it can deal with itself. The contingency that I would have in mind is to call for an urgent Premiers Conference involving the Federal Government and the other States (whose revenue would be under threat by these means) to discuss what we can do about this matter, because, as I have said, the implications would be very grave.

It is worth noting that there is at the moment a challenge to our tobacco franchise legislation, but we do not believe that that case will necessarily be determined by the outcome of the Victorian case. In other words, our legislation has

been drawn in such a way that it is not on all fours with the legislation that is the subject of the Victorian test case. If the argument of the Victorian Government is upheld, that puts the argument aside for all time and the position will be quite clear; if the Victorian argument is not sustained, that poses grave implications for all States, but need not necessarily threaten some aspects of our franchise legislation. That is what would happen; we would need to have an urgent Premiers Conference to discuss the gaping hole that would occur in State revenues.

VINES CARAVAN PARK

Ms LENEHAN: Can the Minister of Mines and Energy provide the House with details of the arrangements recently concluded between the Electricity Trust and the proprietor of the Vines Caravan Park which will enable long-term residents of the park to obtain electricity at cheaper domestic rates? The Minister will be aware that I have been pursuing this matter on behalf of long-term residents at the Vines for several years. It is important that residents are informed of the arrangements made, and that they have a clear understanding of what to expect.

Mr LEWIS: I rise on a point of order, Mr Speaker.

Ms Lenehan: I have finished.

The SPEAKER: Order! I am waiting for the attention of the House, as the honourable member for Murray-Mallee has risen on a point of order.

Mr LEWIS: While I appreciate that the member for Mawson may think that this matter is important, I put to you, Mr Speaker, that that is a comment and accordingly out of order, much like the assertions made by the member for Albert Park in his question earlier today. If I am not mistaken, will you direct honourable members that they must not comment when explaining their questions?

The SPEAKER: I am not sure exactly what is the point of order raised by the honourable member for Murray-Mallee, but if he is reminding the Chair that the Chair has previously indicated that it wishes members to abide by the Standing Orders applying to comment being included when asking questions, then I uphold the point of order. However, I understand that the honourable member for Mawson has completed her question. The honourable Minister of Mines and Energy.

The Hon. R.G. PAYNE: My understanding is that you have not needed any reminding about such matters since you have occupied the Chair, Mr Speaker. I am happy to provide the information requested by the honourable member, especially in light of her persistent efforts over a very long time on behalf of permanent residents of the Vines caravan park. This matter was resolved in early October following renewed discussions between ETSA the proprietor of the Vines caravan park and Mr Woodings, which commenced in mid-September. Put simply, ETSA has changed the metering arrangements at the Vines. One meter now records power supplied to the park's shop, laundries, casual sites (and there are few casual sites at this park) and for other commercial uses. This power is supplied at the general purpose or S tariff rate. The other meter will operate on the cheaper M or domestic tariff and will record consumption on the park's 110 long-term sites. It should be noted that the long-term residents will still not be direct customers of ETSA, but will continue to be billed by Mr Woodings for the power they consume as recorded by the proprietor's own meters. Members may recall that on an earlier occasion it was pointed out that these meters had been tested by ETSA (which, of course, would be in the interests of the caravan park users) and were found, in the main, to be correct. Those that were not, I understand, have been adjusted or changed. It will be up to Mr Woodings to ensure that the savings are passed on to the residents and the way in which this will be done. Given his willing cooperation in devising a solution to this issue, I have every reason to believe that the benefits will quickly flow to the residents concerned.

It is not possible to be precise about the level of savings which will flow to the long-term residents to whom I have been referring. It will depend on whether the proprietor chooses to follow the tariff steps in the same way as they are applied by the trust to individual domestic customers, or whether he chooses to average the various tariff steps in a single unit charge and multiplies this by each resident's individual consumption. In either case, I am happy to report to the honourable member that the savings will be substantial, and I am sure that they will be looked forward to by those constituents in the caravan park on whose behalf she has worked so long and so assiduously.

GENTING BERHAD

Mr OLSEN: I direct my question to the Premier. Following yesterday's decision by the New South Wales Government to reject a tender by Genting Berhad to operate the new Darling Harbour Casino, has the South Australian Government been kept informed of interstate corporate affairs and police investigations which led to that decision, to determine whether they affect Genting's direct involvement with the Adelaide Casino? Yesterday's decision followed a New South Wales Police Board report and an investigation in Western Australia. A report in yesterday's *Sydney Morning Herald* reveals that Western Australian Corporate Affairs and police investigators have recommended that charges be brought against three people involved in Perth's Burswood Island Casino complex, in which Genting is a prominent partner. The charges relate to making untrue statements or non-disclosure in a prospectus, and the furnishing of false or misleading information.

Two of those against whom charges have been recommended are Mr K.T. Lim, a son of the founder of the Genting Berhad Board, and Mr Colin Au, a Genting director. Both also have a direct link with the Adelaide Casino. They are directors of Genting (South Australia) Pty Ltd, according to official Corporate Affairs records. Genting (South Australia) Pty Ltd is a wholly owned subsidiary of Genting Berhad, and is managerial consultant to the operator of the Adelaide Casino.

In its application to the Commissioner of Corporate Affairs for incorporation in South Australia, the company stated that it was being formed specifically 'to provide technical services for the casino in Adelaide on behalf of the Genting Group of companies and will be a wholly owned subsidiary of the Genting Group with principally common directors'. Corporate Affairs records also reveal that, in the 12 months to December 1986, the company earned $2 146 067 from its link with the casino in South Australia. When the Premier was questioned about this link on 13 August last year he told the House that the involvement of employees of Genting in the Adelaide Casino required an approval which was 'rigidly enforced'. In asking the Premier whether the Government is aware of these interstate investigations, I would also urge him to immediately seek access to the reports of the New South Wales Police Board and the Western Australian Corporate Affairs and police investigators to determine whether they compromise the strict standards applied to any association with the Adelaide Casino.

The Hon. J.C. BANNON: I welcome the Leader of the Opposition to Question Time and welcome his question. It is a matter of some considerable importance, and certainly we will be asking some questions about both the Western Australian and New South Wales decisions. I am not completely sure of the details of the Western Australian decision, nor have I been briefed as yet on the New South Wales decision—which, as I understand it, was made only yesterday. However, I make clear that the Government deliberately stands at arms length from this process and should do so as required by this Parliament under the Act whereby direct Government control of the Casino would be seen as most undesirable. Indeed, I would oppose it and honourable members opposed it when the Bill was before the House, although they might have changed their minds.

The Casino Supervisory Authority has let the licence to the Lotteries Commission and at all stages of that process rigorous checks are made, including police checks, checks with Interpol, and checks by the Licensing Commission to validate all employees, and so on. Those checks and those procedures are being carried out rigorously. It is important that the general public understands that Genting Berhad, or rather its wholly owned subsidiary Genting (South Australia) Ltd, is not the owner, the developer or the operator of the casino.

Mr Olsen: It only takes away a couple of million dollars a year.

The Hon. J.C. BANNON: Yes. It provides substantial services, but I do not know the full analysis of the wages and other things provided for its advice. However, it is paid for those. Unlike the Burswood Casino, where it has been part of the development team and operates the casino fully, and New South Wales, where it was part of the consortium that proposed to operate the casino, Genting (South Australia) has no proprietary interest in the Adelaide Casino. Genting (South Australia) Ltd has been hired to provide technical advice and management services. Its remuneration is tied to the performance of the casino and the spectacular performance of the casino obviously assists Genting's remuneration, just as everyone else would benefit from it. That is an important distinction to make and to understand. We are dealing in this country with three separate operations by Genting Berhad.

Let me also put on record that the casino has been a spectacular success. There has been no cloud over its operations. Certainly, I have heard no complaints, reservations or doubts about the role that Genting has played in the provision of technical advice and management services. That is the position. Naturally, if we read reports such as this we should all be concerned, because casinos must be run to the highest ethical and proprietary standards. We will ensure that that is done and I believe that the machinery established by this Parliament to ensure that has so far proved effective and will be so proved in future.

CHILD-CARE CENTRE

Ms GAYLER: Can the Minister of Children's Services say whether there is any substance in the attacks by the member for Coles and the President of the Private Child Care Association on the Government's program to develop new child-care facilities, especially in the Tea Tree Gully area, and whether there are other reasons for claimed vacancies in some private child-care centres? The *News* of 5 October this year attacked the development of Government child-care centres, claiming that many private profit-making centres have long-standing vacancies, and the member for Coles questioned the development of additional child-care centres in the Tea Tree Gully area. However, the facts as put to me are that only 2.9 per cent of the children in the O-4 years age group in Tea Tree Gully have access to child-care. The owner of a private child-care centre (the Lady Emma Child-Care Centre), which is within a stone's-throw of one of the proposed new centres in Tea Tree Gully, has her centre full with a waiting list of 50 children. Indeed, that waiting list has been closed off and the owner assures me that there is no undue competition from existing centres or the proposed new centre.

The Hon. G.J. CRAFTER: I thank the honourable member for her important question. All members will be aware of the acute need in our community for child-care, and few people would refute the statement that the provision of high quality child-care is of great assistance in the furtherance of quality family life in our community and the pursuance of a whole range of opportunities for members of families, especially women, who otherwise could not participate fully in the life of the community by pursuing careers, further education, and the like.

I am sure that all members would also be aware that a virtual freeze was placed on funding for child-care during the Fraser years of Federal Liberal Government, and the restrictions placed on the Office of child-care at that time were quite in contravention of the 1972 child-care Act, which was brought into Federal Parliament by the late Sir Phillip Lynch as a means to encourage women to enter the work force during a period of full employment. When the Hawke Government came to power in 1983 it embarked on a program of providing 20 000 additional child-care places across this country and as a result of that all States have entered into agreements with the Commonwealth Government to provide child-care centres on a basis of agreed need in our community. That program is proceeding in this State as it is in all other States, and very confused statements are coming from the Opposition, at State and Federal level, on this matter. Even with the 20 000 child-care places provided under the joint Commonwealth-State agreement it is estimated that only 10 per cent of the potential need will be met in the provision of child-care in the Australian community.

As the member for Newland has said, in her own district there is still an acute need, so one must question the comments from some sectors of the profit-making child-care centre industry that currently 500 vacancies exist in the State's 35 private profit-making child-care centres. One must ask why that is so, because the cost to income earners in our community is very substantial for child-care in centres across the State. It is not a cheap exercise for families to embark on, as indeed I am sure all members will be aware.

However, I might clarify for the benefit of the House the planning process arrived at in this State and followed in other States for the location of child-care centres under the joint Commonwealth-State development program. It is based on the identification of the highest need areas. This procees seeks to identify relative levels of unmet need for centre based care in various areas. For example, in the Tea Tree Gully local government area there are 6 404 children aged 0-4 years. Currently, within this area there are 185 long day child-care centre places—one subsidised centre with 40 places and four private centres with a total of 145 places. This means that currently there are child-care centre places for around 2.9 per cent of the 0-4 year old children in the Tea Tree Gully local government area—well below the national average.

National labour force surveys indicate that on average around 30 per cent of mothers of children under five years

of age are in the work force either full-time or part-time. It can be seen that there is a large gap between the current availability of centre-based child-care and the estimated level of need for such care. The planning process therefore identifies a number of children under five years in an area and the existing number of child-care places (both private and subsidised), and compares the gap for various areas as a measure of unmet need. This results in a priority list of high need areas for the establishment of new centres. This initial statistical assessment is then the basis for the addition of local knowledge and experience from a range of sources, including Children's Services Office regional staff team and local consultation processes.

Final recommendations on high need areas are then developed by the South Australian Children's Services Planning Committee which includes representatives of the Commonwealth, State, local government and a range of community interest groups. The Planning Committee's recommendations are then forwarded to the Commonwealth Minister for final approval. Under the current three year development program, the Tea Tree Gully local government area has rated highly in the priority listing for new centres, given the large level of unmet need which still exists there. Two new centres will be established there by the end of 1988—one in Modbury and one in Surrey Downs. These will provide an additional 80 subsidised child-care centre places in that area.

KALYRA HOSPITAL

The Hon. JENNIFER CASHMORE: Will the Premier order an immediate review of his Government's intention to withdraw funding for the operation of Kalyra Hospital at Belair, in view of evidence gathered by the James Brown Memorial Trust, which runs the hospital, that clearly shows several errors were made by the Government in announcing the closure? The trust has pointed out to the Premier that the Government's overnight decision to withdraw funding—taken without prior consultation with the trust—is based on incorrect costings and incorrect assumptions. For example, the Health Commission's claim that $12 million would be saved which was needed for rebuilding is not correct.

Architects have quoted a figure of between $160 000 and $175 000 for upgrading, and the Premier knows that Kalyra has made no recent requests for building funding, but has improved facilities and equipment at its own cost. Secondly, the Health Commission made costing errors of about $200 000 in its calculations of potential savings through shifting care to other institutions, which had the effect of making the Government's proposal more financially palatable than is the case. Thirdly, Kalyra can implement savings to the Government of over $800 000 in a full financial year. The *ad hoc* nature of this decision is further demonstrated by the fact that the Government has now overturned its original proposal to shift hospice patients to Windana, because it has been forced, belatedly—

The SPEAKER: Order! I remind the honourable member of the point of order raised by the member for Murray-Mallee. I draw her attention to the amount of comment being introduced into explanation.

The Hon. JENNIFER CASHMORE: I point out that members of the Government appear to be able to make comment, whereas members of the Opposition appear unable to.

Members interjecting:

The SPEAKER: Order! I call the member for Fisher to order. The remark made by the member for Coles is very close to reflecting on the impartiality of the Chair and I ask her to either moderate it to such an extent that she makes her point without reflecting on the Chair or to withdraw it altogether.

The Hon. JENNIFER CASHMORE: I would not for the world reflect on the Chair, but I am saying it is a fact that the Government has accepted the advice of the health professionals that Windana is not suitable. It has in fact overturned its original proposal to move hospice patients to Windana. It is a fact and not an expression.

Members interjecting:

The SPEAKER: Order! The Chair, the Assembly and the member for Coles can cope in this matter without the help of the Deputy Leader. The honourable member for Coles.

The Hon. JENNIFER CASHMORE: In view of the community outrage over the Government's attitude toward this unique hospice facility, evidenced by today's rally and the collection of some 22 000 signatures, I ask the Premier to give consideration to a review of his Government's decision.

The Hon. J.C. BANNON: As I understand the situation at the moment, extensive negotiations are taking place. The Chairman of the Health Commission has formed a steering committee which will allow all interested parties to be involved in a transfer, and this will ensure improved facilities. I would have thought that in this instance members would be more concerned with those who are terminally ill, or who require hospice facilities of the highest standard, than with a particular institution. As a result of the Government's—

Members interjecting:

The SPEAKER: Order! Will the Premier resume his seat for a moment. The Chair has made it clear on numerous occasions that one of the things that cannot be tolerated is members drowning out another honourable member.

Mr Lewis interjecting:

The SPEAKER: Order! The honourable Premier.

The Hon. J.C. BANNON: I made the mistake of thinking that this was really a genuine question aimed at trying to elicit information and I think that anybody who saw the reaction of those members opposite would know just how cynical they are about this issue. They do not really care a damn about those people involved, about the staff or any other aspects; they just want to behave like yahoos. In the light of that, it is quite apparent that the Opposition is not serious in seeking information. I have a brief here. I was prepared—

Mr Olsen interjecting:

The SPEAKER: Order! I call the Leader of the Opposition to order.

The Hon. J.C. BANNON: The Leader of the Opposition turned up 15 minutes late for Question Time and he interjected on his own members for half the period. How ridiculous! No wonder Senator Hill says that the Liberal Party has lost direction, has lost any kind of mobility, and that it has no chance. What an indictment of five years of leadership of that kind! I have a reasoned and full brief which I was prepared to put to the House. In the light of this carry on, it is pointless to do that, and I believe that the honourable member should seek the answer in writing.

CHILD RESTRAINTS

Mr RANN: Will the Minister of Transport, through the Metropolitan Taxi Cab Board, ask the taxi companies to investigate the possibility of operating more taxis fitted with baby or child restraints? Recently, a constituent advised me

that she had difficulty finding a taxi fitted with a child restraint and that she had been advised by one major taxi company that only two cars in a fleet of hundreds were equipped with child restraints. My constituent also inquired about the legal position of travelling in a taxi with a baby or a young child without a proper or legally authorised restraint.

The Hon. G.F. KENEALLY: I thank the honourable member for his question. The legal position is that under the Road Traffic Act the regulations exempt a driver of a taxi licensed under any Act from the legal requirement to ensure that passengers under the age of 16 wear seat belts or are placed in child restraints. Therefore, legally, a taxi driver is not required to ensure that a passenger under the age of 16 is restrained by a baby capsule or seat restraints, etc. All motor vehicles that have been manufactured since 1 July 1976 are fitted with restraint anchorages and, therefore, all taxis that operate in the city at the moment would have the capacity to carry a child restraint, a baby capsule or any other suitable restraint.

I will take up with the Metropolitan Taxi Cab Board the question raised by the honourable member. I think that, having regard to the requirement placed upon the rest of the motoring public, a lot of people in the community would be interested in the question whether or not children travelling in taxis are indeed safe. I think it is fair to say that, by and large, they are safe. The safety record of metropolitan taxicabs in Adelaide is extremely good. Nevertheless, the potential always exists and I would like to see more taxicab operators carrying baby capsules, or providing for the protection of young children.

So, I will take up this matter with the Taxi Cab Board. In addition, I will ask the Road Safety Division to look at this whole matter and to ascertain whether or not it would be better to encourage the operators within the taxicab industry to provide safety measures for young children rather than requiring some action to be taken down the track to ensure that they do provide those safety facilities. One way or the other, I think it is reasonable for any Minister of Transport to indicate that a prime concern of the Minister is the safety of passengers in vehicles, particularly young children who are not able to make a judgment about their own safety and who rely on legislators or adults to provide safety measures for them. I am happy to take up the matter with my department and the taxicab industry to ensure that, in the first instance, more taxicab operators provide baby capsules or child restraints that ensure the protection of those youngest members of the community.

TOBACCO COMPANY SPONSORSHIP

Mr INGERSON: My question is directed to the Premier, as the Minister of Recreation and Sport has been absent for all of Question Time. In view of the Minister of Health's announcement this afternoon that the Government is to phase out tobacco company sponsorship of sporting events, can the Premier give sporting organisations currently receiving this support an unequivocal commitment that the Government will ensure that they do not suffer any financial loss as a result of this decision?

The Hon. J.C. BANNON: The answer is 'Yes', and in fact the Minister of Recreation and Sport has released a statement to that effect.

SENIOR CITIZEN TRAVEL CONCESSIONS

Mrs APPLEBY: Can the Minister of Transport confirm whether any steps have been taken to make concessional travel more accessible during Seniors' Week? This year, Seniors' Week will be celebrated in South Australia from 21 to 31 October, and many activities are planned which will involve senior citizens in arts, recreation and many other activities. I have received a number of inquiries as to whether the STA would be prepared to extend its concessional time beyond the normal 3 p.m. Many of the official and community activities set down on programs extend beyond the 3 p.m. deadline. Concern has been expressed that some senior citizens might have to curtail their participation to ensure that they meet the 3 p.m. time limit.

The Hon. G.F. KENEALLY: Traditionally, the STA has provided an extension in the travelling time for senior citizens during Seniors' Week, to allow senior members of the community to extend their concessional travel into peak period time. With the introduction of the Crouzet ticketing equipment, that facility is no longer available to the STA, but I can assure the honourable member that the STA, which is always a good neighbour and concerned about assisting people in the community to go about their business, particularly in a week such as Seniors' Week, has offered to provide an even better facility. I have been contacted by the secretary of the organising committee for Seniors' Week, and I have responded to him with the advice that during Seniors' Week the STA will provide peak period tickets—multi-trip tickets—for the concessional fare. Therefore, senior citizens can avail themselves of a multi-trip ticket, which will give them access to travel at all hours of the day at the concessional rate. Of course, when people purchase a ticket they will have to provide evidence that they do in fact qualify for a concessional ticket. This information should be made available as widely as possible, and I assume that organisations involved in Seniors' Week will do that. I would certainly encourage the honourable member and other members of the House to let their constituents know of this facility that the STA will provide during Seniors' Week.

BLF

Mr S.J. BAKER: My question is to the petulant Premier.

The SPEAKER: Order! The honourable member has achieved the remarkable feat of introducing comment in about his first six words. If he continues in that vein, I will withdraw leave. The honourable member for Mitcham.

Mr S.J. BAKER: In view of the action taken in Victoria yesterday against the Builders Labourers Federation on grounds which include the provision of funds to the union from Libya, will the Premier initiate an investigation into this union's assets and their use in South Australia, particularly to determine whether any funds from Libya have been diverted to this State?

The SPEAKER: The honourable Minister of Labour.

Members interjecting:

The Hon. FRANK BLEVINS: I am not feeling pensive at all—I am all right! It is surprising that this was not the first question asked. However, I noticed that some members of the media were running a little late in arriving at the House, so obviously a couple of fairly light-weight questions were asked before the Leader asked the Premier a question and the member for Mitcham asked this very important question. Members of the media can rest assured that Question Time will be manipulated to the best of the Opposition's ability to suit their timetable; if members of the media are running late they can ring ahead and the business of the House will stop until they arrive.

Members interjecting:

The Hon. FRANK BLEVINS: I am about to do that. The action taken in Victoria is a matter for the Victorian Government, which obviously feels that it has reason to take action under legislation which has passed its Parliament. We in this State have absolutely no reason to emulate the Victorian Government's actions, either by way of legislation or police action. The Australian Building and Construction Workers Federation is a State registered union with the South Australian Industrial Commission.

Mr S.J. Baker: That makes it respectable?

The Hon. FRANK BLEVINS: So far as I am concerned, yes. There is absolutely no evidence, information, or even a suggestion (apart from the ones made frequently by the member for Mitcham—and one can hardly act on them), and no reasons or inferences that would give the Government cause to act in a way similar to the way in which the Victorian Government has acted.

Mr S.J. Baker: Are you saying to me that they brought no money into this State from Victoria when they were in difficulty?

The Hon. FRANK BLEVINS: Well, I will respond to that interjection as much as I can; there is no suggestion that any illegal transactions have taken place in this State. There is no suggestion that money has been moved illegally into Victoria, or into secret bank accounts. However, if that proves to be the case, I would think that the Victorian Government will produce evidence of that. It appeared to me from media reports last night that the Victorian Government is handling this matter very thoroughly indeed. If there is any indication that the Australian Building and Construction Workers Federation in South Australia is involved in any illegal activity through the Victorian branch, I am quite sure that evidence of that will be brought to light.

The Australian Building and Construction Workers Federation is a union registered with the commission, an affiliate of the Trades and Labor Council and an affiliate of the Australian Labor Party and is, so far as I am concerned, without a stain on its character. If the Opposition has information that shows that this federation has a stain on its character, then members opposite can stand in this place under parliamentary privilege and present that evidence to the Parliament; they can give the evidence to me, take it to the police, or take it to the President of the Industrial Commission. Very many avenues are open to them, so it is not just a question of coming in here with innuendo. Let us have some allegations; let us have some facts to back up those allegations, and I can assure honourable members that the Government will act on those allegations—if there is any substance whatsoever in them.

ARTS PROGRAMMING

Mr DUIGAN: Further to the comments of the Minister for the Arts at the launching of the 1988 season of operas for the State Opera Company last week about the duplication of effort and resources caused by the mounting by the Melbourne Theatre Company of a production of *Sweeney Todd* on the same weekend as the outstandingly successful State Opera production completed its season, will the Minister seek to have placed on the agenda of the next Arts Ministers conference a proposal for a cooperative State effort to ensure that the forward programming of theatre and opera companies from each State is cleared through an agency such as, for example, the Australia Council, to ensure that particularly successful State productions can go on national tour and that audiences will be exposed to a wider variety of high quality productions?

The Hon. J.C. BANNON: I thank the honourable member for his question. Certainly, the issue that he raises is one that is becoming increasingly important to deal with at a national level, as funding constraints by Government make it necessary for all those companies which enjoy State subsidies to cut their costs, to develop efficiencies and, most importantly, to raise their income, their revenue potential from audiences, co-productions and things of that nature. The instance to which the honourable member refers I think was one of the most blatant of recent instances. I certainly agree with him that it is a matter which ought to be considered by the conference of Arts Ministers, and I will take up his suggestion about having the matter listed.

Whether or not one can constrain companies in their choice of offerings is another matter. I do not know that it will be possible, for instance, to enforce some sort of clearing house proposal; but there is certainly much more that can be done in terms of exchange of production and consultation about programs. There have been some quite successful recent examples. The instance the honourable member mentioned of *Sweeney Todd*, with two productions being mounted within a matter of weeks of each other, is one of a breakdown in this area, because I think that anyone who saw the *Sweeney Todd* production by the State Opera will agree that it was of international standard and could tour anywhere in Australia or overseas and hold its own. If Melbourne were to see a production of *Sweeney Todd*, there it was, ready to go. But, of course, looking at the successful examples, the opera *Countess Maritza*, the hit of the opera season a couple of years ago, has since been successfully mounted in Victoria and will also be an Australian Opera offering, again using some of the material, scenery and other things connected with productions in Adelaide.

So, there is a lot of scope for exchange of productions, for tours and for a general sharing of resources among our State companies. I hope that we can encourage it. Only today, the program for the State Theatre Company for the coming year was announced, and it is a very exciting program indeed. The Artistic Director, Mr Gaden, said in that context that, whereas this year we have received a couple of productions from Sydney, of the offerings next year a couple will in turn be going to Sydney in 1989. So, already we can see these exchanges beginning to take place, although I think we should try to do much more about them because they can lower the general overheads of these companies, thus their dependence on State financing.

BLF

Mr BECKER: My question is to the Premier. I refer to the following statement by Mr Norm Gallagher on ABC television news on 6 February 1986:

> My instruction to the South Australian branch was to make sure that they worked for the return of the Bannon Government because the Bannon Government, they have done the right thing by the BLF. It hasn't supported deregistration proceedings and, as far as I am concerned, a Government that does that needs our support and should get it.

Is the Government's reluctance to investigate the assets of the union in this State due to the fact that the Government has benefited from those assets as the result of BLF donations to the Australian Labor Party?

The Hon. J.C. BANNON: I assure members that our attitude to the BLF in South Australia is not influenced one way or the other by Mr Gallagher's opinion of it or of our Government: it is related purely to the way in which the BLF has operated in this State. As the Minister of Labour has already explained, we have no cause for concern about

the way in which that union has operated in South Australia. We have always said that, if there were such cause, we would obviously have to consider the necessary proceedings. However, in saying that, I might add that we have the support of the industry in South Australia.

Indeed, it is interesting that organisations such as the Master Builders Association, which I imagine is not a great friend of Mr Gallagher (and I doubt whether that association would attract his endorsement one way or another), has not supported deregistration proceedings in this State. Why does the Opposition seek to plunge our building industry into turmoil just for the sake of ideological posturing? That is all it is trying to do. The disappointment of members opposite that we have not had builders labourers' turmoil in South Australia, a high level of deregistration proceedings, and so on, is clear for all to see. However, I am not disappointed. The more our building industry can remain productive and active the better and, as the Government, we will not stir up trouble. I wish the Opposition would stop doing so, too.

GOLD MINING

Mr ROBERTSON: In view of the continuing relatively healthy price of gold, can the Minister of Mines and Energy say whether this has resulted in an upturn in gold exploration generally in South Australia and whether, in particular, it is likely to affect the rate of development at Roxby Downs?

The Hon. R.G. PAYNE: Probably the only indication in this House of any mirage is in the minds of Opposition members: that they will return to this side of the House if they continue to perform as they are performing.

Mr Gunn: Was the Minister on the Roxby Downs select committee or not?

The Hon. R.G. PAYNE: The honourable member knows full well that I was co-author of a report on that matter. I stand by what is in that report and I have repeatedly stood by it. I still believe that the industry can be safely regulated and that it will be better regulated by a Labor Government, and that is what we are doing. There does not seem to be any problem there.

The Hon. E.R. Goldsworthy: What about the uranium going into—

The SPEAKER: Order! I ask the Minister not to respond to interjections and the Opposition to cease interjecting.

The Hon. R.G. PAYNE: I shall continue to try hard to abide by your rulings, Mr Speaker, as I always do. I thank the honourable member for the question. Considering the scale of the Roxby project, on which $800 million or more will be spent by the time production commences in mid-1988, it is not likely to be easy to change the arrangements already in place or being implemented. The metallurgical, chemical and mining processes involved would mean that it would not be easy to decide suddenly to go for a greater gold output than that originally estimated.

On the throughput provided for there should be a return of copper, uranium and gold. A production rate of 90 000 ounces of gold a year is currently being considered. The price of gold today is over $A636 an ounce if I have converted correctly from the pound sterling. It would certainly seem to be an attractive approach, I guess, for any miner to maximise gold production. However, I am quite certain that whatever can be done in this direction will be done by the joint venturers. That naturally will depend to some extent on the ore being handled and the grades that run in that ore.

The honourable member also asked about the broader issue of gold exploration generally in South Australia. A general upturn in activity is reflected in the level of expenditure on gold exploration in our State, although the figures are not large, as can be seen. In 1985 actual expenditure on gold exploration was almost nil. In 1986 expenditure was $929 000, and for the first nine months of 1987 it has already reached $942 000. If that level is maintained—

An honourable member interjecting:

The Hon. R.G. PAYNE: Yes, Tarcoola is in there as well. If this level of expenditure is maintained, I guess it will come out at about $1.2 million. Compared with Western Australia's expenditure, this figure is small, but I point out that there has been an upsurge in expenditure on gold exploration activity. Although statistics are not specifically gathered, we know that there has been considerably more activity on leases in South Australia.

MINISTERIAL STATEMENT: DOMINGUEZ BARRY SAMUEL MONTAGU LTD

The Hon. LYNN ARNOLD (Minister of State Development and Technology): I seek leave to make a statement.

Leave granted.

The Hon. LYNN ARNOLD: I apologise that there are not many copies of this statement, but I wanted to get it to members as early as possible.

On 24 September during the Estimates Committees the Deputy Leader of the Opposition requested that a letter be tabled from Dominguez Barry Samuel Montagu Ltd relating to the terms of the consultancy or arrangement between the Department of State Development and that firm. I indicated on that occasion that I would table it. I therefore table today a letter dated 28 November 1986, addressed to the Director, Department of State Development, from Mr Stephen Higgs, of Dominguez Barry Samuel Montagu Ltd.

SITTINGS AND BUSINESS

The Hon. D.J. HOPGOOD (Deputy Premier): I move:

That the time allotted for all stages of the following Bills:
Real Property Act Amendment Bill (No. 2),
Summary Offences Act Amendment Bill,
Jurisdiction of Courts (Cross-vesting) Bill,
Agricultural Chemicals Act Amendment Bill,
Road Traffic Act Amendment Bill (No. 2), and
Racing Act Amendment Bill—
be until 6 p.m. on Thursday.

Motion carried.

The SPEAKER: Call on the business of the day.

CHILDREN'S SERVICES ACT AMENDMENT BILL

The Hon. G.J. CRAFTER (Minister of Children's Services) obtained leave and introduced a Bill for a Act to amend the Children's Services Act 1985. Read a first time.

The Hon. G.J. CRAFTER: I move:

That this Bill be now read a second time.

It relates to the provisions of the Children's Services Act 1985, for incorporation of children's services centres upon registration under Part III Division IV of the Act.

Children's services centres may apply to the Director of Children's Services to be registered under the Act. By virtue of section 42 (4) of the Act, 'a registered children's services

centre shall be a body corporate with the powers and functions prescribed by its constitution'.

The transitional provisions in the first schedule to the principal Act provide that kindergartens registered under the repealed Act will be deemed to be registered under this Act and therefore, by virtue of section 42 (4), are incorporated under the new Act. Some of these kindergartens were already incorporated under the Associations Incorporation Act 1985. In the opinion of the Crown Solicitor this apparent dual incorporation gives rise to some doubts and confusion and is also of concern to the Commissioner of Corporate Affairs. It is clearly cumbersome for preschool centres to be required to comply with the provisions of two different Acts with respect to their incorporated status.

This amendment will therefore have the effect of terminating the incorporation under the Associations Incorporation Act 1985 of those existing preschools. These centres will henceforth derive incorporated status solely from the Children's Services Act 1985. In practice, this will involve no change to their current mode of operation, responsibilities and functions, or constitution, as they are of course already operating under the Children's Services Act 1985. The amendment also makes no change whatsoever to the status of any real or personal property currently vested in local preschool centres. It in fact resolves an uncertain situation arising from dual incorporation. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 provides for the commencement of the Act to be retrospective to the commencement of the principal Act. Clause 3 amends section 42 of the principal Act. New subsections (4) and (5) make it clear that upon incorporation of a Children's Services Centre under the principal Act incorporation under any other Act ceases.

The Hon. E.R. GOLDSWORTHY secured the adjournment of the debate.

REAL PROPERTY ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 9 September. Page 828.)

Mr MEIER (Goyder): The Opposition supports the Bill. It reflects the provisions which were enacted two years ago to allow the lodging at the Lands Titles Office of standard terms and conditions of mortgages. This Bill deals with standard terms and conditions of leases. At present, as members would know, when leases are lodged at the Lands Titles Office for registration they are required to contain all terms and conditions applying to that lease. In respect of shopping centres, for example, the bulk of the lease contains what may be regarded as standard terms and conditions. The Bill provides that, instead of registering a lease with all those standard terms and conditions being part of it, it is sufficient to register a lease which refers to standard terms and conditions which have previously been deposited with the Lands Titles Office. This means that leases may refer to the standard terms and conditions lodged at the Lands Titles Office without necessarily having them printed in the lease actually registered.

The Bill provides for a copy of the standard terms and conditions of the lease to be handed to the lessee when the lease is signed. The Opposition believes that this procedure will be particularly helpful for large developments such as shopping centre developments and office buildings where there are numerous leases for premises within those developments and, as a result, the Opposition has no problems with the Bill.

Members may recall that a similar Bill brought in similar conditions back in 1985, so the provision has had two years to be tested. Now, instead of bulky mortgage documents being deposited at the Lands Titles Office, thereby occupying a considerable amount of space and requiring on each occasion of the preparation of a lease that those standard terms and conditions be incorporated in all copies of the documents, including those which went to the mortgagee, the standard terms and conditions of the mortgage are handed to the mortgagee and the mortgagor and are available for perusal by any member of the public at the Lands Titles Office. The Opposition supports the Bill.

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for its indication of support for this measure.

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

SUMMARY OFFENCES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 9 September. Page 828.)

Mr D.S. BAKER (Victoria): I mentioned a few weeks ago in my Address in Reply speech the difficulties of indexing Acts when the title of the Act has been changed. The same point applies to the Summary Offences Act and the Police Offences Act to which I once again draw the attention of the Minister and the Premier. I find it very difficult, if I do not know the title of a principal Act, to follow it back through history and find the amendments. This Bill, however, repeals section 73 of the principal Act which provides that a member of the Police Force may, whenever he thinks proper, enter into any place of public entertainment and order any common prostitute, reputed thief or disorderly person in that place of entertainment to leave it. The Bill inserts a new section 73 in the Act.

The reason given for the change in the law is the case of *Brander v Lovegrove*, in which the Supreme Court interpreted the words 'disorderly person' as meaning a person known to have the characteristic of behaving in a disorderly manner, either generally or, in the case of this amendment, in a set of specific circumstances. The decision comes from the fact that 'disorderly person' is contained in the same phrase as 'common prostitute' or 'reputed thief', so that, in the court's mind, 'disorderly person' falls into the same definition as a person generally known to be disorderly. This interpretation by the Supreme Court has placed the police in a difficult situation in controlling disorderly behaviour in places of public entertainment.

The new section provides that a member of the Police Force may enter a place of public entertainment and order any person behaving in a disorderly or offensive manner to leave, or that officer may use reasonable force to remove any person behaving in such a manner. We have no disagreement with the amendment, but in covering the loophole of *Brander v Lovegrove* in section 73, it could remove long-term powers which the police have held and which, although used only very sparingly in the past, may nevertheless be in the interests of the community.

The first power the police had under the old section 73 was to order any common prostitute or reputed thief to leave any place of public entertainment. The second reading explanation clearly outlines the reason for the Government's decision, as follows:

> The Government considers it is untenable that a person can be deprived of the ability to attend at a place of public entertainment merely on the basis of an occupation or reputation.

Nevertheless, I will be questioning the Minister on the reasons why, in changing the disorderly behaviour section, we are not continuing to protect the community with the police having power to remove known criminals or reputed prostitutes from places of public entertainment, and I will be giving the Minister some examples that I would like him to explain. There have been no difficulties in past years of reported abuse of this power, which the police have held for many years. Having undertaken some research, I have found that all other States still have this clause in their Summary Offences Act or, in some States, their Vagrancy Act.

That is why I would like the Minister to explain why the Government has chosen to remove that provision. In 1985 the Police Offences Amendment Act removed subsection (4) of section 73, which related to the definition of places of public entertainment, and it included that definition in the definition clauses of that Act. As a result, the new definition of 'places of public entertainment' makes no difference to the general thrust of this Act.

The only point I raise is that, if the power of the police is restricted only to the defined places of public entertainment, that may not go as far as we would require it in this changing world. For example, would the police have the right to remove a person who acts in a disorderly manner from the Grand Prix stands or from the track itself, or even from the public entertainment that is conducted in Hindley Street? Those parties have become quite famous and only last year there was quite a bit of publicity relating to the disorderly nature of that function. I would not like to see the powers of the police to remove troublemakers from that area taken away.

Further, the Anzac Day march is a function of public interest but, under the Act, it may not be defined as a place of public entertainment. I believe that, at all functions in which the public show an interest, if they are places of public entertainment, people have the right to be protected. I suggest that the Minister examine the question with a view to redefining the definition of 'public entertainment'; a more appropriate definition would be 'in a public place'. Indeed, in many of the Acts in other States this clause is supported by the words 'a public place' and not just 'a place of public entertainment'. I trust that the Minister will examine the points that I have made. I believe that, in order to protect the public generally, it is most important that the police have the widest powers possible. I support the second reading of the Bill and I ask the Minister to examine the questions that I have raised.

Mr OSWALD (Morphett): Generally, I support this legislation. It enables police officers to remove from places of public entertainment persons who have behaved in a disorderly manner and it enables police officers to order certain persons who are in that place of public entertainment to leave it. Further, the definition I have of 'a place of entertainment' includes:

> Any premies or place open to the public, whether on payment of money or not, and kept or used for any entertainment, amusement, sport, game, or contest.

My question relates to how we interpret the definition of 'place of public entertainment'. Is it a place that is open to the public, whether or not people pay to enter those premises that are used for the amusement, sport and recreation of the public?

I am pleased to see that a 24 hour ban has been inserted in the Bill whereby a police officer can now reasonably use force, if necessary, to remove a person who behaves in a disorderly or offensive manner and, if a person returns or attempts to re-enter that place of public entertainment within 24 hours of leaving or being removed, that person has committed an offence and the police can then remove that person. I would have liked to see the principle of the Bill extended further to give power to the police to remove for a period of 24 hours anyone who is loitering in any public place, whether it be a street or a place of public entertainment. The Minister may be of assistance, but at the moment I believe the police have certain limited powers whereby they can move people on in the street, but they do not have their former powers whereby they could actually say to a potential offender, 'You are banned from this street or park for 24 hours.'

Mr S.G. Evans interjecting:

Mr OSWALD: I was advised that it was done during the Dunstan regime. I think that ideally that matter could be addressed in this Bill. It is terribly important that the police have this 24 hour power. I am pleased to see that that power is incorporated in relation to areas classed as 'public entertainment'. If it is not already provided in the Bill (and the Minister can clarify that), perhaps there could be a future amendment to the Summary Offences Act to allow police officers to move people on and, if those people act in a disorderly manner, to ban them from public roadways and public areas that do not come under the definition of 'place of public entertainment'.

I cite the example of Colley Reserve at Glenelg, which is used as a public park at some times of the year and it is used also as a place of public entertainment, for sport, entertainment, amusement, games and contests, which all come under this definition of 'a place of entertainment'. I assume that at certain times of the year Colley Reserve is a place of entertainment within the definition of the Act. Does that now mean that, under the new provisions, if someone acts in a disorderly manner, the police will be able to ban those people from places such as Colley Reserve for a period of up to 24 hours because, if that is the case, that has rolling ramifications along the seaboard.

Wherever there is a public park to which people have access, whether or not by payment of money, if it is used for entertainment, amusement, games, sports and contests, and if a larrikin element moves into those areas, as has been the case in Glenelg, this Bill will give the police the power to remove those larrikins for a period of up to 24 hours and, if those people return, they will commit an offence. If that is the final result of this legislation, whether or not by mistake, I am delighted but, if that is not the situation, I urge the Government to introduce an amendment containing suitable wording so that that position is created. Otherwise I support this legislation.

The Hon. G.J. CRAFTER (Minister of Education): I thank those members who have indicated their support for this legislation. The Government has introduced the legislation at this time because of the inadequacies in the present legislation which were highlighted in the decision in *Brander v Lovegrove*, and which was referred to in the second reading explanation. This Bill provides not only for an extension of the powers of the police but also for some definition of those powers. I can only suggest to the member for Victoria that this form of words and approach were arrived at after

consultation and it has been the subject of review in another place. I can only say that the Hon. Mr Griffin takes a different view to that of the member for Victoria. The Hon. Mr Griffin in the debate in another place said that he discussed this matter with others, including the police, and he is happy with the way in which this legislation—

The DEPUTY SPEAKER: Order! I must interrupt the Minister. Unfortunately or fortunately, whichever way we look at it, the Standing Orders do not allow the Minister to refer to a debate in another place.

The Hon. G.J. CRAFTER: Thank you, Mr Deputy Speaker. I apologise to the House for that indiscretion. I suggest to the honourable member that members in this place, as well as other people outside it, have been involved in the formulation of this approach to cover the difficulties that arose following the decision in *Brander v Lovegrove*. In respect of the comments made by the member for Morphett, it is my reading of the law that areas such as Colley Reserve would in fact come under the ambit of the legislation in the circumstances to which he referred. I will have the matter referred to the Attorney-General, and if his view is at variance with mine on this matter I will provide details to the honourable member. In general, this matter clarifies the law and provides that additional capacity for the police to provide for orderly arrangements for those who enjoy public entertainment and other public gatherings and congregations of people in our community, so they can attend and enjoy the proceedings without any disorderly interruptions.

Bill read a second time.

Clause 1 passed.

Clause 2—'Power of police to remove disorderly persons from places of public entertainment.'

Mr OSWALD: I refer to the definition of 'place of public entertainment'. During the second reading debate I asked whether a park such as Colley Reserve—

The Hon. G.J. Crafter: And I answered it.

Mr OSWALD: I apologise to the Minister; I did not pick up the answer. Would the Minister be good enough to repeat it for me now?

The Hon. G.J. CRAFTER: During my second reading reply I mentioned the matter that the member for Morphett had raised in respect of Colley Reserve and other similar situations. I shall clarify that matter. Under the Places of Public Entertainment Act a 'place of public entertainment' is defined as:

> . . . any place whether enclosed, partly enclosed, or unenclosed where a public entertainment is held and any buildings, premises or structures that comprise, include or are appurtenant to that place.

My view is that that covers areas such as Colley Reserve. Therefore, the amendment that we have before us would apply in those circumstances. However, I will have the matter referred to the Attorney-General and have that view confirmed or otherwise. If his view is to the contrary, I will advise the honourable member accordingly. I think it is quite clear that areas like Colley Reserve, when used in circumstances to which the honourable member has referred, fall within the ambit of this amendment.

Mr D.S. BAKER: The Minister has referred to the definition of 'place of public entertainment'. Because of the clarification that the member for Morphett and I require I want to read into *Hansard* the definition of 'public place', which is as follows:

> *(a)* every place to which free access is permitted to the public with the express or tacit consent of the owner or occupier of that place;
>
> *(b)* every place to which the public are admitted on payment of money, the test of admittance being the payment of money only; and
>
> *(c)* every road, street, footway, court, alley or thoroughfare which the public are allowed to use, notwithstanding that that road, street, footway, court, alley or thoroughfare is on private property.

The member for Morphett quite rightly asked a question about the Colley Reserve. I would have thought that in relation to defining where offences might occur the use of the description provided in the definition of 'public place' would make the position clearer. Is the Anzac Day march considered to come under the purview of 'place of public entertainment'? Can offenders be moved on or apprehended for disorderly behaviour?

The Hon. G.J. CRAFTER: It is my view that circumstances in respect of disorderly behaviour on the part of those who, presumably, are viewing an Anzac Day march rather than those participating in it are covered under other clauses in the Summary Offences Act, which provide powers for the police to deal with persons in that situation. Clearly, that would then provide the remedy that the honourable member seeks.

Mr LEWIS: Will the Minister clarify the position in yet another category of person who might be involved in the event on the day, and I refer neither to those who are observing in a formal lawful way—or even in a disorderly way for that matter—nor to those who are marching, by prior arrangement, as a consequence of their eligibility to do so (having served this nation overseas in war, or indeed on this country's shores) but to those who wish to disrupt the proceedings, who want to participate and disrupt the march and prevent it from continuing and who, therefore, are not in the category of observers.

The same thing would apply, of course, as I would envisage it in due course, when those madcap elements that we have in society decide to give particular emphasis to the John Martin's Christmas Pageant—because it is a celebration of Christmas, the birthday of Christ—and attempt to disrupt that. I should not think that that is as far away as many members would like to pretend. I would not be surprised if an attempt to disrupt that was made before the turn of the century. I know of plans that have been made in the past to disrupt functions like the Anzac Day march. So, I ask the Minister to comment on whether or not the law intends to make it possible for the police to prevent people who wish to disrupt Anzac Day marches from doing so.

The Hon. G.J. CRAFTER: I can add little to the explanation that I gave to the member for Victoria when I referred to the other sections of the Summary Offences Act, in particular, section 18. I ask the honourable member to peruse that section; I think that will provide the remedy that he seeks in those circumstances. However, I hope that the honourable member's rather gloomy predictions are wrong in these circumstances.

Mr D.S. BAKER: Can the Minister tell us whether this provision will catch anyone acting in a disorderly or offensive manner at the Grand Prix? Some of the stands that have been erected are on private property, so what happens if a person acts in an offensive or disorderly manner in those areas? Does this amendment to the Act cover that case?

The Hon. G.J. CRAFTER: Yes, it certainly does cover people in that situation. For the purposes of the Grand Prix, for example, those places involved come under the purview of the provisions of this legislation.

Clause passed.

Title passed.

Bill read a third time and passed.

JURISDICTION OF COURTS (CROSS-VESTING) BILL

Adjourned debate on second reading.
(Continued from 7 October. Page 1034.)

Mr OSWALD (Morphett): The Opposition supports this Bill as a means of establishing a mechanism to overcome problems that have arisen out of certain jurisdictional matters. Some of these problems go back to the establishment of the Federal Court and the Family Court in the mid-1970s. This legislation will establish a system of cross-vesting of jurisdictions between State Supreme Courts, the Supreme Courts of the Territories and Federal Courts. It seems common sense to a layman that, when a matter is before a court and some issues come under the Federal law and some under State law, the court handling the matter should be able to deal with all issues before it and should not be prevented by questions of jurisdiction from making orders.

The Federal Family Law Act gives jurisdiction to the Family Court, and the Federal Trade Practices Act gives jurisdiction to the Federal Court. It has become apparent since the mid-1970s that uncertainties exist as to whether cases should be heard in the State Supreme Court or in one of the two Federal courts; it has been a case of which court has the jurisdiction. For example, a case involving a husband and wife might have been before the Family Court but might not have directly concerned family law, so it would have been better dealt with in the State Supreme Court. Similarly, a Federal court case might have involved trade practices but the defendant might wish to rely on common law rights, which ought to be dealt with in the State Supreme Court.

In cases where the two Federal courts have not been able to reach a decision, that has resulted in the parties before the courts not receiving the justice that they deserve from our complex legal system. Any delay, either long or short, invariably leads to uncertainty, and almost always leads to increased costs when constitutional points are argued before the courts. It also leads to inconvenience for the parties, who sometimes have to commence proceedings again before some other court.

From my reading of the second reading explanation I gather that, under the Federal Constitution, the Federal Court exercises jurisdiction that is within the power of the Commonwealth. Decisions over the past two or three years have indicated that, where a matter comes before the Federal Court and part of the issue is Federal and part is State, the Federal Court can make a decision based on matters that traditionally have been the jurisdiction of State Supreme Courts. However, the converse does not apply. A simple but impracticable solution (and I emphasise 'impracticable') would be to abolish the Family Court and the Federal Court and revert to having all matters dealt with by the State Supreme Court with appeals to the High Court. However, we cannot turn the clock back; I acknowledge that, and I cannot see the Commonwealth relinquishing any controls vested in it.

The Bill provides a practical solution which, with the good will of all participating courts, should work quite well despite the fact that in the past the scales have tended to be weighted in favour of Federal Courts to the detriment of the State Supreme Courts. When this Bill was in another place the Opposition expressed concern about it. However, with the cooperation of the Attorney-General, the matters of concern were attended to before the Bill was transmitted to this House. The Attorney-General advised members of the other place that he would examine the definition of 'special Federal matter' before we received the Bill in this place.

I have received from the Attorney-General a letter which refers to this legislation and to the definition of 'special Federal matter' in clause 3 *(i)*. The letter contains an assurance which is sufficient to satisfy us that there will be no difficulty in future in relation to this matter. It states that Parliamentary Counsel has agreed to include in the Act when finally printed a note as to the meaning of 'special Federal matter'. The Opposition accepts that assurance and in that case has no further difficulty with that definition.

The Law Institute of Victoria (and I presume a similar situation applies in South Australia) has suggested that the Victorian Parliament and the Parliaments of other States and the Commonwealth should get together to consider procedures whereby barristers and solicitors admitted to practice in one State of Australia or the Commonwealth are automatically admitted to practice in other States. However, this is another matter worthy of the Government's attention in future if it has not been addressed in the past. The Opposition supports the Bill.

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for its indication of support for this measure, which provides for the cross-vesting of jurisdiction between the courts of this country. This legislation will bring about substantial reform in the area of procedure and will provide an easier form of having matters resolved. In the past there was often a good deal of complication and duplication in matters. The courts exist to serve the law and the community and this provision will enable them to do that in a much better way.

The second reading explanation contains a warning to the courts to remain ruthless in their exercise of transferral powers to ensure that litigants do not engage in forum shopping by commencing proceedings in what they perceive as appropriate or inappropriate jurisdictions. This matter obviously will have to be monitored carefully. Such risks come with the freedom and new approach provided for in this legislation. I hope that they will be minimal, or non-existent. However, that warning is an appropriate one which I pass on to all members.

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

ROAD TRAFFIC ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.
(Continued from 10 September. Page 910.)

Mr INGERSON (Bragg): I rise to support the first section of this Road Traffic Act Amendment Bill but to oppose the second section. The first section deals primarily with rear vision mirrors and their extension beyond a width of 150 mm on both sides of a vehicle. The present anomaly in the regulations needs to be corrected in line with the national provision, and we support that measure.

However, the second section of this Bill seeks to enable members of the Police Force or inspectors, for the purposes of determining any of the masses to which this Act relates, to direct the driver or other person in charge of the vehicle to drive the vehicle, or cause it to be driven to be weighed or to a particular place where the vehicle can be weighed. We are opposing this section principally on the ground that we believe that the situation is one involving the individual driver refusing to stop and to have his vehicle weighed.

In opposing this amendment, under no circumstances does the Opposition (or the industry) condone overloading, and is of the view that there is a gross disregard of vehicle mass limits and that such disregard should be eliminated at all costs. As you would be aware, Mr Deputy Speaker, there are very stringent rules set now for overloading, and the Opposition supports those rules. However, in this instance, we believe that there is an extension of police and inspectorial power beyond the level we believe should occur.

I note from the Minister's speech the decision to increase police powers in this way and not to increase the penalties on the driver for refusing to stop or refusing to weigh. In Committee it is the Opposition's intention to move an amendment which will, in effect, increase the penalty for refusing to stop from $1 000 to $5 000, and also to include a clause which would introduce disqualification of a driver up to a maximum period of three months. It is the Opposition's view that this is the best way to handle this practice and, as I said earlier, we will be opposing this provision in the Bill.

Having contacted the industry widely, I would like to read into *Hansard* two supportive documents which represent, principally, the concern of the industry. One is from an individual and the other from the organisation of SARTA, which primarily represents the transport industry. I quote from comments made by SARTA, as follows:

The industry does not condone overloading, and is of the view that gross disregard of vehicle mass limits ought to be eliminated. Before addressing the question of granting police the power to seize a vehicle, the following comments/questions are listed for consideration:

> In the event of the police being empowered to seize a vehicle it is seen that that authority must be limited to instances where a driver refuses to stop his vehicle for the purpose of having it weighed, or refuses to subject the vehicle for weighing.
>
> By limiting the authority accorded to the police, it is seen that any action taken would be limited to drivers/companies who knowingly are in breach of the legal mass limits.
>
> (Obviously any vehicle that was grossly overladen would be required to make arrangements to off-load sufficient cargo to enable the mass limits to be complied with, and separate arrangements made to transport the off-load cargo to its final destination).

For various reasons, as listed hereunder, it is seen that it would be preferable if an alternate approach could be adopted to eliminate overloading:

> Consideration needs to be taken to ensure that truck owners, drivers, cargo owners, underwriters and community interests are preserved.
>
> It has yet to be established, or addressed, whether the underwriter's insurance coverage of the truck or cargo would be made void in the event of the police seizure of the truck, and the driving, or by giving authority to drive the vehicle without the authority of the owner of the truck, or owner of the goods.
>
> Legislation calls for a driver to be supervised and, in certain circumstances, trained to handle certain goods, particularly hazardous goods.

'Legislation' referred to there means legislation other than this amending Bill. The document continues:

The proposal does not address this requirement, nor is consideration given to how a nominated driver, or policeman, be selected to drive a seized vehicle. Furthermore, who would be held accountable to instruct the police officer, or the nominated driver of the operating requirements, details of hazardous cargo, and who would be held accountable in the event of a catastrophe being experienced as a result of an accident being caused by a non-inducted or non-supervised person being empowered to drive a vehicle to a weighbridge?

From a commercial point of view, it has yet to be resolved whether the terms of the underwriter's policy would become void in the event of the seizure of a truck by the police, and the driving of it without the owner's authority. This is a particularly important point, and becomes even more important where it is subsequently found that the vehicle's mass is within the required limits. The owner of the vehicle would not wish for the insurance coverage of his vehicle, or the owner of any goods transit insurance coverage to lapse because of any action taken by the Police Department.

The insurance coverage question has not been answered at all in this Bill. I continue:

Other commercial considerations are:

> Would the owner have the right to claim against the police for damage caused to his vehicle, as a consequence of the seizure where:
>
> (1) The vehicle was found to be overladen, and/or,
>
> (2) The vehicle was not found to be overladen.
>
> (3) In the event of the Police Department being responsible for, or being involved in a motor vehicle accident whilst driving the said truck, would the owner of the cargo, or a third person be able to claim compensation from the Police Department?
>
> (4) Would a third person/s who sustained injury/damage from a said accident be able to claim against the Police Department?

As you can see, Mr Deputy Speaker, there is a considerable amount of concern about the insurance aspect and the coverage that would or would not be involved if these vehicles were not driven by the owner-driver or a driver who had been employed by a company. I continue:

In the preceding comments endeavours have been taken to highlight how complicated the proposal could be in the commercial sense.

As stated earlier, we do not condone gross overloading of vehicles. As an alternative to the proposal, it is logical that fines for refusing to stop a vehicle, or for refusing to subject a vehicle to roadside weighing should be increased significantly to a level above the mass limit infringement fines and in this way, make it a disincentive not to stop or subject the vehicle for weighing.

The next letter I would like to read into *Hansard* is from a small operator, and the first part is in relation to the mirror question. The letter states:

Firstly, in relation to the mirror question, I would be fully supportive of any move to legalise the usage of the wider mirrors. Drivers of such vehicles require every possible advantage in order to manoeuvre these large and cumbersome vehicles with the highest level of safety. The additional mirror width assists in providing such an advantage in terms of rear vision. Secondly—

this is the area we intend to oppose—

it is obvious that tighter controls are required in a commonsense approach to the weighbridge question. I support the recommended increase in police power in this regard, but am concerned about the consequence of 'immunity for the police against liability for damage to property which may be incurred'.

He then continues:

I feel that significantly increased penalties for drivers who fail to stop or refuse to weigh would provide sufficient deterrent. If the driver was held personally responsible for failing to comply with a weighing request and the financial burden coupled with the potential loss of driver's licence privileges for extended periods was significant, the seizing of vehicles as described would not become commonplace as I fear it would otherwise.

Those comments from a smaller commercial operator reflect principally the thoughts of the two groups of people who are concerned with this legislation. In discussions with the road transport industry one area has been referred to consistently—the over zealous practice of inspectors in controlling the movement of heavy vehicles and in stopping and weighing such vehicles if there is any suspicion of overloading. That comment has come from a broad range of individuals involved in the industry, but it seems especially to highlight an area in the northern parts of the State involving perhaps one or two over zealous inspectors. If these powers are transferred to the police, the same thing may occur, and the Opposition opposes the extension of police powers while advocating the introduction of much higher penalties for failing to stop and failing to agree to be weighed.

In his second reading explanation, the Minister said that the existing maximum penalty of $1 000 was not being imposed by the courts, which were imposing fines of only between $200 and $300. If the Government is not happy

with the way in which the courts are imposing penalties and if the Minister is seriously concerned about the low level of fines in this area, it is the Government's prerogative to take such court decisions to appeal. Our amendment, if carried, will increase the penalty five times. It is no good increasing police powers and introducing draconian measures whereby the vehicle is taken away from the driver to a weighbridge some distance away. We believe that it is much better to introduce penalties for the act of not stopping and for refusal to have a vehicle weighed when so requested.

Mr S.G. EVANS (Davenport): I, too, support the first part of the Bill regarding rear vision mirrors. I have had experience in driving larger vehicles that were not as well equipped, as powerful, or as efficient as modern vehicles. I suppose that on many occasions I operated outside the maximum weight limits, but in those days we did not worry much about that because, after all, the metropolitan bus services operated with all their vehicles over width and overweight when fully laden. The law says that it is all right for our Government agencies to operate in that way and that no danger to the public results from such operation even when the vehicle is carrying passengers, whereas, if a private agency operates in that way, a law will be passed to provide that it is wrong for them even though it is all right for the Government.

That is a hard principle with which to live, as is known by many men and women who are earning a crust by driving heavy vehicles and who are members of trade unions which Government members say they support. Big companies sometimes make unfair demands on those drivers by forcing them to break the law in respect of the speed of the vehicle, time at the wheel, and weight of the load. The same power unit, the same transmission, and the same size tyres travelling on the same roads in some cases apply to State Transport Authority buses as apply to the heavy prime movers or the tandem drive fixed units. That is where we get into conflict when we, as members of Parliament, pass such laws and say, 'It's all right for us, Jack,' but Jack cannot do it.

Those modern vehicles that are used as prime movers, interstate carriers, and rural vehicles are heavy haulage units and mainly built in other countries with a capacity to carry more on the axles than is allowed in this country, especially in South Australia. We are told that that law is enacted for safety reasons, but that is only a subterfuge to cover the real reason, which is that we have not built our roads to a standard that can take the heavy loads as has been done in Europe and other places.

The triangular effect of the weight on the vehicle breaks up not the upper surface of the road but the base of the road down about half a metre. It is for that reason that we introduce a law providing that these people cannot carry more than a certain weight. Indeed, for a time we had a low speed limit because speed and weight damaged the roads. I am surprised that the Minister is not in the Chamber at present, although there must be a good reason for his absence and therefore I do not rubbish him in that regard.

Mr Tyler interjecting:

Mr S.G. EVANS: The Minister's auxiliary, the member for Fisher, is having a say. People with a small motor car and a trailer at the rear may load that trailer to the hilt with bricks, cement or some other garbage. Such a person, if in business, must have a licence, whereas a private person does not require one. Indeed, that trailer can be loaded to a point where it weighs more than the motor vehicle. Such an action may be unlawful, but does anyone pull the driver over and tell him that he is driving a vehicle that presents a greater danger than a semi-trailer that may be a tonne extra weight over the rear axles?

Do we ever hear of inspectors going out like the Gestapo and pulling up individual people to tell them that their vehicle is unsafe? Often brakes are not fitted to the trailer, so the braking on the car is the only means of stopping the whole unit, and when that happens there is a jack-knifing effect. That is a much more dangerous situation than in the case of a caravan, because caravans are mostly equipped with proper braking equipment and one does not have that problem so often. The overloading of a trailer is against the law, but does anyone challenge the driver who may be out over the weekend? Indeed, on Saturday morning one can see many people driving in those circumstances with an overweight trailer.

So, if we moved into that field and policed it as vigorously as we policed the truck law we would have a community protest which would be dangerous for the Government. The Government is a good news Government and does not like brickbats—whether it be Kalyra, Goodwood or whatever. We do not talk about that field but head out after the truckies. That is what we are doing here.

The member for Bragg (who speaks on behalf of the Opposition in this place) and I do not condone drivers refusing to stop or not cooperating. However, there is a better method of tackling that than taking control of another person's vehicle. Sure, the driver is an agent of the owner and is responsible for the vehicle on behalf of the owner, but as the industrial laws stand in this country an employer is not in control of his employee any longer.

If he takes too drastic an action against an employee and sacks him for not doing something, in all probability the union will come out the next week and take the matter to the Industrial Court on the basis of unfair dismissal. We all know that, even if we believe it is a reasonable and fair dismissal, the challenge will still be there and somebody will be looking for an out of court settlement. Our laws have encouraged that, and the Bannon Government supports the concept that the employee should have the right to challenge all the time. The Bannon Government now introduces this proposal. I am asking for some consistency.

If the Bannon Government believes that the employee has all these rights, it should put the burden on the employee if he refuses to do the right thing according to the law. The employer cannot be with the employee every minute of the day to ensure that they conform to the law—it is impossible.

Mr Lewis: Especially in the transport industry.

Mr S.G. EVANS: As the member for Murray-Mallee says, that is especially so in the case of the transport industry. If we pass this law, an employer with a rig worth $250 000 or more, with a pay load worth possibly more than the rig itself, could have that asset, for which he may not have completely paid—the finance company may own a substantial part of it—taken from his possession. Some may say that it is only for a short time, but who knows how long it will be out of possession if there is a protracted dispute? We may have a Norm Gallagher situation where it is confiscated while a legal aspect is argued. Through no fault of his own, except that he employed the employee whom he trusted but whom he found suddenly he could not trust, the employer is placed in that position.

Probably no-one here would own a rig worth $250 000 or more, even though some, looking at the disclosures, may be able to buy them. If we did, would we be happy about passing a law to provide that, because an employee refused to stop when a highways inspector or police officer so

instructed, they can suddenly take possession of the rig? Surely that is not the employer's responsibility, unless we are prepared to provide in other laws that it means automatic dismissal from the job, without dispute, if the employer so wishes. We know that the Bannon Government would not agree to or condone that sort of legislation, even though it would be fair, because the fairness does not prevail in the making of laws today. It is a matter of protecting those who guarantee the occupancy of Government benches.

In no way do I support a proposal which provides, where an employee flatly refuses to obey the law, that the owner is suddenly placed in a position of losing control of a vehicle (for whatever period of time), possibly having it damaged if the police have to break into it, and subsequently having no claim for compensation for such damage against the driver who failed to abide by the law or against the State in enforcing the law, even if it is found that the vehicle, as loaded, was not breaking the law. That is what we are doing. I do not and cannot support that. I will support most vigorously the amendment proposed by the member for Bragg, as the spokesman for Her Majesty's Opposition in this place.

Mr LEWIS (Murray-Mallee): I know that the history of the matter before the Chamber presently is a vexed one in transport terms and has caused a great deal of anguish and concern to employers and employees affected by it within the industry as well as inspectors or police officers who have been required from time to time to enforce its provisions. Indeed, it goes further than that. The original provision in the Road Traffic Act of 1966-1975 was amended in 1976 so that the semantics could be dealt with in an acceptable fashion by the courts and enable those people charged with the responsibility of enforcing the provisions of this original section 152 to do so with some measure of certainty that the intent of the law, when brought to bear on someone not pursuing the spirit of the law as it existed under that section, could be given full weight of impact in the court in dealing with those people transgressing its intent.

So, we saw in 1976 the words 'weighing instrument' replaced with 'other instrument for determining mass', such that the section would then read, where that word appears in subsection (1) *(a)*:

> *(a)* to drive the vehicle or cause it to be driven forthwith to a weighbridge or other instrument for determining mass specified by the person making the request, and situated not more than 8 kilometres from the place where the vehicle is at the time of the request;.

We saw the deletion of the words 'weighing instrument' and the words 'weight of the vehicle and its load' or 'the weight carried on any axle of the vehicle' replaced by the word 'mass'. That was very explicit. It satisfied the semantics of the lawyers and the courts, or whatever other inclinations one may wish to ascribe to them. At the same time an amendment was made increasing from $200 to $600 the maximum fine that could be imposed as a penalty.

You, Mr Deputy Speaker, I and other members of society at large, as well as members of the Parliament at that time, recognised the necessity to ensure that the public of South Australia engaged in the heavy road transport industry understood that we viewed breaches of these provisions fairly seriously.

That does not detract from the validity of the remarks made by the member for Davenport about the technology that was used in the construction of many of our roads. In that respect I understand what he said. It is not that the roads were not always good enough in their design but, rather, in many instances lazy supervisors did not require standards of construction to be met by the day labour construction gangs. Really, they were just so sloppy, lazy and uncaring because they knew that, if they were discovered (and subsequently they were), they would not be sacked. They built roads which simply could not carry this kind of weight and which deteriorate far more quickly than would be the case if they had been built to the capacity of the materials used and the specifications delineated by the designers.

A recent example of that is sections of the South-Eastern Freeway. Senior engineers of the Highways Department, who really know what they are talking about, have placed their concerns on record about sections of that highway. In that instance the footings rather than the surface failed. Insufficient attention to detail was paid by the construction gangs on the job and the engineers who were supposed to ensure that the work was done according to specification. That has cost us not just a few hundred thousand dollars but, rather, millions of dollars and it will continue to cost us millions of dollars. The life of the road is nowhere near as long as it was designed to be or it could have been. In fact, it could have been longer than the design standard suggested, but it has been very short of what it should have been.

Two factors apply. I refer not only to some irresponsible and greedy truck operators and their equally irresponsible and greedy drivers who overload and try to cover the distances between two centres in too short a time and who make the journey too quickly, but also (and, if not of greater importance, at least of equal importance) to the slovenliness of engineers and the construction gangs who built the road. They deserve the condemnation—and I use that word deliberately and with as much strength of feeling as I can—of all members for what they have done. Road construction is not cheap. It costs thousands and thousands of dollars per kilometre and, in recent times, we have laid hundreds of kilometres of substandard roads in this State and nation and nobody gives a damn about it. When this matter is raised in the forum of Parliament, too often members and Ministers alike see it as being a question of having either to score points or to deliberately defend the indefensible and to pretend that it is not a ministerial responsibility.

Damn it, Mr Deputy Speaker, if it is not a ministerial responsibility, where does the buck stop? When will we stop wasting money performing work of this kind that is substandard? It is not just a minor detail. We spend hundreds of millions of dollars doing this sort of thing and that is far more than is spent on constructing faulty buildings but, because we tend to think of the buildings in which we live and work as being more germane to our safety than roads, we are more stringent in our adherence to safety provisions.

I now wish to attack that aspect of the problem. As a consequence of inattention to detail by the construction gangs and the engineers responsible for their work, when there is subsidence of the footings of the road, on causeways across heavy soil flats, and so on, or anywhere for that matter, then we end up with a situation as has occurred on the Kingston to Reedy Creek section of the Princes Highway. That is a really sick section of road on National Highway 1 which has a pool of water several inches deep whenever it rains. That is due to the subsidence of the surface which in places has been filled to a depth of eight inches.

As a consequence, when a truck proceeds along that section of the road within the speed limit (and that is much less than the speed at which a motorist can travel), a motorist cannot get within cooee of the truck, because it is impossible to keep the windscreen clean and free of water and

the muck it contains that comes from the cracks in the surface of the road. It is extremely dangerous and it is impossible to overtake a truck in those circumstances, even though probably it would be safer to do so.

More particularly, in other areas of the State, such as on the section of road between Parilla and Pinnaroo, the same kind of thing has occurred. It is dangerous to drive on the section of road between Chapman's Bore and Wunkar, the Adelaide to Loxton road through Murray Bridge, Karoonda and Alawoona, especially in wet weather or at night when people are unfamiliar with it. On that section people are suddenly confronted with a series of undulations, literally waves in the surface of the road, that so disturb the way in which they are able to control the vehicle that, to be safe, they must reduce speed to about 75 km/h on open road with barely any bends. Yet there are no funds to repair those sections of those roads because money is spent on other sections of roads that have been poorly constructed and over which greater densities of traffic flow. So, in determining priorities, the argument is advanced that more people will derive greater benefit if money is spent on that one section of highway which is used by a greater number of motorists than on another section of road that is in parlous need of attention and repair.

Having commented about the irresponsible behaviour both of road construction gangs and a few members of the transport industry (employers and employees alike), I refer to a matter raised by the member for Davenport, namely, that the amendment relating to the taking of a truck is unfair. It is not fair to take by force (and perhaps damage it in the process) a truck that belongs to someone else but which is driven irresponsibly or is left by an employee in a place where it should not be so that the police officer or inspector can do what they want; for example, weigh the truck. I will cite a classic case in point. If an employee, unbeknownst to his or her employer, takes a heavy truck on to a street that has a restricted weight limit and parks it there in order to visit their paramour—and these days one cannot say 'girlfriend' or 'boyfriend', because we do not quite know what that might mean—it depends on whether it is a male or female driver, and members know the kind of thing I am talking about—there are four way splits—

An honourable member interjecting:

Mr LEWIS: There could be a female or male driver and their sexual proclivity may be for males or females, so there is a four way option. I refer to those instances when the employee has taken the rig into places where they should not take it. They could leave it there and disappear. Unbeknownst to the employer, the vehicle is in that situation, and an inspector may come along and direct someone to remove it. It could be found to be locked up and secure, so the person directed to remove it could get hold of a jemmy bar or anything else at all and God knows what kind of damage could be inflicted in the process.

I do not think that it is reasonable to simply give the authorities the power to act in this way without requiring the employee to accept some responsibility in circumstances where clearly an employee has been irresponsible. It is not good enough, and nor is it even fair; it is certainly not just. Yet the law stipulates that it shall be done, and can be done. I would bet you a penny to a quid, Mr Deputy Speaker, that sooner or later it will be done and it will be done irresponsibly. I know that from personal experience, in talking to a number of people who have been involved in the industry.

Some members of the Police Force and, more particularly, inspectors in the Highways Department, have been irresponsible in the way that they have exercised their powers in the past: not all of them, by Jove, but plenty—enough to worry me—and I speak with some feeling about this as a consequence of an incident in recent days in which I was involved with an officer. I will not delay the House further; I think I have made plain the reasons why I support the amendments to be moved by our spokesman on these matters, the member for Bragg. I urge the House to give sincere and serious consideration to the amendments, and I indicate my support for them.

Mr GUNN (Eyre): I am pleased to have the opportunity to say one or two things in relation to this Bill. I have no problem with the matter in relation to the mirrors, but I find the other provisions in this Bill totally objectionable. If ever a group of people was hounded when they go out to make a living in transporting the nation's goods (which is so important for those in the rest of the community who are earning a living), it is the majority of the responsible people involved in the transport industry. If ever there was a group of people more bloody-minded, more aggressive and unreasonable, I have yet to find them in my time of nearly 18 years as a member of Parliament—I refer to the people who make up the inspectorate section of the Highways Department.

Hardly a weekend goes by when I am travelling in the north that someone from the transport industry does not come up to me and legitimately complain about the unreasonable and outrageous behaviour of these people. One of the unfortunate things is that Ministers who do not understand these things—they might have the best will in the world—become convinced by senior officers that those officers need these powers. Every week we see in the Parliament more and more unnecessary powers being placed in legislation. The public is sick and tired of it; we are having the most draconian measures enforced on innocent people. Their privacy is being exploited, and that should not take place.

I shall now give some examples, and I will use a few names, because the time has long since passed when these fellows ought to be allowed to go scot-free. First, why is it necessary to bring this Bill before Parliament? Why have not the Government and the Highways Department done something about volume loading? Why have they not done something about that? I want to know from the Commissioner of Highways what he has done about it. He has all those fellows out there. It takes place in Queensland and in other parts of Australia but not in South Australia. It is an absolute disgrace in relation to people carting cattle from the north of this State. There are no weighbridges up there; they cannot estimate the weight. They have to use heavily constructed trailers, the same as are used in Queensland, and they have no idea of what the weight is. There are these fellows lurking like leeches on the side, trying to catch these transport operators.

It is an absolute disgrace. They lurk like leeches, and illegally listen to the radio communications. We know that goes on. It is a real joke. Why is it that they have to sit up there at Port Augusta and other places with three and four big F100 vehicles? What good are they doing sitting there, wasting the taxpayers' money? Why is it that they accost people in hotels and abuse them? Why is it? What is this fellow Nobby Clark doing at Port Augusta? What real role does he have? Why is it that he pulled up a constituent of mine a few weeks ago and ordered him to go to the weighbridge at Port Augusta? When they could not book him for overloading the inspector, like a spoilt boy, got the tape-measure out and went around the truck. Because this operator had a set of wheels on the back, which are used to tow the road trains, he was booked and charged $93. If that is

not a petulant act, I have never heard of one. It was quite outrageous and unreasonable. It is about time that this Parliament did something about those sort of people. It is a clear example of where, given a little bit of authority, it goes to people's heads.

I know that some people deliberately flout the laws, and they deserve to get pinged; there are people who grossly overload. May I say that it is very difficult to actually determine what the weight of certain commodities is. I have had personal experience of this; it is very difficult. There is a clear need to upgrade the amounts which people can carry on their trucks. The current arrangement is quite ridiculous. There should be more tolerances, particularly in relation to carting stock, and there should be more commonsense. People are absolutely sick and tired of being harassed.

The provision in the Bill gives inspectors the power to make people go eight kilometres to a weighbridge, or the inspectors can take a vehicle that distance. I want the Minister to tell us how many police officers and how many inspectors have the licences to drive these big tandem drive or triple bogie trucks. We want to know. I would say that there are very few. How many members in this House have a licence to drive an articulated vehicle or to drive a truck and trailer? I have one and perhaps the member for Chaffey has one. However, I think there would be no-one else.

An honourable member interjecting:

Mr GUNN: We know what we are talking about. I would say that very few police officers would have a licence to drive these vehicles. Will they be asked to break the law when they drive these vehicles? How many of them have had any training in driving them? What is the person's insurance company going to say if a vehicle is damaged? Who will be responsible? I ask the Minister to answer these questions, as these matters are very important. How many officers have been trained to drive these vehicles? What is going to happen in relation to a farmer who has his truck parked in a paddock three or four kilometres from a silo? Will the inspectors come along and break into it? I know how these blokes think. If they do that, it will be an outrage. Any decent or normal society would not tolerate these provisions.

How many of the inspectors will have the ability to start these vehicles—these highly sophisticated diesel, turbo charged vehicles? I ask the Minister and his officers: how many of these inspectors will know how to start these vehicles? Some of us have had some practice in doing these sorts of things. I want to know how many. I will say now that there will be absolute turmoil if these people go along a row of trucks at a silo and start breaking into them. They have this siege mentality. I know that there will be people who will be not too happy about what I am saying today. I make no apology for it. There are many other things that I could say about these people in relation to how unreasonable and unfair they are and about how they carry on. They deliberately set out to make life difficult for people—they really do with the way that they carry on with this sort of conduct and with the unprincipled acts in which they have been involved. I am literally sick and tired of the actions of the transport inspectors in my electorate. I could not even go to the Jamestown show on Monday without having people come up to me and complain about these things.

Can the Minister give unqualified assurances in this House this evening that these provisions will not be used unreasonably? Can he give unqualified assurances that these inspectors or police officers will not go on to farms and break into trucks to take them to silos? Can the Minister give these unqualified assurances? Can he give an absolute and unqualified assurance that any damage done to a vehicle will be compensated? What happens if one of these fellows drops the clutch and rips out the gearbox and the vehicle is out of action for a month? Who will be responsible? Who is going to pay? We want unqualified assurances about these things before Parliament even considers these measures.

Mr Lewis interjecting:

Mr GUNN: Don't start me on that subject; I will have more to say about that tomorrow or on another occasion. There are a few people there who need an honourable mention. As I have some limited experience in these matters, this really does concern me. I know of the sort of nonsense that the highways patrol at Ceduna has been involved in and I know how unreasonable one officer there has been in really bending the interpretation of Acts of Parliament to issue people with summonses.

A person has been summoned to appear in court because he towed a farm electric welder down the road—something hundreds of farmers do every week. That is the sort of unreasonable action taken by people who have read too many books, and is why some of us are annoyed and stirred up. Constituents in Quorn and other places come to me weekly with complaints about inspectors. As I went through the Highways Department in Port Augusta someone referred to 'your friends in there'. That is all right. They have been more than complimentary to me in various parts of the State where I have run into these people, but my concern is that common sense will prevail and that people are treated in a fair and reasonable manner. I know that the Minister is a fair and reasonable person.

The Hon. D.C. Wotton: Except when it comes to the Bridgewater railway.

Mr GUNN: I am not here to discuss the Bridgewater railway. My concern is for my constituents, commonsense and the welfare of the people in this State. I am sure that the Bridgewater railway will be debated on another occasion by the honourable member.

An honourable member: A very important issue.

Mr GUNN: But not on this occasion. I have never been on the Bridgewater railway. I know that I am transgressing by saying this, and should not do so, Mr Deputy Speaker. I want a clear undertaking from the Minister in this matter. Why has volume loading not been considered? Why is it used in Queensland and the Northern Territory for shifting cattle and other livestock? It is necessary to construct well-made vehicles to travel on northern roads. A recommendation came from the Federal Minister for Primary Industry about this matter, so there is no reason why volume loading should not be used. The next Liberal Government in this State will introduce volume loading—it is commonsense.

Mr Peterson interjecting:

Mr GUNN: It means so many head of stock in each crate. Well constructed and safe vehicles are permitted to carry big cattle crates in Queensland, Alice Springs and the Kimberleys, but in South Australia there is trouble in shifting stock. This situation is absolutely crazy. Since greatly improved construction and safety features have been effected on these vehicles, why have tolerances in load factors not been increased? Why has not the capacity of the rigs been increased? There should be greater tolerance.

Will the Minister say how many Highways Department officers are trained to drive these trucks and hold adequate licences? I doubt that there are many. How many highway patrol police officers hold licences to drive these trucks? I understand that few are so qualified. If they are, what training have they had? Also, they must hold the right licence. Does the Commissioner of Highways hold such a licence? I want an assurance from the Minister that inspec-

tors and police will not go onto private property and break into parked vehicles to take them to silos. Can the Minister give an assurance that they will not go to lines of trucks at Thevenard or Wallaroo, break into trucks and take them away? There are many instances where people, particularly contractors, have had differences of opinion with these people.

I will give an example of how they carry on. A couple of weeks ago I went to Terowie to unveil a plaque on the old bank, an historic part of South Australia. I there met the Chairman of the District Council of Hallett, who said that they were carting dirt on their own road in their own truck and were booked by Highways Department officers for overloading. This happened on a road for which they are responsible. There has never been such a lot of nonsense. These people have brought the Highways Department into disrespect with such gross stupidity. I told the Chairman to ring the Minister of Highways and said that I would lodge a complaint with the Minister.

I recall an occurrence in Peterborough, where two young men went to cart dirt and gravel for the local school and the vultures were sitting there and got them. One of those young men was the son of a former member of this place. I could go on at great length giving chapter and verse about the activities that these fellows have been involved in, but I think I have demonstrated clearly why people should be concerned. The House should reject these clauses and insert proper amendments to solve this problem.

If people fail to stop they should be prosecuted. We know that an interstate element and others are flagrantly breaching the laws. I see such people, and I have no counsel for them. I am concerned about these provisions, and I hope that the Minister will accept the amendments and give the assurances sought; otherwise the Bill will have a fairly rough passage upstairs. I support the comments made by the shadow Minister, the member for Bragg.

Mr BLACKER (Flinders): I rise to express my concern about the increased powers provided in this Bill. The first part of it relating to rear vision mirrors has universal support: everyone recognises the anomaly which existed and which this Bill rectifies. In relation to weights and measures, concern is expressed and there is a doubt about figures quoted in the Minister's second reading explanation, where he uses as justification for this measure about 1 402 cases of overloading which exceeded two tonnes—I accept that—as well as 119 cases of overloading exceeding nine tonnes and 43 cases of overloading exceeding 20 tonnes. Those figures distort the reality of the situation: it would be physically impossible to have a 20 tonne overload on anything other than a permit vehicle.

A permit vehicle is allowed to carry 45 and up to 70 tonnes, in the case of road trains. If there is a minor breach of the Road Traffic Act the permit is cancelled and the excess load returns to the weight that the vehicle is allowed to carry without a permit, which is about 32.5 tonnes. Therefore, it is a case of double jeopardy being carried to the absolute extreme, because a truck need be only 100 kg overweight over the entire vehicle and that breach would cancel the permit, returning the vehicle to the 32.5 tonne limit. Therefore, the figure of 43 vehicles exceeding 20 tonnes is a questionable one, and the Minister's credibility is questionable when he uses such figures as justification for this measure. To overload a 32.5 tonne vehicle by 20 tonnes is obviously extreme because, unless a vehicle has four main axles (and by this I mean bogies on the trailer and a bogie drive), then we are talking of five tonnes per axle overload. If a person were carrying a five tonne overload on each axle they should be penalised to the greatest possible extent.

Mr Lewis: He would probably break the axle.

Mr BLACKER: The axle would break in many cases, but most German built vehicles are designed to carry 13 tonnes per axle. The Minister may be able to prove me wrong when I say that not many conventional vehicles that are not permit vehicles would be included in the 43 offences of exceeding 20 tonnes. I do not believe that that is on. Issues have been raised about the change of the means of loading, in particular, with reference to stock. I am a firm believer that crates should be inspected and registered to carry X number of stock; in other words 'This crate can carry 300 shipper wethers'—or 250 shipper wethers—and it should be designated accordingly. There is no way a driver can accurately assess a load as it is running up a race. With the best intentions in the world, he cannot accurately record that. Therefore, if a driver is to remain totally within the law, without risk, he has to underestimate to a very large degree. That takes away the competitive edge of his load and, in many cases, could force him out of business.

If those sheep, for argument's sake, were full wool sheep, the driver could leave home with a legitimately loaded vehicle, all axle rates correctly loaded, but by the time he reaches his destination, having gone through a rainstorm, the vehicle could be two tonnes overweight. The wool could easily absorb that sort of weight, therefore the vehicle would be overloaded. However, if it were on the basis of sheep numbers, that anomaly would not arise.

Mention has been made of the propriety or otherwise of the actions of certain inspectors. Inspectors walk along the silo lines at grain silos, and I know of instances when drivers have been asleep in the bins, where the conversation went something like: 'This truck is okay. It is clean and polished: he obviously looks after his truck, therefore he's okay. This one we will catch on the road when he goes out in the morning.' They had obviously had a look at night in the silo line.

I relate that to the House only because it was put to me not by a person who offended or was caught, but by an innocent party who heard the inspectors comment about a truck being well kept, saying that they believed it was okay; they would let him go past when they were waiting out on the roads. They obviously were noting the numbers of the trucks and had made notes about particular vehicles along the line. Whether one could argue that that is a questionable activity, I do not know, but it adds weight to some of the comments already made. I cannot support the extent to which this legislation goes. I recognise that the Minister has some problems, but I think that there are other ways of going about this without creating more of a police-type state in this industry.

Mr HAMILTON (Albert Park): I intend to speak briefly on this Bill. I support the Bill and, indeed, I have always been told that, if one breaks the law, one should pay the penalty. We have listened today to some members of the Opposition trying to justify the actions of those people who are breaking the law. Quite clearly, for as long as I can remember—

Members interjecting:

Mr HAMILTON: If the member for Bragg wants to stand up and talk, that is up to him. Suffice it to say that I have heard this argument before. On the one hand, we hear the Opposition opposing certain aspects of this Bill but, on the other hand, we hear members opposite complaining about the need to spend more and more money on our roads. If people who wish to overload their vehicles and tear up the

roads get caught, I believe they should pay the penalty. It is no different from my—or anyone else in this House (or anyone outside)—being caught speeding.

I must confess that I have been caught speeding only once. When I got caught I sat there, and the officer who wrote out the ticket said, 'Aren't you the member for Albert Park?' I said, 'Indeed I am' and he said, 'Aha—you took it very well.' I say that not to rubbish myself but to make the point: if you get caught you pay the penalty. This is exactly what is happening here. I have seen the roads ripped up. I come from the South-East—

An honourable member interjecting:

Mr HAMILTON: As the member for Newland says, very nice people come from Mount Gambier—and I concur. I come from Mount Gambier, and in my time down there I have seen many big logging trucks overloaded with green timber, ripping the guts out of the roads, and then the drivers squeal about getting caught. As I said, anyone who breaks the law and gets caught, pays the penalty. We are not going to turn a blind eye or make excuses about the over zealousness of those inspectors. On the one hand, we have the Opposition squealing out for controls in areas which affect their interests, but on the other, where it does not affect their interests or the interests of those they represent, members opposite say that the Government is giving them a rough time. I do not accept that.

As a taxpayer, I have, as do many of my constituents, a vested interest in this Bill in terms of the $400 million to which I alluded. Who pays for the tearing up of the roads? Of course, we all pay; every one of us pays. In part, we all pay through the costs—

Members interjecting:

Mr HAMILTON: The honourable member has a one-track mind. I would like to pursue that, but I will not get away from the Bill.

The DEPUTY SPEAKER: Order! I can hardly hear the honourable member speak. The honourable member for Albert Park.

Mr HAMILTON: Thank you, Sir. I need protection from that rabble opposite when they carry on like that. The other matter relates to those who drive heavy vehicles and who in the past have chosen—some quite deliberately—to drive their vehicles into a paddock, knowing that it is private property, so that the police or the inspectors cannot touch them. Those smarties have been caught up with in terms of this Bill, because they will now be directed to go an appropriate distance to have their vehicles weighed. I do not want to rehash all that has been said by the Minister and those on this side who have spoken in support of the Bill. Suffice it to say that I reiterate that those who break the law should pay. If people do not like the law, let them get it changed. I support the Bill.

Mr MEIER (Goyder): I am pleased to have the opportunity to speak on this Bill, and I just remind members that it is in two parts: the first part is to allow external collapsible mirrors on large commercial vehicles—and I certainly do not have any problems with that part; the second part—to increase police power concerning exceeding mass limits on heavy commercial vehicles—is another issue in itself. Let us restate the proposals in this Bill.

It is proposed that, rather than increasing penalties for drivers who fail to stop or refuse to weigh, police officers should have the power to seize the vehicle and drive it to a place to determine its mass. If this power is granted, the Minister says, it is contended that the majority of drivers will drive their vehicle to a weighbridge rather than allow another person to drive it. What a way to try to overcome a problem! To say, 'Let us make a threat, and all being well we will not have to carry out the threat because they will be too scared; most drivers will go ahead and do it.'

That is a pretty poor method of legislating and, knowing the Minister as I do, I am surprised that he has decided to proceed with this Bill. The member for Eyre, complimented the Minister and in many ways I would agree but my estimation of the Minister has dropped a little since he introduced this Bill.

The legislation is another step toward making South Australia a police State. There is nothing simpler than having a situation where, if a citizen does not obey the provisions of this Bill, the police will be able to force him out of his truck and take it over. That in itself is against the principles that I hold dear for this State and I do not want to see that provision introduced. It has also been pointed out that police officers may not be qualified to drive a heavy vehicle, although some may be so qualified. The cost of the rigs and any damage that is caused is covered by the Bill. In his second reading explanation the Minister said:

> Finally, there needs to be an immunity for the police against liability for damage to property which may be incurred *bona fide* in the execution of their duties.

In other words, it does not matter what the police do: if the driver is not around, the police may take the vehicle out for a run and not exercise due care. That will be too bad: the driver will suffer. Indeed, a policeman may have something against the driver of the vehicle. Excusing the police from all responsibility for damage caused in that way is something that I do not want to see introduced in this State.

The member for Albert Park said that, when one breaks the law, one should pay the penalty. Quite so, although I remember a former Premier (Mr Don Dunstan) who did not agree with that statement. Mr Dunstan also made a statement to the effect that one did not have to obey the law.

Members interjecting:

Mr MEIER: We will not get into a debate on that matter because it has nothing to do with the Bill. Surely, the member for Albert Park must have noted the shadow Minister's amendment, which would ensure that, when one breaks the law, one must pay the penalty. In fact, the amendment provides that, if a driver breaks the law and does not stop, he will be liable to a maximum fine of $5 000. Surely, that will be a satisfactory penalty and will ensure that, if people want to transgress the law, they must pay.

Mr Hamilton: It's a cop-out.

Mr MEIER: In what way is it a cop-out? The honourable member says that a fine of $5 000 is a cop-out, but I do not believe that. The honourable member has asked questions about people who steal motor cars, and I support him fully in that regard and hope that something will be done about that matter. However, the cop-out occurs in these cases where no fine is imposed and the owner of the car is left with just a shell. So, a $5 000 fine is not a cop-out. If the Government thinks that it is a cop-out, perhaps the Minister could agree to a maximum fine of $8 000. Indeed, he could move to make the maximum fine a little higher or to have it adjusted regularly in accordance with the consumer price index.

I am thinking particularly of honest law-abiding citizens. The Minister will no doubt say that the honest law-abiding citizens need not worry because they will comply with the police instructions. I agree that for 99 per cent of the time they will. However, I wonder whether, if a person failed to stop because he did not realise that he was passing, say, a weighbridge, that would be construed as failing to stop. If it was, I could imagine a completely innocent person passing

a weighbridge. While driving only an ordinary motor vehicle, I regularly pass a weighbridge and, if on my return home I am asked whether the weighbridge was open or closed, for at least half the time I would have no idea.

I can well imagine that the average truckie in this State and in Australia would know, but the average farmer who does not use his truck very often and who uses a heavy vehicle irregularly could well pass a traffic station without realising it, particularly if he was driving close behind a truck in heavy traffic. I can think of the example at the Port Wakefield weighbridge where there is a dangerous turn to Snowtown. I wish that the Minister would have a bit more bitumen put on the side of the road there so that those turning off to Snowtown could pull over; however, I will not get side tracked on to that. A farmer driving a truck only occasionally could easily pass a weighbridge. Are such people to be taken by the police to a weighbridge? Probably the answer is 'Yes'. If we have a strict law with a fine of up to $5 000, that would provide a real incentive, but such a driver could probably plead the circumstances in court and the judge would not necessarily impose the maximum fine.

An honourable member interjecting:

Mr MEIER: I hope that that is the case, because I do not think that the police want to see South Australia become a police State. They want to see law and order and to ensure that, when a law is transgressed, a penalty is imposed, and that is fair. However, our citizens should be left with the rights with which they have grown up and not be faced with such conditions as these which can only lead to greater antagonism between transport drivers, the police and perhaps highways inspectors. I trust that the Minister will rethink this issue. I hope the Minister will appreciate that an increase in the fine for refusing to stop is the way to combat this problem and not to decide to allow police to

The Hon. G.F. KENEALLY (Minister of Transport): I thank all members who have contributed to this debate. It is certainly a matter of some interest. I will briefly reply to those matters or points, of which I am aware. I apologise for having to be at another very important meeting while the shadow Minister and a number of other members spoke. If I missed their points, they will be picked up in Committee. I want to put to rest something that has nothing to do with this legislation but was raised by the member for Goyder. I will reply to him and disabuse him of the misinformation that he and his Party have been trying to foist upon the community in South Australia for a number of years for the political benefit that they believe the Liberal Party derives therefrom.

A previous Premier of South Australia made the point very clearly that if people did not like a law and believed that it was unjust they should break the law, but in the complete knowledge that in so doing they have to pay the full penalty of their actions. In future when anybody quotes Don Dunstan, they should quote him in full. He did not suggest that people should indiscriminately break the law with no penalty being imposed. He said that they have to be aware of the cost of the action they take but, having regard to that, if they believe that the law is unjust (and he argued that many laws were) and people felt a necessity to break the law, they should do so but they would pay the penalty. That is different from what our political opponents have stated over the years.

With this piece of legislation it is fair to say that members on both sides of the House are concerned about breaches of the existing law. They believe that some action should be taken to overcome what is quite clearly an abuse of the road laws in South Australia. Much of that abuse is foisted upon us by people driving heavily laden trucks from Western Australia to Victoria and New South Wales over South Australian roads. We have the best roads system in Australia and wish to protect it. We certainly have the best bridge system in Australia that accommodates heavier loads than allowed elsewhere. Members ought to be aware that the 42.5 gross loading available in South Australia is higher than in Victoria and New South Wales by some three tonnes and Queensland is moving towards it.

South Australia, Western Australia and the Northern Territory have a much better system of regulations applying to heavy transport than applies elsewhere. In fact, at an annual convention involving the heavy transport industry held in Adelaide a fortnight ago I discussed with delegates from various States complaints about regulations that apply in those States. I said that they need a consistency and uniformity across the States and that the South Australian regulations should be applied as a uniform standard for the rest of Australia. They unanimously agreed and said that, if they could have the South Australian regulations accepted as a uniform set of regulations for all heavy transport across Australia, they would be absolutely delighted. That puts the lie to the arguments about how difficult are the South Australian loading and weight regulations: they are the most supportive in terms of road transport that apply in Australia. That brings its own criticism upon the Government from people who have interests elsewhere.

A problem exists with the loadings carried by road transport. The member for Flinders explained that modern trucks have the capacity to carry considerably more than five tonnes over each axle. We know that that is the case. Modern trucks have the capacity to carry considerably more than five tonnes over each axle in excess of the regulated loading. Only recently in Victoria a truckie was stopped when travelling at something like 140 to 150 kilometres an hour after a 50 kilometre road chase by the police. He had an overload of 50 tonnes and was travelling at 140 kilometres an hour from Melbourne to Western Australia. A 50 kilometre chase ensued and he must have run out of petrol, as I cannot imagine the police would stop such an incredible tonnage hurtling down the road at that speed. We can think about the danger to normal road travellers and to the road surface with these heavy trucks exceeding weight limits and putting enormous pressure on their braking capacity while people in this Parliament want to legislate in such a way that we cannot prevent them from doing that.

This amendment seeks to make a little less inconvenient the existing system. It is not in any way providing the authorities with the ability to stop overloading and abuse of the law. It is not stopping people refusing to obey lawful instruction from the police or inspectors and to continue to travel along a road. Even though the existing penalty is $1 000, if we increase it to $5 000, $10 000 or $20 000, the courts will apply what they believe is the appropriate penalty. If what we are attempting to do here is not successful, we may have to accept the Opposition's recommendations and increase the penalties dramatically: that is another option that we can pick up. We on this side also have some concerns about giving police additional powers. It is only where there is no other reasonable option available that any Government would take such action, particularly this Government. We do not believe that the existing system is working.

We do not believe either that only an extension of the existing system will work. We believe that the police need to have the capacity to be able to stop drivers and then, if

the driver is not prepared to go to where the vehicle can be weighed, the police, either by using one of their own members who is qualified to drive one of these vehicles, or by seconding somebody who has those qualifications, can take that vehicle to a place where it can be weighed. I believe that, once the driver knows that that is the alternative available, they will drive the vehicle.

The Hon. P.B. Arnold interjecting:

The Hon. G.F. KENEALLY: This matter has been discussed with the police who find it an exercise in futility to try to police the existing system and they believe that they need that power. We have not taken this decision unilaterally, giving that power to the police and asking them to enforce it; this matter has been determined in consultation with the Police Department.

The Hon. P.B. Arnold: Who's responsible for any damage they do?

The Hon. G.F. KENEALLY: The police will have the same requirements as apply when they exercise the law in any other area such as entering a house or property. The police will have to exercise that power and that authority. I was a little disturbed that some of the suggestions made may lead this House and people who may read *Hansard* to believe that the South Australian Police Department (which is the best Police Department in Australia, I might add) would be totally irresponsible in applying this power. The honourable member would have to give me some very good examples to show that the police abuse that authority elsewhere and, if they do, they are accountable either to the Police Commissioner, the Police Ombudsman or, if the matter comes before the courts, to the courts. There is sufficient redress.

There is agreement that something needs to be done, but there is disagreement between the Opposition and the Government as to the appropriate way of doing it. We have looked at this matter very closely and we believe that this legislation will be the only effective way of ensuring that regulated tonnages are carried. In response to a few matters raised, I point out that the power to enter private property was given to the police so that they could follow trucks that obviously were heavily overladen. Once those drivers know that they are being followed by an inspector or a police officer, they can turn off the road into private property through the nearest fence. They do that and the police can do nothing about it.

If people know they will be subject to a fine as a result of breaching the law, the easiest way to avoid the police is to drive off the road onto private property. They then avoid the constraints of the legislation—and that happens. In those circumstances, we have provided the police with power to follow them and to take the necessary action. The member for Eyre is concerned that that power will give the police and the highways inspectors the right to go into a property where a truck is laden and to assume that that truck has been driven on a road; they can then take action against the farmer or the owner of that truck. New section 152 (2) provides:

> A member of the Police Force or an inspector may not give a direction under subsection (1) in relation to a vehicle that is not on a road unless he or she has reasonable grounds to believe that the vehicle has been driven on a road in contravention of a provision of this Act relating to mass.

That new section does not say 'will be' but rather 'has been driven on a road'. I think that that answers the question raised by the member for Eyre.

The other point raised was whether or not the police or Highways Department inspectors have the qualification to drive the vehicle. They are not able to drive the vehicle unless that is the case so, if they do not have the qualification to do so, they will then have to second somebody who has that qualification. It is my very strong belief that it will be necessary to do that on only a limited number of occasions.

There is a problem about damage to roads, about ample cost recovery and about excess loadings, and we all know that. There is a real problem with heavily laden trucks travelling at excess speeds on the road. People who drive on country roads often enough know that to be the case. I take note of the general concerns of the member for Eyre about highways inspectors; he has voiced those concerns ever since he and I have been members of Parliament. I am aware of those concerns. When he gives examples as to where he believes there has been, in his view, an abuse of power, I will have those cases investigated and, if it is proven to be the case, action will be taken. I might say that I have received numerous complaints about actions of highways inspectors but investigations have shown them not to be substantiated. That is not to say that there may not be an instance where it is so and, if that is the case, action will be taken against those people. That does not mean that this legislation is not necessary or appropriate and I ask the House to support the second reading.

Bill read a second time.

In Committee.

The CHAIRMAN: I draw the Committee's attention to the amendments circulated in the name of the member for Bragg. If clause 3 is agreed to, section 152 in the principal Act would be in a different form from that which is sought to be amended by the member's proposed new clause 4 in this amending Bill. It is therefore more appropriate if the honourable member's amendment to section 152 is sought to be made by way of an amendment to clause 3.

Clauses 1 and 2 passed.

Clause 3—'Directions to driver, etc.'

Mr INGERSON: I move:

Page 1, lines 22 to 33—

Page 2, lines 1 to 46—

Leave out all words after the word 'is' and insert in lieu thereof the words 'amended by striking out subsection (2) and substituting the following subsections:

(2) A person of whom a request is made under subsection (1) must forthwith comply with that request.

Penalty: $5 000.

(3) Where a court convicts a person of an offence against subsection (2), the court may order that the person be disqualified from holding or obtaining a driver's licence for a period not exceeding three months.

(4) If an order for disqualification is made under subsection (3), the person's driver's licence is cancelled as at the commencement of the period of disqualification'.

During the second reading debate I was interested to hear the Minister say that there was no opposition from this side of the Chamber in terms of recognising the overloading and we agree with that statement wholeheartedly. Our only objection is that it can be done in a different way. The reasons why we say that it can be done in a different way are simple. We believe that the whole argument for this legislation is that the police and/or the inspectors do not have sufficient power to stop an overloaded vehicle or, if they are able to stop an overloaded vehicle, they do not have sufficient power to have it weighed. We believe that if penalties for refusing to stop or refusing to be weighed are increased, the problem will be solved.

The Minister clearly pointed out in his second reading speech that, because the penalty was only $1 000, the courts imposed penalties of between $200 to $300 and that was a significantly lower penalty than would be imposed if the vehicle was overloaded by 20 tonnes. There is no question about that. We recognise that the maximum penalty for overloading to that significant level is somewhere between

$3 500 and $7 500. As a consequence, we say that, if the penalties are increased from $1 000 to $5 000, the effect will be the same. The Minister said that the penalties imposed by the courts have been too low, but the Government of the day has the opportunity to appeal any fines that it considers to be too low. The Attorney-General exercises that right in other areas and we congratulate him for doing that.

But it is the same situation here, and there is no reason why that cannot be done. In relation to the comment about an individual driving off the road and the Minister's saying that we cannot get at him, under this new penalty the remedy would be very simple: if the person refused to have the vehicle weighed he would be subject to a $5 000 penalty. That position is clearly covered. We do not believe that there is a need to increase police powers when it could be done in this way.

The other amendment relates to our belief that in providing a disincentive for an individual to break the law the penalty needs to significantly affect that person's occupation. We believe that in itself the removal of a person's driver's licence for a period of time (and we are suggesting here a maximum period of three months) would be a very significant deterrent, indicating to the driver that the penalty for not stopping could be not only a $5 000 fine but an almost certain loss of licence for a period of time, up to a maximum of three months.

The Hon. G.F. KENEALLY: The Government opposes the amendments. There are two things that I should have said in the earlier debate. I have now had those matters clarified for me. These changes to the legislation are the result of an approach made to the Government by the police. As I have said, it is not the Government that is imposing these constraints on the police. The Government was asked by the police to do this, because the existing system, even with an increase in penalty, was inoperable, and the police felt that—

An honourable member interjecting:

The Hon. G.F. KENEALLY: No, I am just explaining this for the benefit of the member for Chaffey, as I think he was the member who asked me whether the police wanted these powers. I can clearly recall his questioning, as if to suggest that the police did not want them and that the Government was imposing these powers on the police. I am pointing out the real position for the member for Chaffey's benefit. Secondly (and here again I accept that this is not necessarily an argument for doing this in South Australia), these powers are already in vogue in Victoria.

Quite obviously, the Government and the Opposition have a quite different view as to the appropriate penalties that ought to be applied. It seems that we both hold strongly to our views. These were debated fairly extensively during the second reading debate; we could debate them again, but I do not propose to do so. I have answered in my second reading reply the questions that were raised by the Opposition. Without repeating them, I just draw them to the attention of the Committee as justification for the Government's opposition to these amendments.

The Hon. P.B. ARNOLD: I strongly support the amendments moved by the member for Bragg. The Minister has said that any private individual has redress through the courts if he feels that he has been unjustly treated by inspectors or the police. The average person does not have redress through the courts because of the sheer cost in doing it, and, unless a private individual employs a very expensive lawyer to represent him, he has very little chance of sustaining his case: it is his word against that of the inspectors or the police officers.

In recent times I have had some experience of this, as a result of which I am quite convinced that when it comes to a judgment, on balance, the magistrate has to determine whether or not there has been collusion between the inspectors or the police officers concerned or whether he accepts the point of view of that one individual who is trying to represent himself. The magistrate has virtually no alternative other than to accept the position put by two or three officers or inspectors. If he goes the other way, then he is virtually saying that there is no collusion between the officers concerned. That is what concerns me.

As I have said, I have recent experience in this matter. I, like most other people, have over a period of years incurred one or two traffic infringement notices when caught for exceeding the speed limit, and I have readily paid these. I think the member for Albert Park said something like that during the second reading debate. However, a year ago the situation did arise where that was not the case, and I decided that rather than pay the fine I would let the matter go to court. I was not prepared to pay for expert professional counsel.

Mr Groom interjecting:

The Hon. P.B. ARNOLD: Of course, but it proved a point. Although it was a very minor offence, the hearing took all the afternoon; I certainly have no complaint whatsoever about the hearing that I received from the magistrate. But in the final wash-up the magistrate said that, if he was to accept the position that I had put, he would have to take it that there had been collusion between the three officers who had come up with exactly the same story. Of course, it was quite obvious what his decision would be. What I am saying is that the claim—

Mr Groom interjecting:

The Hon. P.B. ARNOLD: That is right. As the saying goes: 'Any person who represents himself has a fool for a client.' However, that is beside the point; I am talking about a very minor infringement and a small penalty. However, from my point of view there was no infringement and I was not prepared to employ an expensive lawyer. I have no doubt in my mind that a capable lawyer would have wiped the floor with the three witnesses who were there. However, as I did not have the experience or the ability to effectively cross-examine the witnesses then, of course, I had very little chance of succeeding. That is why I support this point.

In no way am I suggesting that a person who has committed an offence should get away with it. Penalties should be so severe that they equal what the overloading penalty would be, in any case. For a person to lose his licence and be fined up to $5 000 is a very severe penalty indeed. There is no excuse whatsoever for failing to stop. Certainly, there is a very real argument in the case of a person trying to defend himself before the courts, being one person against two or three inspectors or police officers. I strongly support the amendment pertaining to this matter and I ask the Minister to seriously consider it.

The Hon. G.F. KENEALLY: I find it quite interesting that we are having this debate. I do not in any way underrate the commitment held, particularly by the member for Eyre, concerning powers to enter. I think the member for Eyre has had a pretty consistent attitude towards this in this place for as long as I can recall. I suspect that he has held that view whether on the Government benches or the Opposition benches—although I point out that members on the Opposition benches are much freer in the nature of things to express their views. I just want to make the point that, where police have reason to believe that an offence is being committed or likely to be committed, they have extra-

ordinary power in relation to a person's household, a person's business, or used car yards, and so on.

Those powers already exist in a whole range of areas in society, but we are trying to stop these powers being applied to a particular sector of the community. If members opposite want to be consistent they should apply that philosophy across the board and say that in no circumstances will police have the power to do things in other areas that they do not want them to do in relation to heavy trucks. If that were their consistent approach across the board one could understand their position. However, it is not the position held by members opposite.

It is quite clear that, in a situation where the police have reason to believe that a serious offence will be committed on private property, many people would like to believe that they can take action to ensure that that offence is not committed. I am not drawing a long bow here. I understand the concern and nervousness of members opposite, and that concern and nervousness may apply to some of my colleagues. I have have a good look at this matter and had discussions with the people involved. Also, approaches have been made to us by the police.

I believe that I have answered the question posed by the member for Eyre during the second reading debate. We have now reached this one area of contention as to whether police should have the power to drive a truck to a place to be weighed if the driver will not drive it there. Unless they have that power, they have no power at all. To say that one can just increase the penalty for a driver for not doing so in the Government's view is not sufficient.

We all know that many people who drive trucks on our roads, whether intrastate or interstate, are working for wages and do not always own the prime mover. They certainly do not own the trailer or its contents. When a driver sets off on a trip he has the option in many cases of taking the chance of being picked up by the law or being sacked. They are the options available to him. I have had cause to be concerned about this matter in another area. All the pressure is on the driver: loss of licence, or loss of his job. The police can charge either the driver or the owner, and in certain circumstances they will charge the owner because they think his resources perhaps are more adequate to meet the penalty that might be imposed. Nevertheless, the driver is quite often placed in an invidious position of taking a risk with the law or losing his job. It is unreasonable to put a driver in that position.

I understand the point of view expressed by the member for Chaffey, but the situation applying in these circumstances is no different from that applying right across the board in a whole range of areas. This is not something unique or something that has not been tried. It is currently the law in Victoria and such powers apply in just about every piece of legislation brought before this House that contains penalties.

Mr BLACKER: I have listened with interest to what the Minister said. However, an example occurred in Port Lincoln some years ago of a person who was apprehended for driving under the influence. He was driving a truck load of grain, and was a rather jovial chap, who chatted up the police about it. One of the policemen got into the truck to drive it from the hills just outside Port Lincoln into the town. The owner of the truck pleaded with the policeman not to drive it, asking him to leave the truck there, and he would get someone else to drive it. However, the police officer said he would drive the truck, did so, and unfortunately wrote it off.

The Hon. G.F. Keneally interjecting:

The CHAIRMAN: Order! The Minister can answer questions in due course.

Mr BLACKER: This is an analogy that could apply in this instance. In that case the police officer quite wrongly drove the truck, and wrote it off. The owner, as it is known locally, did a few days 'over the hill'—at the local gaol. It is believed locally that he was well paid for those few days 'holiday', as the chap put it. As I have said, he had a rather jovial and lighthearted approach to life, but nevertheless this occurred, and I can see it occuring here in even more serious circumstances.

If we take this matter to the ultimate extreme, we could say to every owner in the city who has a car trailer that was reasonably believed to have been driven on the road with faulty lights that someone could come on to their property and inspect that trailer. That is the extreme, but a principle has been set and could be extended in a relatively simple way.

The Hon. G.F. KENEALLY: There is absolutely no justification for a police officer to act in the way outlined by the honourable member. If the police officer is not qualified to drive the vehicle, then I suggest that the action should be taken against the Crown.

Mr GUNN: These amendments take a completely realistic approach to difficulties that departmental officers are facing. The Minister indicated that the Parliament from time to time has placed draconian powers in legislation. I put to the Committee that in an enlightened and responsible society it is about time that the Parliament put paid to some of the disgraceful legislation which has passed through it and in which people's rights have been violated. There is before the Parliament another measure about which I will present amendments to prevent arbitrary entry into people's homes. In recent times there has been a more enlightened approach; first, people do not have to answer questions that tend to incriminate them; and, secondly, no-one can enter a private dwelling without a warrant signed by a justice. No police officer would be game to go on to a property or break into premises without a warrant; if they did their senior officer would have them.

Police officers are properly and adequately trained and the overwhelming majority of them have respect for people's privacy and dignity, unlike Highways Department inspectors who are people with a limited IQ, many of whom, when they put on their khaki uniforms, would be akin to some people of 1939. They have no understanding of the value of people's privacy, or their rights—and that is why we are so concerned. I know that the Minister is a reasonable man, but he is not administering this legislation, which is under the control of the Commissioner of Highways. Michael Knight is a reasonable person, but unfortunately he does not exercise enough control or authority over these people.

The provisions of this Bill are quite outrageous. I was advised today that the courts take it for granted, even if it is not stated in the law, that if people give self-incriminating evidence that is not acceptable in court. A person summonsed is at a tremendous disadvantage; they receive a summons on the back of which is written, 'If you do not plead guilty', so they are virtually obliged to plead guilty unless they are fined a massive amount. It does not pay to get legal representation. Because of the way in which the summons is presented, people are at a disadvantage and that is quite disgraceful. I hope that, by the time I leave this place, I will have been able to do something about this.

The Minister is quite right in what he says: I have been most consistent in my attitude. In the time when I was sitting on the Government benches—where the Govern-

ment Whip is now sitting—I was responsible for getting the member for Murray-Mallee to amend the Bill that Michael Wilson had introduced dealing with minimum penalties for overloading. I did that because of the arrogant attitude of the then Commissioner of Highways, Mr Johinke, who stood up in a public meeting and told people what the Highways Department was going to do. He was not the elected representative. I thought, 'You'll keep, when your legislation comes in.' That is why we pushed it through our Party room and the amendments were put in this House.

The member for Stuart, as he then was, sitting over here on that occasion, did not quite twig what we were doing. He asked a couple of simple questions but did not realise the significance of what we were doing on that occasion. That was an important amendment. So, I have been quite consistent in my attitude. We are talking about the overwhelming majority of decent, law abiding citizens, many of whom have had to borrow tens of thousands of dollars to try to make a living shifting the nation's produce, which is so important in creating employment, and from the moment they go on the road with a truck they are hassled by inspectors and police.

No other group in the community is so hassled, yet every time I drive through Port Augusta I see three or four of these big vehicles sitting there, with these fellows checking log books and looking round the vehicles. Where do we live—in South Australia or in South Africa? I have been to East Germany and South Africa, and we are going down this track, allowing people to knock on doors in the middle of the night. I am most perturbed that the Government would accept the sort of advice it is getting.

I can say to the Minister that this Bill will have a fairly rough passage before it is through this Parliament. Fortunately, we live with a democratic process. We are not talking about a person being caught for speeding. Just imagine if someone had spent $250 000 or up to $1 million, as constituents of mine have had to spend, on the most sophisticated rigs to cart up to the gas fields—

An honourable member interjecting:

Mr GUNN: That is without his payload. These are the most highly efficient trucks that can be put on the road. The driver has it parked and one of these small-minded people, thinking it may be overloaded, says, 'Here is our chance: we will get another conviction.' I am often of the view that they are set targets for getting so many convictions. So, he comes along, gets in this vehicle, and rips the gearbox out of it. Who is responsible, and for what sort of compensation, if it takes months to replace the gearbox?

This Parliament, if it passes this law, is acting in a thoroughly disgraceful fashion. It is not good enough, and I am absolutely surprised that a reasonable person like the Commissioner of Highways—with whom I have had dealings—would be responsible for allowing provisions of this nature to come forward from his officers. It is a terrible provision. I asked the Minister a number of questions during the Committee stage, and if the Minister wants to control these people I know who the rogues on the roads are, as well as the Minister's staff knows. I know who they are, because I spend a lot of time driving round this State. As someone who has driven trucks I know the people involved in the transport industry.

The Minister was talking about responsibility: we had to pay a fine for what an employee did. It is not the employee, it is up to the owners. That is where the responsibility comes back. But the owner has no responsibility if a fellow will not stop his vehicle. I tell the Minister that I think that this whole exercise is ill-conceived; it is undemocratic and, in a society which prides itself on respecting the rights of the individual, we should not take this course.

I have sat there while directors have said to Ministers of my persuasion why they need these powers. That is just the reason why I think they do not need them. I can give an example. I had a director-general say to me, 'Mr Gunn, if you proceed with this course of action we will have to go back and tell the Ministers all round Australia that this Minister cannot get these provisions through his Parliament because of his backbenchers.' My attitude to him was, 'If you are such a pair of fools to have signed that agreement, that is on your head, but that should in no way cause the rest of the South Australian Parliament to go along with such a lot of nonsense.'

That was an example where they wanted to force people, constituents of mine who had certificates from the Greek Navy for competency, to sign an agreement because they could not take out a boat to catch a few fish at Ceduna. So, do not give me the argument that all wisdom flows from the department, because it does not. I believe that these amendments are proper, are just, and are commonsense. The greatest thing this Parliament could have is a bit of common sense. That is what we lack. People think they can solve problems by passing silly damn laws. I know that difficult cases create bad laws, and that is what is happening here. I recommend to this Committee that it reject this Bill. If that does not happen here, I hope it will get tossed out in the other House, and that the departmental officers will come to their senses, face reality, and put forward some sensible recommendations.

I know that they will not be happy with what I have said today, but I make no apology for what I have said. We are elected to this place to do a job. Fortunately, in a democracy the Parliament does have its will, and it does some of these people good to be hauled before the committees now and again.

Mr S.G. EVANS: I want to re-emphasise the point that the person who is committing the offence is the driver. The Minister's statement in summing up was that one cannot expect the driver to lose his licence for breaking the law. The Minister said it is putting him at great risk, that it is too big a penalty for the driver to carry to lose his licence for breaking this law. They are his words.

The person who commits the offence is the driver, not the employer, and that is the position we are in. The amendment moved by the shadow Minister is putting the blame quite clearly where it should lie—with the driver. I agree with the member for Eyre that, when one loads a cab, one does not know how much each beast or each sheep or goat weighs. It is possible to be carting from a pit where there is no weighbridge between the pit and the delivery point; that happens many times throughout the State. Under the laws, conditions and taxes that apply in this State, anyone who wants to make a living has to load right up to the maximum the law will allow. In doing that, where there is no way of checking the load, one is liable to go over the limit. I have been through it, and I have done it. The Highways Department was not as enthusiastic or as ruthless in those days, nor were the police, because in the main one was not carting on roads where one was endangering others, if that is the argument used.

The main argument is road damage, and that is the argument on which the Minister has hung his hat. So, we are going to extremes in putting the penalty back on the owner of the vehicle in the sense that his vehicle is at risk. That is what I am arguing. I just hope that, if the Minister rejects it here, the Upper House will stay firm in moving the amendment moved by the member for Bragg, as shadow

Minister on behalf of the Opposition: the driver carries the can if he breaks the law—if the Government, whether this Government or a Government in the future, wants to take it that far. If another member had time he would give an example of a person, charged by the police with a traffic offence relating to another vehicle—not a truck—who does not even own the vehicle. However, they will not drop the charge. The person has never owned the vehicle. Because time is constrained, that member is not going to raise the matter, but that is the sort of thing which is happening. Here we put at risk the employer, the owner of the vehicle, through no fault of his own, except perhaps of employing a diver who should have known better. If one were to sack the driver under present law, then one would be before a court again, being challenged about unlawful dismissal. I support the amendments in the strongest terms.

The Committee divided on the amendments:

Ayes (16)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker, Becker, and Blacker, Ms Cashmore, Messrs Eastick, S.G. Evans, Goldsworthy, Gunn, Ingerson (teller), Lewis, Meier, Oswald, and Wotton.

Noes (26)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, Crafter, De Laine, Duigan, and M.J. Evans, Ms Gayler, Messrs Gregory, Groom, Hamilton, Hemmings, Hopgood, Keneally (teller), and Klunder, Ms Lenehan, Messrs Mayes, McRae, Payne, Peterson, Rann, Robertson, Slater, Trainer, and Tyler.

Pairs—Ayes—Messrs Chapman and Olsen. Noes—Messrs Blevins and Plunkett.

Majority of 10 for the Noes.

Amendments thus negatived.

The Hon. D.J. HOPGOOD (Deputy Premier): I move:

That the sittings of the House be extended beyond 6 p.m.

Motion carried.

Mr INGERSON: I refer to police powers and their qualifications as drivers. Legislation calls for a driver to be supervised and, in certain circumstances, trained to handle certain goods, in particular hazardous goods. The proposal before the Committee does not address this requirement, nor is consideration given to how a nominated driver or a police officer will be selected to drive a seized vehicle. Furthermore, who will be held accountable to instruct the police officer or nominated driver of the operating requirements and details of the hazardous cargo? Who will be held accountable in the event of a catastrophe being experienced as a result of an accident being caused by a non-inducted or non-supervised person being empowered to drive a vehicle to a weighbridge?

The Hon. G.F. KENEALLY: Quite clearly, as I explained to the Committee earlier, any person in charge of a vehicle as a result of the direction of the police would have to be qualified to drive that vehicle.

Mr S.J. Baker: What if they are not?

The Hon. G.F. KENEALLY: If they were not qualified to drive the vehicle they would be in breach of the law and the owner of the vehicle would have cause to take action against the Crown. The honourable member then asked whether or not police officers, legitimately in the exercise of their duty, in driving a vehicle—

Mr LEWIS: On a point of order, I ask that the member for Bright and the Minister of Agriculture desist from turning their backs to you, Sir, if they are going to conduct a conversation in the Chamber.

The CHAIRMAN: The point of order is accepted. Standing Orders state that only the member who is speaking should be standing at any given time. I draw the matter to the Committee's attention.

The Hon. M.K. Mayes: You'll keep!

The Hon. G.F. KENEALLY: I think the second part of the question—

Mr LEWIS: On a point of order, the Minister of Agriculture, having heard your decision on the point of order, Sir, gave offence to me when he threatened me by interjecting, out of his seat, 'You'll keep!' I ask you, Sir, to request that he withdraw that threat, because I find it unacceptable and offensive.

The CHAIRMAN: Order! I ask the honourable member to resume his seat. All interjections are out of order, and the Chair is not prepared to rule on an interjection that is out of order.

The Hon. G.F. KENEALLY: The second part of the honourable member's question related to insurance and whether the vehicle was covered by insurance if driven by a third party.

Mr Ingerson: I didn't ask that.

The Hon. G.F. KENEALLY: I am prepared to answer it when the honourable member does ask it. The second part of the question related to who would be responsible. The police would have immunity from prosecution if, in the proper exercise of their duty, they are involved in some damage to a vehicle, just as they already have immunity in existing legislation on other matters if damage is caused as a result of actions carried out in the proper course of their duties. I will obtain a more detailed response, as I need technical and legal explanations on these issues, and get it to the honourable member before the legislation enters the Upper House.

Mr INGERSON: From a commercial standpoint it has yet to be resolved whether the terms of the underwriter's policy would become void in the event of a seizure of the truck by the police and driving it without the owner's authority. This is a particularly important point and it becomes even more important when it is subsequently found that the vehicle's mass is within the required limits. The owner of the vehicle would not want the insurance coverage of his vehicle—nor would the owner of the goods want the transit insurance coverage—to lapse because of any action taken by the Police Department.

The Hon. G.F. KENEALLY: I have some notes here that may answer part of the honourable member's question, but they may not answer it completely and, accordingly, I will undertake to get a further explanation for him if, in fact, on considering his question, that is necessary. In general terms, the question of insurance cover is a matter between the carrier and the insurance company. If the insurance company suspects that the vehicle is overloaded and that fact can be determined, it is likely that the insurance would be void, regardless of who was driving the vehicle. Only vehicles suspected of being overloaded are likely to be involved. Therefore, it is not anticipated that any problems would arise with third party insurance. I will have my officers look at the question more closely and, if further information is required, I will provide that for the honourable member.

Mr S.G. EVANS: Can the Minister also provide that information for other members who have spoken on this matter? If the driver has not broken the law and the police make the error but the vehicle is damaged, the owner is faced with going back to the driver (and that comes back to the point that I made earlier) and arguing that the driver is at fault for not stopping, if I can use that example, even though he did not break any other law. The driver failed to stop, so he has broken that law. The police take posses-

sion of the vehicle because they believe that it is overloaded. After it is piled up and they weigh every skerrick of it to try to prove the point for an insurance company, but they find it is not overloaded, the owner has the difficulty of getting back at the driver who committed the offence of not stopping. The Minister's attitude is that the driver should not have to carry the can: he is trying to put the onus on the employer. That is typical of the attitude of the Bannon Government.

The Hon. G.F. KENEALLY: It seems highly unlikely that the driver would refuse to stop unless he was overloaded.

Mr INGERSON: Would the owner have the right to claim against the police for damage caused to his vehicle as a consequence of the seizure where, first, the vehicle was found to be overloaded; and/or, secondly, the vehicle was not found to be overloaded? Thirdly, in the event of the Police Department being responsible for or involved in a motor vehicle accident while driving the truck, would the owner of the cargo or a third person be able to claim compensation from the Police Department? Fourthly, would a third person or persons who sustain injury or damage from such an accident be able to claim against the Police Department?

The Hon. G.F. KENEALLY: These are matters that ultimately will be determined by the courts. No matter what I as a Minister say about the law, the law is never that which is stated by Ministers in Parliament but, rather, we know that ultimately it is what is determined by the courts. If somebody wants to take that course of action, that will happen fairly quickly. If it is proven that whoever is in charge of the vehicle has acted properly, I think that that would be a defence but, if somebody in charge of the vehicle is proved to have acted improperly, I think that the Crown would be able to prove a case to answer.

Mr S.G. EVANS: The Minister said that a reasonable driver would stop if his vehicle were overloaded. It is possible that, if the truck is loaded with cattle, or the vehicle has been loaded from a pit where there is no weighbridge, the driver would not know exactly what the load was. For those reasons, if the driver has been caught twice before for some offence, he or she is then faced with some serious penalties and people have gone to gaol. One man in the South-East went to gaol over this sort of thing and yet, if drivers think that they are on the borderline of the law, they might take the punt and say, 'I am not going to stop' and we then say that that person is not responsible—it is the employer—and that is the point I make. You cannot always know when your vehicle is overweight unless you have been past a weighbridge to weigh the vehicle, or the goods that you have loaded are marked as a weight prepacked somewhere by a manufacturer.

Mr GUNN: I wish to raise a query with the Minister about clause 3, which really is the objectionable clause. I do not want to hold the Parliament up unduly but, if we have to sit until 7 o'clock, we will do that, because we are elected to debate these matters. Can the Minister give an assurance that inspectors or the police will not remove vehicles or trucks lined up at silos overnight or at the weekend, or enter onto private properties or farms to weigh vehicles?

The Hon. G.F. KENEALLY: There are two different examples in that. The honourable member mentioned the case of vehicles being lined up at a silo. It is reasonable to believe that they have travelled on a road and, if the police have reason to believe that a vehicle has travelled on a road, they are able to take action against the drivers. It is not intended that this legislation would provide powers to the police to enter private property because they think that a vehicle might travel on a road. If the honourable member looks at clause 3, he will see that subclause (2) provides:

> A member of the police force or an inspector may not give a direction under subsection (1) in relation to a vehicle that is not on a road unless he or she has reasonable grounds to believe that the vehicle has been driven on a road in contravention of a provision of this Act relating to mass.

It does not refer to a vehicle that 'will be driven on a road' but, rather, to a vehicle that 'has been driven on a road in contravention of a provision of this Act relating to mass'. I pointed out earlier that this power has been included in the legislation because many drivers (and I do not know how many), once they know that the police want them to stop, merely drive off the road and straight into private properties, sometimes going through a fence in the process, and then they are free from any further action by the police. The police are rather concerned about that, and that way of avoiding police inquiries should be closed. This is the way to close it. To answer the honourable member's question, if you are at a silo and the police have reason to believe that you have travelled there on a road (and you are overloaded), under those circumstances the police would be empowered to weigh but, if you are on private property and you have not been on a road (and the police have no reason to believe that you have been on a road), under this legislation they would not have the power to weigh.

Mr GUNN: At places like Port Lincoln, Thevenard, Wallaroo and Port Pirie 150 trucks can be lined up. It could be a weekend, and along comes the highway patrol. They can break into a truck, pull it out of the line and take it away. The Minister shakes his head, but this is what happens. Unfortunately, this is the mentality of some of these people—they have a siege mentality. If constituents are coming to you weekly complaining that they cannot even go to the damn show and if decent law abiding citizens have been harassed by people who are now putting forward this sort of nonsense, of course they have the right through their representatives in Parliament to complain. That is why we are elected.

Every time Parliament agrees to this sort of legislation, another lot of people will be affected and harassed. That is why we represent them in this place. As long as I am here, I will not be pushed around by public servants or other people. Of course people who are concerned complain to me. What other rights do they have? Most of them cannot afford lawyers. It is all right for public servants to think that we are arrogant and objectionable, but where a matter really upsets me I raise these questions. I know how unreasonable the new highway patrol has been. I will cite another example. I am sorry it is taking this time, but Parliament can sit all next week and then we can adjourn. The inspectors, who are represented by the Minister, placed a defect notice on a person's vehicle and the police put his trailer off the road.

They refused to wait one extra hour while he took it to get it fixed. They would not do that. He was going to have his vehicle off the road for a week and could not earn any income. I, with great difficulty, then went to the inspectorate and really had to rocket them. Eventually they agreed, grudgingly, to ask the local police to lift that order. They then told this person—and this is what made me so angry—not to go to a member of Parliament again. It is any person's right to do that. That is why I am raising this issue today. It is about time we set up a few more parliamentary committees and that we hauled a few more public servants before them to show them who runs this place. That is what upset me: this person was going to be denied a living. These fellows want to get on a plane and go back to Adelaide. I know of instances where people's vehicles have been

put off the road because inspectors have deemed that their two-way radios were in the wrong place—in the head danger area.

This is why I have raised this matter with the Minister. I have no doubt that he is a reasonable person; I do not doubt the Minister, but he is not administering this. Once it leaves this Parliament it is administered by other people. It absolutely appals me to think that people will have their trucks ripped out of the line at silos. I know how these inspectors think and carry on. If the Minister can give me that assurance, I will really be a lot happier.

The Hon. G.F. KENEALLY: The honourable member asks for an assurance that no farmers who have their trucks parked at silos overnight, while waiting to offload the wheat, will be subject to any investigation or inquiry by the police or an inspector. I cannot do that, because if their trucks are seriously overloaded they would need to be looked at. This legislation is not designed to affect farmers who have taken wheat to silos; it is designed to try to restrict the actions of people in the heavy transport industry who seriously overload their vehicles and damage the roads and who breach the law and pose a threat to the travelling community because of the pressure that they put on their braking systems.

Certainly, the Government has no intention to have police or inspectors harass farmers at wheat silos. On the other hand, if a farmer seriously overloads a vehicle that person must come under the same constraints as apply to other people operating in heavy industry, and I am sure that the honourable member would not wish it otherwise. I assure the member for Eyre that we are not after his constituents, whom he referred to in the House. In a sense, we are addressing a much more serious problem on the roads, namely, that of overloading by major trucking companies.

Clause passed.

Title passed.

Bill read a third time and passed.

GOVERNMENT MANAGEMENT AND EMPLOYMENT ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

ADJOURNMENT

The Hon. G.F. KENEALLY (Minister of Transport): I move:

That the House do now adjourn.

Mr PETERSON (Semaphore): In the time available to me this evening I wish to raise an issue related to the development of Port Adelaide and, in particular, to the development of a little area called Cruickshanks Corner. As most people do not know where that is, I point out that it is on a bend of the Port River on the northern side opposite berths Nos 2 and 3 at Port Adelaide. It is a prominent little spot, with quite a history. In the early days of Port Adelaide, right up to the construction of the Birkenhead bridge in 1940, the area was used as a ferry terminal to carry people to and fro on the river. It was also a very popular recreational spot, with a small beach, and swimming went on quite a bit. It has now been neglected and forgotten for some time.

Back in the 1950s and 1960s a concept for a maritime park for the area was proposed. In 1983, the steam tug *Fearless*, brought down from Brisbane by Keith LeLeu, was put onto the site. Keith has done a great job for maritime artefacts in Port Adelaide, and I hope that one day those efforts will be recognised.

I want to run through the history of the proposals that have been put forward for that spot. To date, nothing has come to any real fruition. It has left a neglected spot, across from some of the key exhibits in the Port Adelaide Maritime Museum. In 1975 a proposal for a maritime college to be constructed in this State was put forward. Unfortunately, that was not built here and was eventually built in Tasmania. However, I believe that there is still some possibility of realising the construction of a facility for training, in conjunction with the Port Adelaide College of TAFE. Perhaps the old *Accolade* from Adelaide Brighton Cement, which is now lying neglected at Birkenhead, the cement company no longer needing it, could be used, even if the vessel was cut off at the bridge and tucked up somewhere for either training in conjunction with the college or as an exhibit in conjunction with the maritime park. As I have said, the college proposal was dropped. Back in 1978, the *News* of 25 October carried a headline 'Ahoy! It's a new park'. It is interesting that back in those days the now Premier, Mr Bannon, was then the Minister of Community Development.

Mr Groom: The member for Ross Smith.

Mr PETERSON: And also the member for Ross Smith. The headline further stated, ' "Exciting" says Bannon'. The article stated that Mr Bannon had said that the proposal was subject to approval but that it was an exciting project, the first of its kind in South Australia, and that he was pleased that the project had come to fruition some years after being suggested. The idea was to use 2.5 acres of Cruickshanks Corner and establish a park with a tug set up there and other attractive facilities. It was also reported in the local Messenger paper in 1978 that a 20 year lease would be taken up with the National Trust. I believe that that was taken up. In the 1978 article the following statement was made:

> The first move will be to fence, landscape and plant trees in the area.

Not a thing was done. The local MPs representing the areas involved in those days were Jack Olson and George Whitten. They fully supported the concept of a park in the area, but there was some dispute at that time between the council and the Government about the location of an all enveloping development there because of future use of the area. I think it is still an aspect which must be considered today, that is, what the future will bring. In 1979 further decisions were made, with the council eventually agreeing to the development. The Messenger newspaper of Wednesday 28 March stated, 'Decision at last—the Maritime park to go ahead'. The only thing that was done was that the tug, *Fearless*, was placed up there; it was actually put into position at 8.30 p.m. on Thursday 13 January 1983.

Since then, every effort to have that area developed has fallen on deaf ears. The Port Adelaide Maritime Museum was developed since then, but the concept moved the emphasis from Cruickshanks Corner, which was to be a complete park, to the Port Adelaide centre itself, utilising the old Ferguson's Bond Store and No. 1 and No. 2 berths.

Community concern was reflected at a meeting which I attended, I think, in 1985, when Keith Le Leu, I think a representative from the Department of the Premier and Cabinet, and a representative of the Port Adelaide council met to consider what could be done about this area. We came up with some concepts for using the land for recreation purposes for the local community and for the broader

based State population. The idea was to develop the land. The council undertook to look at the Federal Natural Area Enhancement Scheme, which could have been utilised to develop that corner. Unfortunately, there were no funds available and the idea lapsed.

Other proposals were put to the Port Adelaide council. The Port Adelaide ALP Federal Electorate Committee put a submission forward, but because of a lack of Federal funding nothing could be done. The area is now included in the Port Adelaide Centre Development, Stage II Report. This is an important piece of land as the development of Port Adelaide has been extremely well done. The development has brightened up the area, and the museum and other attractions are of great interest to people. I attended a meeting of the Port Adelaide Retail Traders Association last evening and the Director of the Maritime Museum was in attendance. He said that in the 10 months of this year 108 000 people have passed through the museum and 50 000 have paid to enter the lighthouse—obviously, some people went to both.

People go to Port Adelaide to look around. They look in the museum, which I know, because I am a maritime history fan, is the best maritime museum in Australia and, from my experience, better than many in the world, and I have looked at some of them. The Port has been developed extremely well, and people are going there. If one looks at the Maritime Museum pamphlet one sees the development in Divett Street and Lipson Street where buildings have been painted. Ferguson's Bond Store is now the Maritime Museum building. People walk to the wharf to see the ships, the *Nelcebee*, the *Yelta* and the *Falie* at No. 1 berth. They are attractive to people who are not used to such things.

People are interested in the development of the Port and they go to berths Nos 1, 2 and 3 where there are objects of interest such as the fire float, which is on that side of the river, as is the custom house and the tugs, which are moored on that side, also. However, there is this ugly blob of land where nothing has been done. A great deal of public money has already been spent in Port Adelaide and any development in the area will add to the public recreational facility for the State as a whole.

That area has a history as a recreational area for the people of Port Adelaide and nearby districts. We need to further develop the area and tidy it up. This piece of land is now being considered under the Port Adelaide Redevelopment Plan. Nobody knows what will be the final use of this land, but in the interim, as there is no maritime or waterside park in Port Adelaide on the bank of the river, such a park would add to the colour of the Port. The *One and All* will be back here shortly and the *Falie* is already here (I do not know what we will do with the two of them there).

This whole area is an interesting and exciting area for visitors, so we must develop this land as it cannot be left as it is. I ask the Premier's Department, which controls the Port redevelopment, to look into this matter and bring forward a plan for development, even simple landscaping to make this land usable for recreational purposes. Barbecue and toilet facilities could be provided. The area has historic significance, and must be considered in the overall picture of Port Adelaide. Such a development would add to the facilities available to the people of South Australia and to tourists who can travel to the other side of the river to get an aspect towards the ships and the Port Adelaide development.

The DEPUTY SPEAKER: Order! The honourable member's time has expired. The honourable member for Mount Gambier.

The Hon. H. ALLISON (Mount Gambier): I will tonight continue my remarks about the Mount Gambier Hospital which were interrupted on 9 September 1987 and which appear at pages 854 and 855 of *Hansard*. I unfortunately ran out of time while asking the Hon. John Cornwall, Minister of Health, to take immediate steps to have the upgrading of the hospital commenced. I realise that the Minister has serious financial problems because of the number of hospital renovations and constructions to which he was committed at the 1985 and 1987 elections, but promises to upgrade the Mount Gambier Hospital were made in good faith and were accepted with great enthusiasm by the electors of the South-East.

When I spoke in September about this matter I referred to the central sterile supply department at the Mount Gambier Hospital which is 27 years old. The sterilisers are difficult to maintain and the cycles are slow necessitating employment of senior and junior staff working overtime to ensure that sufficient sterilised equipment is constantly available for the hospital. That is obviously an area which has long needed upgrading. I also pointed out that the theatre recovery area is located in an inappropriate spot as it is in a small alcove converted from an old storeroom and shares a common corridor to the operating theatres and the central sterile supply department. It accommodates up to four post-operative patients, but should not really accommodate more than one. If there is an overflow of patients they have to be placed in the corridor, which could lead to unsatisfactory circumstances because the corridor would be one of the less sterile areas of the hospital.

I also referred to the radiology department, which is poorly designed, overcrowded and requires redevelopment. It straddles the main corridor from the casualty department, has insufficient space and inadequate reception facilities, and needs a considerable amount of upgrading. The casualty area is unsatisfactory because it shares a great number of activities with inpatient admissions and outpatient attendances. The treatment room serves the dual purpose of treatment areas and nurses station. A large group of people congregate around the casualty admission area with patients, staff and relatives all being there at the same time, particularly if there is an emergency, for example, in the event of a motor vehicle accident involving a large number of patients being admitted simultaneously. That is not an uncommon event either in the South-East or anywhere else in South Australia, as members would appreciate. The waiting area is inadequate. When the front entrance to the hospital is closed, usually early in the evening, the main switchboard and front entrance areas are no longer available for visitor admission and visitors enter the hospital through the casualty area.

The theatre suite is inadequate and there are problems with both staff accommodation and storage. Doctors and medical orderlies have to share a small area, both for changing prior to operations and for office accommodation. The nursing staff have a very small common room which lacks facilities normally found in such an area. Theatre equipment is stored in corridors or in a partitioned area at the rear of the lifts. The accommodation provided in the theatre suite is inadequate. Stores areas are fragmented; they should be centrally located and within reasonable proximity to one another. In fact, the stores are located on different floors in different wings and there is insufficient space in which to place items under locked cover for security purposes.

Obviously, this will lead to problems of supervision and stock control, and general inefficiency ensues. With regard to the patient treatment areas—the wards themselves, areas in which general therapies are conducted—there are prob-

lems of poor design. I mentioned in September that the hospital is a pre-war design which was upgraded and constructed in the post-war era, as were many other hospitals, and there is an inappropriate patient mix, with psychiatric, medical and rehabilitation patients all to be found within the one unit. Facilities themselves for patient use are inadequate, with bathrooms and toilets having to be commonly shared by male and female patients—a problem which may be of less importance in a very large capital city where people do not know one another but which can lead to major embarrassment in a rural area where, almost invariably, inpatients tend to know one another or one another's families. These situations have been reported to me on frequent occasions over the past few years since the board found it necessary to go to the situation of common toilets.

There are inadequate reception and supervision facilities because of small and badly located staff stations. These are a number of the more urgent and more immediate requirements of the hospital and, as I acknowledged earlier, the Minister has committed a major upgrading for Mount Gambier Hospital totalling, probably, some $15 million. All of us know that, under the present financial constraints facing all of Australia, a redevelopment cannot be effected quickly. However, in view of the urgent need to upgrade, repair and refurbish many of those facilities, I ask the Minister to consult with the Health Commission and see whether at least some steps cannot be taken during the current financial year to commence the redevelopment.

I suggest that, although it may seem improbable that an upgrading can be undertaken immediately, because no funds are committed under the present budget, nevertheless if any one of these improvements is commenced there is a flow-on situation, because the central sterile supply cannot be relocated unless the patient recovery area is simultaneously dealt with. So, the Minister would have to consider making a reasonable amount of funding available immediately if any work were to be commenced. I am not asking for the impossible but, in view of the Minister's commitments prior to the past two elections, I hope that he will see fit to consult, as a matter of immediacy and great urgency, with the Health Commission to see whether some work cannot be undertaken at the Mount Gambier Hospital within the current financial year. We accept that his promise was made in good faith, and I am quite sure that the Minister himself would be very keen to see this project commenced within, at least, the next 12 to 18 months.

Another issue which I have been anxious to bring before the Minister in Question Time but which has eluded me because of the number of questions that have been on the Notice Paper is that of workers compensation. It has been brought to my notice that the Pick Avenue child-care centre and the Mount Gambier Derrington Street child-care centre are both facing very considerable increases in workers compensation payments. Pick Avenue goes from $800 to $3 000, and Derrington Street from $1 800 to $3 800, both of which were assessed at 3.8 per cent of salary. Whereas, as they pointed out, these two child-care centres receive some Government funding, compared with the State-run kindergartens, they are assessed at 3.8 per cent instead of the 1.8 per cent at which the kindergartens are assessed.

When one considers that the State Minister of Education has already assessed all kindergarten staffs as being part of the Education Department, because his new draft regulations require that staff should be teacher trained as a first prerequisite, it seems there is a great anomaly between his decision and that of the Minister of Labour, who believes that they should be assessed, I believe, under welfare and community services. Two per cent is a vast difference and, of course, it will throw up the cost of child-care to parents whose children are attending those other centres.

Mr RANN (Briggs): I want tonight to talk about the Grand Prix. This is a subject which has been talked about considerably over the past couple of years, but I have been concerned in recent weeks about the proliferation of letters to the Editor and calls to talk-back shows by the knockers and whingers, who are saying that it is a waste of money, an unnecessary drain on taxpayers' funds, an unwarranted intrusion into Adelaide's public and private life, organised noise pollution, a rich man's game, and even toys for the boys.

They are all the usual losers' laments from those who want to see South Australia and Adelaide ossify. So, I think it is about time that we again draw attention to the overwhelming positive benefits of the four-day racing carnival that is to be held this year on 15 November. We have to kiss the whingers goodbye. The Australian Grand Prix not only has become Australia's leading motor racing event, but also has increased its following to be at least equal to, if not surpassing, the Melbourne Cup and the VFL Grand Final as an event of truly national significance in Australia.

But, as an international event, surpassing its Australian significance, it clearly outclasses the VFL Grand Final, the Melbourne Cup or any other annual event. Indeed, I would put it to the House that, in terms of generating world interest, it is in pole position to beat Perth's America's Cup challenge last year. In saying that, I am not being parochial. Our Grand Prix last year was broadcast to 39 countries around the world, and it generated news or sports coverage on television in 84 nations around the world. Close to 1 000 representatives of the media will visit Adelaide during this November's Grand Prix. Many, of course, will not just be writing stories about the motor race: many of them come here, using the motor race as a focus, to then send back stories to their respective countries about Adelaide, its lifestyle, its industries, its tourist attractions, and what we have to offer.

So, in terms of that intangible spin-off, I believe that it reaps us enormous rewards. I know, for instance, that this year business journalists will be flying into Adelaide to write about activities here, including Technology Park, Roxby Downs, the Centre for Manufacturing, tourist developments at Port Adelaide, and so forth. They will also be meeting up with the many hundreds of senior businessmen who come from around the world and interstate to use this Grand Prix as a business focus. In many ways it becomes a sort of unofficial business convention, where people, businessmen and women, can meet with their peers and do business.

I am told that international investors and other business representatives, along with political and other leaders, will be guests at this year's Grand Prix in pavilions and suites organised by the Premier's Department, the Departments of State Development and Technology and Tourism, and the State Bank. The private sector corporations have also hired suites and boxes into which to invite guests in order to do business.

It is an unofficial business forum which will generate business and investment in our State. Of course, 1985—the first Grand Prix—saw our Grand Prix awarded the Formula One Constructors Trophy for its superb organisation. Earlier this year I spoke to organisers of the Detroit Grand Prix who just could not believe that, with all the difficulties experienced by places such as Dallas and Belgium in organising successful Grands Prix, a city the size of Adelaide could beat experienced Grand Prix organisers in terms of administration in its first year.

In that first year, of course, the Confederation of Australian Motor Sport named it the country's best organised and presented sporting event, and the Nine Network's world telecast received the international award for the best Grand Prix telecast of the year. The race also won a State tourism award, a personal award for Mal Hemmerling (the Grand Prix Executive Director), plus a national tourism award for the best festival or special event organised anywhere in Australia. But what about dollars and cents? The people who are whingeing to the papers—the knockers, the ones who want to put down what we are doing in our State—say that it is costing us money and that it is a waste of money.

The Grand Prix brings an extra 40 000 visitors to this State. In five weeks they will be out there spending money, occupying hotel rooms, visiting restaurants and using the Grand Prix as a springboard for other tourism activities and destinations in South Australia. Already, with five weeks to go, city and suburban hotel and motel accommodation within a radius of 80 km of the city has been completely booked out. I am told that houseboats in Murray Bridge and Mannum will be used to take up some of the shortfall. In addition, 24 rooms are being used at St Paul's retreat and 60 rooms at the Royal Adelaide Hospital nurses quarters will be made available for visitors.

The Grand Prix home hosting scheme is again in big demand. This year some 3 000 visiters will stay in homes promoted through the scheme—more than double the response of the first year of the Grand Prix. Many other visitors made their own arrangements with Adelaide households. Many made contact with Adelaide households during the first and second Grand Prix and are now making their own arrangements.

The race is also a boon to Adelaide building and other contractors with the construction of pit pavilions, hospitality villas, grandstands and other corporate facilities, bleachers and platforms as well as contracts for such things as power reticulation, plumbing services, overpasses, perimeter and spectator fencing, communications and crash barriers. About 500 workers are currently involved in setting up the track. This year the authorities are catering for an extra 4 000 seats, so there is an added capacity.

In terms of catering contractors, tenders have been let to handle the task of feeding an estimated 250 000 people. This year 125 000 people will attend on race day compared with 110 000 last year and 250 000 will attend over the four days compared with 220 000 last year. So, it is a boost to our construction, transport, accommodation, tourist and hospitality industries, which are the direct recipients of the race, with substantial flow-on effects.

It means jobs, and economists estimate that the 1985 event resulted in a $40 million injection into the State's economy. There are also the direct returns to Government, such as $1 million to Government agencies and departments as payment for services, and $380 000 in payroll tax, stamp duty, and financial institutions duty. Of course there are other indirect spin-offs. The 'Adelaide Alive' 3½ minute video commercial for the Grand Prix will probably become one of the most widely viewed single sporting promotions in television history. Some 40 countries, representing 700 million viewers, have asked for the full music video. I understand that it is now a hit in Singapore, where it is played in discos. It is used on Qantas planes and played in all sorts of resorts throughout South-East Asia.

The celebrity race is also attracting attention. There has been criticism of the fact that we are inviting film stars, such as George Harrison, or the New Zealand Prime Minister, David Lange, to this State. I have a list of people coming to the celebrity event. It generates interest. The fact that a New Zealand Prime Minister is driving in the race will undoubtedly contribute to the interest of New Zealanders in the race. People ask me whether he is booked into the Hilton or the Royal Adelaide Hospital. Celebrities who will be coming include Joe Bugner, Ian Chappell, Jeremy Cordeaux, Robert De Castella, Cameron Daddo (the *Perfect Match* host), Christopher Dean (the ice skating star), Jason Donovan (of *Neighbours*), Graeme Goodings (TV newsreader), Judi Green (Miss Australia), Clive James (British interviewer and critic), David Lange, Rob Kelvin, Guy Leach (the sporting Iron Man from Queensland), James Morrison (the jazz trumpeter), Greg Norman (the golfer), Lieutenant-General Laurie O'Donnell (the Chief of the General Staff), Eddie Rayner (the musician in Crowded House), and Roger Sprimont (head of the Australian Submarine Corporation). I understand that they have accepted, and others who have been invited include Michael J. Fox (the actor), Tom Cruise, Peter Carey, Russell Ebert, Warwick Capper, Wally Lewis, Stefan Dennis, Bryan Brown (the actor), Ricky May (my mate from New Zealand), and Jack Thompson (the star of many South Australian movies).

Of course there are spin-off sporting events with 10 000 people expected in the Grand Prix fun run, which is two laps around the circuit. People such as Christopher Dean, James Morrison, Neil Finn and others have volunteered to run in this event. There is also the Grange special golfing tournament. I understand that our Prime Minister, who has a handicap of 17, which he hopes to whittle down in tournaments at the moment with George Schultz, may be a prospect for being involved in this year's West End celebrity pro-am play-off.

The ACTING SPEAKER (Mr Tyler): Order! The honourable member's time has expired.

Motion carried.

At 6.50 p.m. the House adjourned until Thursday 15 October at 11 a.m.

HOUSE OF ASSEMBLY

Wednesday 14 October 1987

QUESTIONS ON NOTICE

MINE SQUARE COTTAGE FENCE

3. **The Hon. JENNIFER CASHMORE** (on notice) asked the Minister for Environment and Planning:

1. What is the current cost of erecting a security fence around Mine Square Cottage at Burra?

2. Has the Department of Environment and Planning obtained quotes from the private sector for the erection of the fence?

3. Does the department intend to erect a fence and, if so, when?

4. What are—

(a) the security arrangements; and

(b) the insurance arrangements,

to protect and secure this heritage asset?

5. Is the Minister aware that the Kapunda Historical Society is not in a position to contribute towards the erection of a fence and that the society possesses all the necessary furniture to furnish the cottage but will not install it until a security fence is erected?

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

1. Assuming the question refers to Mine Square Cottage at Kapunda, the cost is $4 500.

2. No.

3. Officers of the State Heritage Branch in the Department of Environment and Planning believe a security fence would be obstrusive and inappropriate.

4. *(a)* The property is under observation by neighbours, and through inspection visits by State Heritage Branch Officers.

(b) The Government carries its own risk.

5. Yes. However, the Department of Environment and Planning has offered the use of Mine Square Cottage, Kapunda to the Kapunda Historical Society for a 'peppercorn' rental, if it agrees to undertake basic maintenance and upkeep. The intention of the offer is to protect the cottage from misuse and/or damage by putting it to a productive use, rather than by encaging it behind an obstrusive security fence.

GOVERNMENT VEHICLES

46. **Mr OLSEN** (on notice) asked the Minister of Education: How many officers in the following departments have a 'permanent' or 'regular' allocation of a Government vehicle for travel between home and the office under the criteria detailed in Circular No. 30 dated 16 June 1987 from the Commissioner for Public Employment:

Department of Education;

Office of Aboriginal Affairs; and

Children's Services Office?

The Hon. G.J. CRAFTER: The replies are as follows:

Education Department: 70;

Office of Aboriginal Affairs: 1; and

Children's Services Office: 1.

DEPARTMENTAL ATTRITION RATES

121. **Mr OLSEN** (on notice) asked the Premier: What was the attrition rate in the 1986-87 year (measured in terms of the number of officers who resigned or retired as a percentage of the total employed) in each of the following departments:

1. Department of Premier and Cabinet.
2. Department of the Public Service Board.
3. Office of the Government Management Board.
4. Treasury Department.
5. Department for the Arts.

The Hon. J.C. BANNON: The statistics requested by the Leader regarding attrition rates of employees in departments and several Statutory Authorities during 1986-87 are not readily available for persons not employed under the Government Management and Employment Act. The data is kept by each department (but not necessarily in the format requested) rather than centrally by either Treasury or the Department of Personnel and Industrial Relations. Extraction of the information would be very time-consuming and the administrative effort cannot be justified. Similarly, the details requested for the Statutory Authorities are kept individually by the authorities concerned. The information is not availabe centrally. However, statistics on the number of Government Management and Employment Act personnel who resigned or retired from departments and Statutory Authorities during 1986-87 are attached for information.

ATTRITION RATES OF GOVERNMENT MANAGEMENT AND EMPLOYMENT ACT STAFF (1986-87)

	GME Act Employees Leaving Public Service		Number of Officers in Agency 30.6.86	Attrition Rate	
	All separations	Resigned or Retired[1]		% of employees who separated from Public Service	% of employees who resigned or retired
Agriculture	75	57	908	8.3	6.3
Arts	38	13	145	26.2	9.0
Attorney-General's	50	18	212	23.6	8.5
Auditor-General's	5	5	83	6.0	6.0
Community Welfare	246	100	1 173	21.0	8.5
Corporate Affairs	12	10	100	12.0	10.0
Correctional Services	92	73	978	9.4	7.5
Court Services	23	20	424	5.4	4.7
Education	92	53	892	10.3	5.9
Electoral	1	1	15	6.7	6.7
Engineering and Water Supply	95	75	1 602	5.9	4.7
Environment and Planning	81	33	501	16.2	6.6
Fisheries	18	10	105	17.1	9.5
Highways	69	60	967	7.1	6.2
Housing and Construction	70	50	803	8.7	6.2

ATTRITION RATES OF GOVERNMENT MANAGEMENT AND EMPLOYMENT ACT STAFF (1986-87)—*continued*

	GME Act Employees Leaving Public Service		Number of Officers in Agency 30.6.86	Attrition Rate	
	All separations	Resigned or Retired[1]		% of employees who separated from Public Service	% of employees who resigned or retired
Labour	20	12	359	5.6	3.3
Lands	71	59	931	7.6	6.3
Local Government	33	25	322	10.2	7.8
Marine and Harbors	26	22	273	9.5	8.1
Mines and Energy	24	17	306	7.8	5.6
Public Service Board[2]	24	22	168	14.3	13.1
Police	39	27	445	8.8	6.1
Premier and Cabinet	10	4	124	8.1	3.2
Public and Consumer Affairs	37	32	474	7.8	6.8
Recreation and Sport	5	5	69	7.2	7.2
Services and Supply	53	45	626	8.5	7.2
State Development[3]	6	5	86	7.0	5.8
Technical and Further Education	88[4]	48[4]	634	13.9	7.6
Tourism	15	14	123	12.2	11.4
Transport	35	29	520	6.7	5.6
Treasury[5]	20	17	258	7.8	6.6
Woods and Forests	33	19	259	12.7	7.3
Total Departments	1 506	980	14 885	10.1	6.6
Health Commission[7]	[6]	101	959	[4]	10.5
Total Public Service Staff	[6]	1 081	15 844	[4]	6.8

Note:
[1] Includes GME Act employees who resigned, resigned for family duties, left due to sickness or retired. Excludes staff who left the Public Service for other reasons including death, dismissal, temporary assignment ceased or transfer outside the Public Service.
[2] Public Service Board now split into Department of Personnel and Industrial Relations and Office of the Government Management Board.
[3] State Development includes the Ministry of Technology.
[4] Includes Office of Employment and Training.
[5] Includes South Australian Financing Authority.
[6] Not available.
[7] Includes Central Linen Service, Drug and Alcohol Services Council and the IMVS.

122. **Mr OLSEN** (on notice) asked the Deputy Premier: What was the attrition rate in the 1986-87 year (measured in terms of the number of officers who resigned or retired as a percentage of the total employed) in each of the following departments:

1. Department of Environment and Planning;
2. Auditor-General's Department;
3. Police Department;
4. South Australian Metropolitan Fire Service;
5. Engineering and Water Supply Department?

The Hon. D.J. HOPGOOD: The reply is as set out in the reply to question No. 121.

123. **Mr OLSEN** (on notice) asked the Minister of Education, representing the Attorney-General: What was the attrition rate in the 1986-87 year (measured in terms of the number of officers who resigned or retired as a percentage of the total employed) in each of the following departments:

1. Attorney-General's Department;
2. Court Services Department;
3. Electoral Department;
4. Department of Public and Consumer Affairs;
5. Department of the Corporate Affairs Commission?

The Hon. G.J. CRAFTER: The reply is as set out in the reply to question No. 121.

124. **Mr OLSEN** (on notice) asked the Minister of Lands: What was the attrition rate in the 1986-87 year (measured in terms of the number of officers who resigned or retired as a percentage of the total employed) in each of the following departments:

1. Department of Lands;
2. Woods and Forests;
3. Department of Marine and Harbors?

The Hon. R.K. ABBOTT: The reply is as set out in the reply to question No. 121.

125. **Mr OLSEN** (on notice) asked the Minister of Transport, representing the Minister of Health: What was the attrition rate in the 1986-87 year (measured in terms of the number of officers who resigned or retired as a percentage of the total employed) in each of the following departments:

1. South Australian Health Commission;
2. Department for Community Welfare?

The Hon. G.F. KENEALLY: The reply is as set out in the reply to question No. 121.

126. **Mr OLSEN** (on notice) asked the Minister of State Development: What was the attrition rate in the 1986-87 year (measured in terms of the number of officers who resigned or retired as a percentage of the total employed) in each of the following departments:

1. Department of State Development;
2. Office of the Ministry of Technology;
3. Department of Technical and Further Education;
4. Office of Employment and Training?

The Hon. LYNN ARNOLD: The reply is as set out in the reply to question No. 121.

127. **Mr OLSEN** (on notice) asked the Minister of Transport: What was the attrition rate in the 1986-87 year (measured in terms of the number of officers who resigned or retired as a percentage of the total employed) in each of the following departments:

1. Department of Transport;
2. Highways Department;
3. State Transport Authority;
4. Department of Services and Supply?

The Hon. G.F. KENEALLY: The reply is as set out in the reply to question No. 121.

128. **Mr OLSEN** (on notice) asked the Minister of Mines and Energy: What was the attrition rate in the 1986-87 year (measured in terms of the number of officers who resigned or retired as a percentage of the total employed) in each of the following departments:

1. Department of Mines and Energy;
2. Electricity Trust of South Australia?

The Hon. R.G. PAYNE: The reply is as set out in the reply to question No. 121.

129. **Mr OLSEN** (on notice) asked the Minister of Education: What was the attrition rate in the 1986-87 year (measured in terms of the number of officers who resigned or retired as a percentage of the total employed) in each of the following departments:

1. Education Department;
2. Office of Aboriginal Affairs;
3. Children's Services Office?

The Hon. G.J. CRAFTER: The reply is as set out in the reply to question No. 121.

130. **Mr OLSEN** (on notice) asked the Minister of Housing and Construction: What was the attrition rate in the 1986-87 year (measured in terms of the number of officers who resigned or retired as a percentage of the total employed) in the Department of Housing and Construction?

The Hon. T.H. HEMMINGS: The reply is as set out in the reply to question No. 121.

131. **Mr OLSEN** (on notice) asked the Minister of Labour: What was the attrition rate in the 1986-87 year (measured in terms of the number of officers who resigned or retired as a percentage of the total employed) in each of the following departments:

1. Department of Labour;
2. Department of Personnel and Industrial Relations;
3. Department of Correctional Services?

The Hon. FRANK BLEVINS: The reply is as set out in the reply to question No. 121.

132. **Mr OLSEN** (on notice) asked the Minister of Transport, representing the Minister of Tourism: What was the attrition rate in the 1986-87 year (measured in terms of the number of officers who resigned or retired as a percentage of the total employed) in each of the following departments:

1. Department of Tourism;
2. Department of Local Government?

The Hon. G.F. KENEALLY: The reply is as set out in the reply to question No. 121.

133. **Mr OLSEN** (on notice) asked the Minister of Agriculture: What was the attrition rate in the 1986-87 year (measured in terms of the number of officers who resigned or retired as a percentage of the total employed) in each of the following departments:

1. Department of Agriculture;
2. Department of Fisheries;
3. Department of Recreation and Sport?

The Hon. M.K. MAYES: The reply is as set out in the reply to question No. 121.

ST MICHAELS/MOUNT LOFTY SITE

144. **The Hon. D.C. WOTTON** (on notice) asked the Minister for Environment and Planning: Has an environmental impact statement been prepared for the project proposed for the St Michaels/Mount Lofty site and, if so, why has it not been released for public exhibition and when is it now anticipated that this will happen?

The Hon. D.J. HOPGOOD: A draft environmental impact statement is in the process of being prepared for the Mount Lofty development by the proponent. There is a need for the proponent to identify suitable access arrangements for the cable car station before the draft EIS can be completed. The EIS will not be placed on public exhibition until a suitable arrangement for this exists.

BELAIR-BRIDGEWATER RAIL SERVICE

192. **Mr S.G. EVANS** (on notice) asked the Minister of Transport:

1. What has been the charge to STA by Australian National for the use of AN facilities and services between Belair and Bridgewater for each financial year since the South Australian railways transfer?
2. What has been the charge by STA to Australian National for the use of STA facilities and services between Belair and Mile End for each financial year since the railways transfer?
3. What has been STA charge to Australian National for the use of other metropolitan line facilities and services for each financial year since the railways transfer?

The Hon. G.F. KENEALLY: The replies are as follows:

1. Payments to AN relating to services between Belair and Bridgewater are as follows:

Financial Year	$'000
1980-81	69
1981-82	64
1982-83	71
1983-84	139
1984-85	102
1985-86	137
1986-87	78
	$660

2. Information not available.
3. Information by line is not recorded however the total costs charged to AN for the full system are:

Financial Year	$'000
1980-81	3 704
1981-82	3 593
1982-83	4 161
1983-84	2 809
1984-85	3 583
1985-86	3 690
1986-87	2 866
	$24 406

SOUTH AUSTRALIAN HOUSING TRUST

208. **Mr LEWIS** (on notice) asked the Minister of Housing and Construction: How will a transportable home situated on Lot 69 at Copeville be moved to Wanbi, who will move it and what is the estimated cost of the move?

The Hon. T.H. HEMMINGS: The South Australian Housing Trust has arranged for the house on Lot 69 at Copeville to be moved to Wanbi by Campbell Low Loaders. The cost of lifting, moving and resiting the house will be $8 650.

GOVERNMENT PROPERTY

259. **Mr BECKER** (on notice) asked the Minister of State Development and Technology:

1. What was the total amount of all items of stock lost, stolen or missing from each department and authority under the Minister's control for the years ended 30 June 1986 and 1987?

2. What value of goods, and which, were recovered during each period?

3. Have internal auditing and improved stock controls helped reduce stock deficiencies and theft and, if not, why not?

4. What amounts of cash and/or cheques have been lost or stolen in the same periods?

The Hon. LYNN ARNOLD: The replies are as follows:

1. TAFE—
   Year ending 30-6-1986
   29 incidents reported with losses of $22 936
   Year ending 30-6-1987
   55 incidents reported with losses of $147 977
   DSD&T—
   Years ending 30-6-86 and 30-6-87
   3 incidents reported with losses of $3 300
   OTE—Nil
   OET—Nil
2. TAFE—
   Year ending 30-6-86—Nil
   Year ending 30-6-87—In six cases all or part of the stolen goods were recovered. The book value was $49 480. However, in some cases the items were written off as they were unusable when recovered. The value of usuable items recovered was $31 683.
   DSD&T—
   None of the stolen items have been recovered.
3. TAFE—
   Yes, however, in general the major problems with losses have not been internal, but from breaking and entering of colleges.
   DSD&T—
   Internal stock control and audit methods are regularly updated and, where possible, equipment locked away. The department has introduced visitor's authorisation cards and increased restriction on out of hours access.
4. TAFE—
   Year ending 30-6-86
   2 instances of theft of cash totalling $393.38
   Year ending 30-6-87
   4 instances of theft of cash totalling $818.02 and accidental loss of $50.
   DSD&T—
   No departmental cash or cheques have been lost during this period.

263. **Mr BECKER** (on notice) asked the Minister of Housing and Construction:

1. What was the total amount of all items of stock lost, stolen or missing from each department and authority under the Minister's control for the years ended 30 June 1986 and 1987?

2. What value of goods, and which, were recovered during each period?

3. Have internal auditing and improved stock controls helped reduce stock deficiencies and theft and, if not, why not?

4. What amounts of cash and/or cheques have been lost or stolen in the same periods?

The Hon. T.H. HEMMINGS: The replies are as follows:

1. The total amount of all items of stock lost, stolen or missing from departments under my control (viz SACON and the South Australian Housing Trust) for the years ended 30 June 1986 and 1987 is $8 662 and $3 295 respectively.

2. Goods to the value of $331 were recovered for the year ended 30 June 1986. No goods were recovered for the year ended 30 June 1987.

3. Internal auditing and improved stock controls have helped reduce deficiencies and theft.

4. The only theft of cash during these periods resulted from a breaking and entering of a SACON district office during the year ended 30 June 1987, when an amount of $155.22 was stolen.

TECHNICAL OFFICERS

276. **Mr BECKER** (on notice) asked the Minister of State Development and Technology:

1. How many people are currently being trained in the electronics field and where?

2. Will there be sufficient people suitably qualified to be employed as electronic, electrical and mechanical engineers at technical officer level in all industries involved with the submarine contract and, if not, why not?

3. What action is the Government taking to ensure maximum employment opportunities for South Australians in relation to the contract?

4. What is the estimated number of electronic, electrical and mechanical engineers required for the contract?

The Hon. LYNN ARNOLD: The replies are as follows:

1. In the higher education sector training in the electronics field is offered at the SA Institute of Technology and the University of Adelaide.

Current enrolments as at 30 April in higher education courses in engineering are shown on Table 1.

Intakes to undergraduate courses in mechanical, electronic, and electrical engineering are shown in Table 2.

Table 3 shows the number of graduates from higher education courses in mechanical, electronic and electrical engineering. The total for higher degree graduates from Adelaide University includes higher degree graduates in chemical and civil as well as electronic, electrical and mechanical engineering. The total number of graduates include a small number of overseas students but they total only about 5 or 6 in any one year.

TAFE electronics training is available at Regency College, which has a school of electronic engineering. Subjects relevant to electronics are taught in other colleges throughout the State, including Elizabeth, Noarlunga, Port Augusta, Whyalla and the South East.

The Department of TAFE has the following electronics courses, with the most recent 1987 statistics as shown:

Associate Diploma in Electronics Engineering
Advanced Certificate in Electronic Servicing
Certificate in Electronics (Basic Trade)
Certificate in Vocational Education (Electronic)
Certificate in Radio Servicing
Certificate in Digital Electronics
Number of students = 1 150

Students undertaking the Industrial Electronics subjects of the Electrical Post Trade Course = 150 approximately.

Total = 1 300

2. The South Australian Government is aware of the need to have suitably trained and skilled labour available for the submarine project. Steps have been taken to ensure that academic and trade related training institutes in this State are geared up to handle the increased demand which will be placed on them to provide suitably trained graduates for not only the submarine project but also the spin-off projects that are likely to happen. This may necessitate the introduction of new subjects or courses of study.

3. The South Australian Government has undertaken a program to ensure that the contracting companies are aware of the capability and capacity of South Australian industry. It is believed that South Australian firms will be in the position to provide highly competitive tenders for the subcontracts to the contracting companies.

4. It is anticipated that 120-150 electricians, electrical fitters, engineers and other technicians will be directly employed in the construction of the platforms. It is further anticipated that 400-500 persons will be involved in the defence electronics industry undertaking associated work

with the combat systems. This number also includes some existing positions that will be retained if South Australian firms are successful in winning subcontracts related to the combat system.

It is envisaged that all the South Australian tertiary institutions will contribute to the project through their normal training of certificate, degree or diploma students, and also through putting on short courses to develop specific skills where appropriate.

Regular contact is being made between the Australian Submarine Corporation and TAFE, and through TAFE to the Office of Tertiary Education to ensure that all necessary training will take place.

Table 1
Total Enrolments in Engineering, 30 April 1987

	Adelaide University	S.A. Inst of Tech	South Australia
Undergraduate—			
Chemical	104	—	104
Civil	151	176	327
Electronic	—	223	223
Electrical	167	277	444
Mechanical	143	311	454
Mining	—	57	57
Surveying	—	101	101
All Students—			
Male	648	1 177	1 825
Female	54	46	100
Total	702	1 223	1 925
%Female	7.69%	3.76%	5.19%

Table 2
Intakes to Undergraduate Courses in Mechanical, Electronic and Electrical Engineering, 1983-1987.
Reference Dates: Bachelor Degrees and Associate Diplomas, 30 April
Technician's Certificates, 31 December

YEAR	1983	1984	1985	1986	1987	1983-1986	1983-1987
University of Adelaide							
Bachelor Degrees:							
Mechanical	40	36	44	45	58	13%	45%
Electronic/Electrical	60	48	39	46	58	−23%	−3%
Institute of Technology							
Bachelor Degrees:							
Mechanical	80	66	67	77	62	−4%	−23%
Electrical	61	37	46	46	42	−25%	−31%
Electronic	88	69	72	73	75	−17%	−15%
Associate Diploma:							
Mechanical	47	53	62	61	42	30%	−11%
Electronic	100	108	69	66	45	−34%	−55%
Technician's Certificate:							
Mechanical	14	6	3	1	Not Available	−93%	—
Electronic	22	24	24	18	Not Available	−18%	—

Table 3
Graduates from Courses in Mechanical, Electronic and Electrical Engineering, 1984-1987.
Reference Date: University graduates for the year ending 30 June
Advanced Education graduates for the year ending 31 December

University of Adelaide	1984-85	1985-86	1986-87
Bachelor Degrees:			
Mechanical	—	10	8
Electronic/Electrical	33	27	19
Honours:			
Mechanical	20	13	21
Electronic/Electrical	23	38	32
Higher Degree Engineering (all areas)	9	7	7
Institute of Technology	**1984**	**1985**	**1986**
Bachelor Degrees:			
Mechanical	31	45	33
Electrical	19	7	19
Electronic	25	10	39
Associate Diploma:			
Mechanical	15	28	21
Electronic	17	34	27
Grad Dips:			
Electronic Systems	5	5	3
Engineering	1	2	2
Masters:			
Mechanical	1	2	—
Electrical	2	2	4
Electronic	2	7	—

MOTOR VEHICLE REGISTRATION CERTIFICATES

281. **Mr S.J. BAKER** (on notice) asked the Minister of Transport: What is the cost to the Department of Transport of producing a duplicate copy of a motor vehicle registration certificate and what is the fee charged for this service?

The Hon. G.F. KENEALLY: The average cost to the Motor Registration Division to process each cash transaction received is estimated at $4.86 per transaction.

The prescribed fee for a duplicate motor vehicle registration certificate is $4.