LEGISLATIVE COUNCIL

Wednesday 27 September 1978

The PRESIDENT (Hon. A. M. Whyte) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS

CITRUS INDUSTRY

The Hon. R. C. DeGARIS: Yesterday, the Minister of Agriculture, in reply to a question about orange juice, quoted a figure of $180 a tonne. Will the Minister say how this figure was arrived at and what information was used in arriving at it?

The Hon. B. A. CHATTERTON: I think the Leader is referring to the figure I used that related to the equivalent price in dollars a tonne for imported juice. The purpose of that was to give an estimation of what the current price of imported juice would be if it was translated back into tonnes of oranges, and it is a calculation that must be made to give an idea of the difference in price level on imports and on the domestic market, which gives the calculation of the effective level of protection. That is the figure to which the Leader is referring. It comes from the current price of imported citrus concentrate, which is then translated through a conversion factor into tonnes of oranges.

The Hon. R. A. GEDDES: I direct a question to the Minister of Agriculture regarding financial difficulties of growers in the Riverland. Yesterday the Minister referred to citrus growers and wine-grape growers, and said that those who had lost their income from one source would get it from the other. Will the Minister say whether the department has any figures on the percentage of citrus growers and wine-grape growers in the Riverland area who are involved?

The Hon. B. A. CHATTERTON: I do not have the figures at the moment, but I can assure the honourable member that every study that has been made of the Riverland, including studies by the Bureau of Agricultural Economics and the I.A.C. inquiry into the Riverland, which was carried out in conjunction with the dried fruit inquiry, has shown that the difference between the Riverland and many other irrigated areas in Australia is the integration of enterprises.

Although I cannot quote figures, I will obtain them for the honourable member. That feature is a characteristic of the Riverland, or the "fruit salad block" as it is called, unlike areas such as Sunraysia, where there is much more specialisation in single crops such as sultanas. The Riverland has traditionally been an area producing wine grapes, citrus, and canning fruit, etc., on most properties, and it is an integrated economy.

The Hon. R. C. DeGARIS: Can the Minister of Agriculture confirm the price paid to citrus growers in the Riverland? Can he confirm whether or not the expected price of between $70 and $80 a tonne until, say, June 1979 is correct?

The Hon. B. A. CHATTERTON: Is the Leader asking me to confirm the anticipated price?

The Hon. R. C. DeGaris: Can you say what they are paying now?

The Hon. B. A. CHATTERTON: The price of fruit from the Riverland is about $100 a tonne.

The Hon. M. B. CAMERON: Can the Minister of Agriculture say what sections of the citrus industry were consulted before the latest change was made in the Government's submission to the I.A.C. and, in particular, whether senior executives of Berri Fruit Juices, the Murray Citrus Growers Association or the Citrus Organisation Committee were consulted before that latest change?

The Hon. B. A. CHATTERTON: There has been a long period of consultation with people in the Riverland over the submissions to the I.A.C. on the citrus question, but the recalculation and updating of the figures since the submission was presented to the I.A.C. was not done in consultation with citrus industry groups. It was only a recalculation of figures within the original submission which took place after an extensive period of consultation with the industry.

URANIUM

The Hon. D. H. LAIDLAW: I seek leave to make a brief statement prior to addressing a question to the Minister of Agriculture, representing the Minister of Mines and Energy, regarding the mining of uranium.

Leave granted.

The Hon. D. H. LAIDLAW: Sir James Foots, the Chairman of Mount Isa Mines, said in his annual report for 1976 that in association with other companies uranium occurrences had been examined at Kalabity and Yarramba in South Australia. Laboratory work was commissioned to assess the possibility of *in situ* leaching of these occurrences. The directors of Amdel in their report for 1977 stated that research work had been conducted on the leaching of uranium *in situ*. They pointed out that leaching of uranium *in situ* is an established process in South-western Texas. Capital costs for this type of operation are low when compared with conventional mining and treatment operations, and no problem regarding disposal of tailings exists.

My question is in four parts—

1. Can the Minister advise whether Mount Isa Mines has discovered a major uranium deposit at Kalabity or Yarramba?
2. If so, has it been established whether the ore can be mined by an *in situ* leaching process?
3. Does the Minister agree that environmental hazards are eliminated by using this process?
4. If so, would the Minister agree that an application to mine by this process should be favourably considered in order to provide substantial employment in this State?

The Hon. B. A. CHATTERTON: I will refer the honourable member's question to my colleague and bring back a reply.

RACING CLUBS

The Hon. R. C. DeGARIS: I seek leave to make a brief statement before asking the Minister of Tourism, Recreation and Sport a question regarding the payments made to racing clubs by the Totalisator Agency Board.

Leave granted.

The Hon. R. C. DeGARIS: As honourable members will realise, the Totalisator Agency Board pays a certain sum of money to racing clubs in South Australia. A number of complaints have come to me that, although T.A.B. turnover has been rising (for example, from $78 000 000 in 1975 to $97 000 000 in 1977), the actual amount distributed to clubs has not increased much. Indeed, in 1975 $2 500 000 was distributed to clubs, whereas in 1977 only $2 580 000 was distributed. This represents a decline, from 3·2 per cent in 1975 to 2·6 per cent in 1977, in

turnover payable to clubs in South Australia. Will the Minister explain to the House the percentage decline in the distribution to racing clubs of T.A.B. funds?

The Hon. T. M. CASEY: I suggest that the Leader read the Totalisator Agency Board report for 1977-78, from which he will see that the cost of T.A.B. administration has risen substantially over the years. The sum of money made available by T.A.B. to all clubs is calculated in the balance-sheet and, if the Leader reads the report, he will find the answer for which he is looking.

The Hon. R. C. DeGARIS: I have read the report. Can the Minister account for the fact that Government revenue from the T.A.B. has risen from 6·19 per cent to 6·24 per cent in the same period?

The Hon. T. M. CASEY: That is true. This is one of the factors that prompted the Government to make available about $200 000 to this State's racing industry. That sum was made available last year, and it will be made available again this year.

GOVERNMENT VEHICLES

The Hon. R. A. GEDDES: Has the Minister of Agriculture, representing the Minister of Mines and Energy, a reply to the question I asked on 22 August regarding whether the Government was considering converting Government vehicles to the use of liquid petroleum gas?

The Hon. B. A. CHATTERTON: I am told by the Minister of Mines and Energy that the conversion of Government motor vehicles to l.p.g. is currently being evaluated. The increase in the cost of crude oil to refineries, announced in the Federal Budget, has raised the price of petrol by about 3c a litre, and the price of l.p.g. has also been increased. The net result of these price increases is that l.p.g. is likely to become a slightly more attractive alternative. However, the Government would need to provide substantial sums of money for conversion of its vehicles, and conversion is not considered to be an economic proposition at this stage unless the Federal Government was to abolish the excise on l.p.g. used for automotive purposes.

CITRUS INDUSTRY

The Hon. R. C. DeGARIS: Although I appreciate very much the information given to the Council regarding the citrus industry, I am unable to understand exactly what the Minister meant when he spoke about conversion in relation to achieving the figure of $180 as the equivalent price per tonne for orange juice. Will he explain what he meant and say what was the conversion factor?

The Hon. B. A. CHATTERTON: The conversion relates to the conversion of the price of imported citrus juice measured in cents a litre of single strength juice converted to a tonnage of oranges that would be required to make that juice. The price is converted from cents a litre to dollars a tonne. That is the conversion; it is a conversion factor that is used to make that calculation. I cannot recall exactly the numbers used, but that is how it is derived. It seems to be a simple calculation to convert from dollars a tonne to cents a litre, or vice versa.

GOVERNMENT VEHICLES

The Hon. R. A. GEDDES: I thank the Minister of Agriculture for his reply to my question about converting Government motor vehicles to using liquid petroleum gas. In his reply the Minister said:

> The increase in the cost of crude oil to refineries, announced in the Federal Budget, has raised the price of petrol by about 3c a litre, and the price of l.p.g. has also been increased.

Has the price of l.p.g. increased as the result of State Government price increases or as the result of Federal Government price increases?

The Hon. B. A. CHATTERTON: I will refer the honourable member's question to my colleague and bring down a reply.

CITRUS INDUSTRY

The Hon. M. B. CAMERON: I seek leave to make a brief statement before asking the Minister of Agriculture a question about orange juice.

Leave granted.

The Hon. M. B. CAMERON: Yesterday, in reply to a question from the Hon. Mr. DeGaris, the Minister of Agriculture said:

> Let us take the present position where the price of imported citrus juice is such that the equivalent price of oranges is $180 a tonne.

The Hon. Mr. Geddes interjected:

> Is that for oranges?

The Minister replied:

> No, that is the price equivalent to the price for imported oranges in terms of imported juice.

Does the conversion factor that the Minister is using to arrive at $180 a tonne relate to imported oranges or locally-produced oranges? In other words, does the conversion relate to the price for imported whole oranges or locally-produced whole oranges?

The Hon. B. A. CHATTERTON: There is no implication about importing oranges at all. It is the equivalent price—

The Hon. M. B. Cameron: You did not say that yesterday. You had better change *Hansard.*

The Hon. B. A. CHATTERTON: I have already changed that in *Hansard.* It is the equivalent price one would need to pay for whole oranges to achieve parity with the import price of citrus concentrate. It seems a simple concept, but it seems to be beyond the grasp of the honourable member. It is the price one would have to pay a tonne for oranges to achieve the equivalent to the import parity price for citrus concentrate.

MARIHUANA

The Hon. N. K. FOSTER: I seek leave to make a brief statement prior to asking a question of the Leader of the Government in this Council about marihuana.

Leave granted.

The Hon. N. K. FOSTER: Currently, there are all sorts of investigations by the police and perhaps others in various parts of the State into the activities of some people who are following certain agricultural pursuits. The centre of investigations at present is the northern Adelaide Plains, at Virginia. Today's *News* states that another raid has taken place. I will not express an attitude concerning any possible consequences. Members of this Council and people outside the political sphere may consider that it is good or bad.

If there is going to be a drought in South Australia and in other parts of Australia, and if we consider the many marihuana smokers in the community, drug peddlers may

well exploit the drought areas and finish up with a very lucrative market. There has been a great deal of speculation by the press (and I am not saying that it was all caused by the Police Department) regarding the street value of confiscated marihuana plants. The Adelaide *Advertiser* said that the value of plants taken from a number of market gardens in the northern plains area was as high as $67 000 000, and yet a further article in that newspaper said that the value of plants destroyed in an incinerator last Friday was $1 000 000.

This discrepancy may cause conjecture in the minds of some people as to what has happened to the other $66 000 000. Will the Minister clarify the way in which seized marihuana plants are valued, and say whether the department considers that a 1½ in. to 2 in. marihuana plant should be valued as a plant? Secondly, as members of the public may believe that the people concerned in the Virginia area will be charged with an offence against the State involving millions of dollars, will the Minister comment on that matter, bearing in mind the immaturity of some of the plants that were seized?

The Hon. D. H. L. BANFIELD: I will seek the information for the honourable member.

CITRUS INDUSTRY

The Hon. M. B. CAMERON: I seek leave to make a short statement prior to asking the Minister of Agriculture a question about orange juice.

Leave granted.

The Hon. M. B. CAMERON: Somebody obviously does not understand the position. This morning I consulted with members of the citrus industry, following the remark by the Minister that we did not understand the system, and I was told that the equivalent return to growers of 8c a litre proposed by the Minister would be at the full current price at present available equal to $75 a tonne, compared to $100 a tonne which the growers were paid last year. At 35 per cent, the equivalent price to growers would be $60 a tonne. Both those figures allow $10 a tonne extra for good local product and I understand this is normal. At the present 65 per cent level, the price last year was $100 a tonne, but because of a fall in prices overseas the price this year would be $71 a tonne, plus $10, making $81 a tonne. As the Minister has quoted a figure of $180 a tonne, there is considerable variation between the industry's and the Minister's figures. Is the Minister prepared to discuss this situation with industry representatives and explain to them how he obtained this figure?

The Hon. B. A. CHATTERTON: The honourable member has still failed to understand the difference between—

The Hon. T. M. Casey: That's normal.

The Hon. M. B. Cameron: The industry does not understand; you are slurring the industry, not me.

The Hon. B. A. CHATTERTON: I am answering the question.

The Hon. M. B. Cameron: I am talking to the Minister of Lands.

The PRESIDENT: Order!

The Hon. B. A. CHATTERTON: The honourable member still does not understand the difference between the level of protection provided by a 65 per cent tariff and the level of protection actually used. He does not seem to grasp the fact that at present the level of protection actually used by the industry is only 20 per cent, and that calculation can be made easily from the difference between the equivalent price of imported concentrate and the price on the domestic market.

The Hon. M. B. Cameron: You are certain of that?

The Hon. B. A. CHATTERTON: Yes. The Hon. Mr. Laidlaw, who probably has had more experience on the tariff question, could perhaps explain to honourable members that there was a difference between the level of protection used by an industry and the level provided. Often it is not possible for an industry to take up the level available to it, because to do it would affect the marketing of the product, and that is happening in the citrus industry at present. The industry is well aware of it.

If the industry took up all the protection and if prices moved up to export parity, there would be considerable substitution, because there are other juices on the market. Orange juice is not the only fruit juice on the market. People are expanding the production of grape juice and other juices, so substitution would take place at higher price levels and the market for orange juice could not be sustained. The industry is well aware of that, and of the fact that the gross income of the industry would fall because of the substitution of other juices available to consumers.

TOTALIZATOR AGENCY BOARD

The Hon. M. B. CAMERON: I seek leave to make a statement before asking the Minister of Tourism, Recreation and Sport a question about the Totalizator Agency Board.

Leave granted.

The Hon. M. B. CAMERON: I have read the annual report of the board and have noted that there is considerable publicity in it about the change-over to computer systems. Will the Minister say how many part-time and full-time jobs will be lost as a result of that change-over?

The Hon. T. M. CASEY: I will get the information from the T.A.B. and bring back a reply.

LABOR PARTY MEMBERSHIP

The Hon. R. A. GEDDES: Will the Minister of Health say how many people who have been apprehended for allegedly growing marihuana in the Virginia area are currently members of the Australian Labor Party?

The Hon. D. H. L. BANFIELD: I cannot check the A.L.P. rolls.

The PRESIDENT: Order! Call on the business of the day.

The Hon. N. K. FOSTER: I rise on a point of order. I was distracted and should not have been. My point of order is relevant to the question asked by the Hon. Mr. Geddes as to how many card-carrying members of the Labor Party were—where?

The PRESIDENT: Order! I called on the business of the day. If the honourable member was not prepared to watch Question Time, that was his business.

The Hon. N. K. FOSTER: I rose on a point of order.

The PRESIDENT: It is not a point of order. The honourable member will resume his seat and—

The Hon. N. K. Foster: Is Octoman a card-carrying member of the Liberal Party in Jamestown? He has knocked the cockies off for $500 000. It was a dirty question.

The PRESIDENT: Order! The honourable member has other opportunities to ask questions.

The Hon. N. K. Foster: It was a filthy question. The matter is before the court, and it could be *sub judice.*

The PRESIDENT: Order!

FUEL RESOURCES

The Hon. R. C. DeGARIS (Leader of the Opposition): I move:

That a Select Committee be appointed to inquire into and report upon:

1. Action that could be taken (including legislation that could be enacted by the Parliament) to conserve petroleum-based fuels and resources in South Australia.
2. Action that could be taken (including legislation that could be enacted by the Parliament) to encourage the use of fuels which could be substituted for petroleum-based fuels in South Australia.
3. Any other matter related to conservation of petroleum-based fuels and the use and encouragement of substitute fuels or alternate energy sources in South Australia.

Although further discoveries of oil recently in Australia are welcome news, this nation still faces the problem that by 1985 self-sufficiency in crude oil will be down to less than half our requirements. By 1990, Australia's resources probably will be able to supply only about 15 per cent of our crude oil needs. If one uses the import prices at the 1976 level, one sees that our imports of crude oil between 1985 and 1990 will cost this nation between $3 000 000 000 and $4 000 000 000 a year.

That will be the position if, first, world prices remain at 1976 levels and, secondly, if there are no major discoveries of oil in Australia in that period. It is reasonable to assume that our export income will not increase in value as quickly as the world price of crude oil increases. It is easy to be pessimistic about Australia's ability to pay for future crude oil requirements. Suppose Australian exports are expanded sufficiently to meet the cost of imported crude. Australia would than be reliant on overseas suppliers, which I think all honourable members would agree would be a very vulnerable position for Australia (that is, if overseas suppliers are able and willing to supply). I do not think there is much need to expand on this part of the argument, because I think most people understand the problem facing Australia regarding her petroleum requirements.

As far as this country is concerned, about half of all petroleum products are used by road transport and Australia probably is more dependent on road transport and private vehicles than is any other developed country. One has only to recognise that this is a large country, with a relatively small population, to understand the importance of transport. We also must recognise that, as a primary-producing area still, although we have expanded our manufacturing and mining (I regard mining as being a primary industry), nevertheless the whole question of an easily moved fuel supply is more important to our future.

The Hon. R. A. Geddes: Particularly to South Australia because of its geographical position.

The Hon. R. C. DeGARIS: Exactly.

The Hon. B. A. Chatterton: What would be the percentage of fuel used in the production of food packaging?

The Hon. R. C. DeGARIS: It is difficult to make an assessment on that, because of the different fuels used to generate electricity. In relation to agriculture and transport, petroleum fuels assume an extremely important position. I cannot answer the Minister's question. It would be difficult to look at the matter of usage of petroleum fuels alone in relation to the packaging industry.

The Hon. B. A. Chatterton: They are used extensively in plastics, and that is why I raise the matter.

The Hon. R. C. DeGARIS: Yes. Hydrocarbons are used in the manufacture of plastics and I hope that the Government succeeds in constructing a pipeline from Gidgealpa so that building bricks for the plastics industry may be manufactured in South Australia. Unless that happens, the natural gas ethane will be of no value to this State.

The Hon. R. A. Geddes: The Minister's question can be answered from a Select Committee.

The Hon. R. C. DeGARIS: That is true. Also, much evidence is being gathered by various organisations showing that the plastic industry products or the packaging industry product can, if the collection is made through a central service, be re-utilised to produce energy for an energy-starved country, as we shall be in the near future.

I believe that we should be devoting our efforts in this Parliament to two areas: first, how can we as a State help to conserve petroleum-based fuels and, secondly, how can we encourage the use of fuels that can be substituted for petroleum fuel? I suggest that those two matters are of major importance to this State and they are two matters covered in the reference to the Select Committee which will inquire into this matter of vital importance to our future.

It could be argued that questions advanced for consideration by the committee should concern the Federal Government and not the State Government. It can also be argued that there is little that the State can do to achieve any worthwhile conservation of petroleum fuels or encourage the use of substitute fuels. There is no question but that the Federal Government has a role to play in such an area and any subsequent adoption of new policies but I submit that the State, too, has an important part to play. I do not want to give specific examples, but I refer to the State's responsibility in respect of the taxing of transport and motor vehicles, which could have a dramatic effect on the consumption of petroleum fuels.

The Hon. Anne Levy: Do you want to further increase taxes?

The Hon. R. C. DeGARIS: I am not saying that, and the honourable member would agree that all Governments, including the recent Commonwealth Labor Government in Canberra, use taxation as a means to encourage or discourage the use of certain things in the community.

The Hon. F. T. Blevins: It's not a fair way.

The Hon. R. C. DeGARIS: All Governments do it, including the honourable member's Government. I do not wish to give specific examples, but State responsibilities in the taxing field can have a dramatic effect upon the consumption of imported petroleum fuels. For example, should we be exporting from Australia liquid petroleum gas and liquid natural gas?

The Hon. F. T. Blevins: The Hon. Mr. Geddes believes that we should.

The Hon. R. C. DeGARIS: Certainly, we have to export some, but should we be exporting l.p.g. and l.n.g., or should we be making it economically beneficial to use these fuels in our private vehicles? Should we in South Australia have a registration policy to encourage the use of l.n.g. or l.p.g.? I believe that the Select Committee should examine that question in relation not only to the use of gas for the propulsion of motor vehicles but also in relation to a product of which we now have an over-supply and which we are now exporting so that, finally, we would have a much cleaner fuel in regard to the environment. Perhaps taxing powers of the State could be used to encourage the use of one fuel and discourage the use of another: it is not

unusual for Governments to do that. In an excellent publication put out by the New South Wales Institute of Public Affairs entitled "The Effect of the Exhaustion of Australia's Indigenous Petroleum Resources", the summary to one chapter entitled "Petroleum Consumption in Australia" states:

> The decline in our reserves of petroleum and the increased cost of imports clearly indicate the urgent need to institute conservation measures. Only limited savings can be achieved in the commercial, domestic, and power generation sectors because of the relatively small quantities of petroluem used in these areas.

Perhaps that answers one of the questions directed to me by the Minister. The summary continues:

> Nevertheless, by reduction of waste and by substitution by other fuels savings of about 3 per cent could be achieved in the relatively short term. In industry it has been shown that substantial savings can be achieved by energy "housekeeping". Industry needs to audit its energy usage in order to achieve these savings. Principal substitute fuels for industry will be coal and natural gas, but solar energy may also contribute as a source of low-level heat for some industrial processes. Substitution by these fuels could reduce petroleum consumption by 15 per cent to 20 per cent.
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> Transportation represents over half of our petroleum consumption, and savings in the order of 10 per cent to 15 per cent could be achieved by improved vehicle design, reduced use of private vehicles, and improved traffic management. Many of the conservation measures, such as increased use of mass transit systems, car pooling, and smaller cars, etc., involve relatively small capital and social costs. Substitute fuels are available and suitable for use in vehicles. Substitute fuels often involve substantial conversion costs and time to develop adequate distribution systems and outlets. With the rapid decrease in availability of cheap petroleum, substitute fuels can be expected to become increasingly economic.
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> While consumer pressures and the increase in petroleum prices will encourage conservation, there is a vital role for all levels of government to play if socially disruptive measures such as petrol rationing and limits on mobility are to be avoided. Possible initiatives are summarised in Table 1, and include a national programme on energy use and conservation with appropriate financial support for research and implementation. Suitable targets could be established for vehicle fuel consumption and advisory services instituted to assist industry in reducing energy loss. Taxation concessions, such as investment allowances, etc., would stimulate both commercial and private investment in energy conservation and conversion equipment. Through investment in improved mass transit systems and traffic management, suitable planning and development schemes, and flexible building codes, State Governments and local governments could promote the more efficient use of energy and reduce petroleum demand in the community.

That summary highlights the matter that we should be considering. The State has a responsibility and I believe that Parliament should establish a committee that could gather information from the public and from those with expert knowledge as to the part that State laws can play in the conservation and substitution of petroleum fuels.

Another paper written by Fraser McWaters of the Department of Economics, University of Western Australia, deals with the use of methanol. Two substitute fuels deserve examination: one is methanol and the other is ethanol. The report states:

> Australia faces the real possibility of an oil crisis within 10 years. She cannot afford to wait on new fuel or transport technological developments, which may be many years in coming. The use of methanol could reduce Australia's dependence on crude oil by about 60 per cent from 1985. Methanol meets all the requirements of a fuel to replace petrol and distillate. It is a cheap product to produce from existing Australian fossil-fuel resources, and its manufacture uses well-developed technology. Internal combustion engines can be readily converted or manufactured to run efficiently on methanol. It is readily distributed through existing liquid fuel facilities, and its environmental hazards are minimal.
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> Australia is in a unique position to adopt methanol as a replacement for petrol and distillate. She is fortunate in having ample fossil fuels that can be economically converted to methanol. Also, because it is an island continent with no road transport regularly entering from other countries, Australia can adopt methanol as a road transport fuel quite independently of the fuelling requirements of vehicles in the rest of the world.

The Hon. B. A. Chatterton: What about all the ethanol we've got at present? Why doesn't the Federal Government pay the grapegrowers to use it?

The Hon. R. C. DeGARIS: This matter is indeed a wide one on which every honourable member could speak for a long time. There is no question that we may well have to consider the production of ethanol from agricultural products. However, at this stage the problem of costs is involved, as ethanol produced from an agricultural base would cost about three times as much as existing fuel. So, at this stage it is not possible to consider that aspect. Indeed, I believe it is cheaper, if we are to use ethanol, to convert from sugar cane in Queensland rather than from other agricultural products.

Nevertheless, this is a serious question that the Select Committee would be able to examine. It is not for honourable members in this Chamber to determine whether we can use ethanol. I believe that, because of the costs involved in its production, this product is well down the priority list. Although some difficulties are associated with its use, the Minister's point is well taken. It is one which could be examined and on which much evidence could be taken by the Select Committee.

Further, because Australia has a substantial domestic motor vehicle industry, any decision to replace petrol and distillate with ethanol could be largely supported by the local manufacturer of vehicles expressly designed for ethanol. Although the adoption of ethanol as a transport fuel would offer very great advantages to Australia, it should be seen as only one part of a total liquid energy policy that must be formulated to ensure that Australia's future is secure through the end of the oil era.

The replacement of petrol and distillate with ethanol appears to merit serious consideration as part of such a policy, and the concept should be researched and evaluated as a matter of urgency. It will be ironical if Australia is in the position of experiencing a fuel crisis and at the same time having a vast potential for transport fuel either tied up as coal, or being exported as natural gas.

This subject is one that this Council could spend a tremendous amount of time debating and, in putting the motion to establish a Select Committee, I have hardly scratched the surface of this important question or of the many things that could be done in assessing this matter.

It may be argued that the whole matter is the province of the Mines and Energy Department, the Economic Development Department of the Premier's Department, or the Minister of Transport, and should not be the concern of a Parliamentary Select Committee. However, I do not accept this argument as reasonable. The Federal Parliament is concerned with the question, which is of great public interest not just in South Australia but throughout the whole country. For that reason, the matter should go to a Select Committee, to which people involved could give evidence.

The Hon. B. A. CHATTERTON secured the adjournment of the debate.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 3)

Read a third time and passed.

JURIES ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 26 September. Page 1117.)

The Hon. K. T. GRIFFIN: This Bill is, in some respects, a controversial one, in that it seeks to change significantly some aspects of the jury system as it affects the offences of murder and treason. Of course, some pressure is being put on honourable members to ensure that the Bill is passed this week, principally for the reason that next week new juries will be empanelled.

The problem is also highlighted because there is now before the Supreme Court a murder trial, one juror involved in which has been ill for some time and, because of the requirement that there must be a jury of 12 members, the trial is unable to proceed. The prospect is that, if the juror does not recover sufficiently to be able again to take his or her place on the jury to enable the trial to resume, the jury will be discharged and a new jury empanelled.

There has been no contact, as far as I am aware, between the Government and the Law Society regarding this issue. It was discovered by members of the Criminal Law Committee of the Law Society last Monday that there was to be a significant change in the law relating to juries. Since then there have been urgent consultations within that committee to endeavour to reach a consensus view on the principle dealt with in the Bill. Opposition members have had to conduct relatively hasty and urgent consultations with interested parties to decide on the merits or otherwise of this Bill.

Two principles need to be considered with regard to this Bill. The first is whether a reduction ought to be allowed in the number of jurors in murder and treason trials to not less than 10 in certain circumstances. The second question of principle is whether, if the law regarding juries is amended, it should apply to current trials. The present position regarding juries was summed up by the Mitchell Committee's Report on Criminal Law and Penal Methods Reform, presented in 1975. At page 106, the report states:

> The jury panel to try any issue consists of twelve. That number has no particular value but is hallowed by years of tradition. If the number were reduced there would be a saving of expense and fewer members of the community would be inconvenienced. We do not think that these are sufficient grounds to recommend a diminution in numbers. During a trial, except for a capital offence, the judge may excuse any juror from further attendance upon the ground of special urgency or importance and, in the event of death or illness of any juror, may direct that the trial shall proceed with a number reduced to not less than five-sixths of the jurors originally empanelled. If this is done, then the verdict of the remainder of the jury shall be taken as the verdict of all. So that during any trial which is not for a capital offence, the proceedings may continue notwithstanding that two jurors have fallen out for any of the abovementioned reasons. In all such cases the verdict of at least five-sixths of them may be taken as the verdict of all if they have deliberated for at least four hours and have been unable to agree upon their verdict. This means that if the jury is reduced to 10 the verdict of nine may, after four hours, be taken as the verdict of all. A trial for a capital offence may not proceed in the absence of any juror.

The committee recommended that no amendment be made to the provisions concerning the continuation of trials, except trials on a capital charge, in the absence of up to two jurors in the circumstances outlined in the Statute. Also, the committee did not recommend any amendment to the provisions concerning majority verdicts. Because at that time capital punishment was still in force, there was a recommendation from the committee that there should be no change in the requirement for capital offences that a unanimous verdict of 12 jurors should be required before a conviction was entered against the accused.

Since that report in 1975, capital punishment has been abolished, and the position now is that a person convicted of murder must be imprisoned for life: that is a mandatory sentence under section 11 of the Criminal Law Consolidation Act. This must be compared with offences other than murder and treason. With regard to manslaughter, for example, section 13 of the Act provides that the convicted person is liable to be imprisoned for life. That is a maximum sentence: life imprisonment is not mandatory. If the Bill passes, there is still a distinction between murder and treason on the one hand and other offences such as manslaughter on the other hand, in the sense that in all offences except murder and treason there may be a majority verdict of a jury. So, it is possible in certain circumstances, even with a jury originally of 12, that nine may find a person guilty.

If the Bill passes, in the case of murder and treason, it may be possible for a jury originally of 12 but subsequently reduced to 10 to convict. However, in that case it must be a unanimous decision.

My view toward the first principle to which I have referred is that there is no objection to the Bill. The Mitchell Committee recommended that there ought to be a spare juror available to take the place of a juror who is discharged because of illness or other hardship during the course of a trial, in cases of murder and treason. However, the spare juror system is unlikely to prove more valuable than the principle embodied in the Bill. If a spare juror had to take the place of a juror who was unable to continue in the trial, that spare juror would be in a disadvantageous position, in that he or she would not have had the benefit of conscientious attention to the matters before the court in the way that the previous member of the jury had. Also, the spare juror would not have had the advantage of discussions with other jurors during the course of the trial.

The second question of principle is one of greater concern: that is, whether the Bill, if it is passed, ought to apply to current trials. As I have indicated, there is a murder trial before the Supreme Court and difficulties have arisen because one of the jurors is absent through illness. That, of course, is one of the matters that have prompted this legislation, but this Bill has been before the Government since early this year. The Government has had ample opportunity to bring it into the Council if it considered that it was, as suggested, a matter of urgency.

The Hon. R. C. DeGaris: Would the 11 jurors in that case still have to be unanimous?

The Hon. K. T. GRIFFIN: Under the Bill, in a murder case, if the Bill applied to current trials, it would have be a unanimous verdict of the remaining jurors. A judge has a discretion to release up to two jurors who may be either ill or unable to attend through hardship or some other valid reason. I am generally opposed to the situation in which a party goes before a court under one set of rules, and those

rules are changed in the course of the trial. I am also opposed to this Bill being passed if it is not clear whether or not it applies to current trials. I understand that there is some doubt about whether or not the Bill will apply to current trials, if passed this week. I believe it does apply but, if there is doubt, it should be stated clearly whether or not that is to be the case.

The question is raised whether an accused person currently on trial might be prejudiced by the passing of this Bill if it takes effect immediately. That prejudice may be that, instead of the chances of one juror in 12 dissenting on a verdict, the chances are reduced to one in 11 or even one in 10. If there is one absent, under the present law the present jury is discharged. If this Bill does not apply to the current trial but comes into effect for his new trial, it is possible that the accused person can be found guilty by a new jury of 10 by unanimous verdict but, if a new jury is empanelled in those circumstances, the accused person can reasonably expect that he will have 12 persons to judge him.

If a juror is unable to attend a trial, continues in ill health, and there is no prospect of that trial continuing, and if the Bill were not enacted the jury can be discharged and a new jury empanelled under the old rules. The accused can reasonably expect that he will continue to have 12 persons on the jury to judge him. Another implication is that it is more likely that counsel for the accused will take much greater interest in those jurors who are to be empanelled, taking the view that they may challenge a juror if there is any prospect that a juror will not be able to continue for what might be a lengthy trial.

The other principle is whether a person already accused of murder and committed for a trial, which has not yet commenced, ought to be tried under the new rules, or the rules that were in force when he or she was committed for trial. In my view persons now on trial should not be faced with new rules part-way through that trial, but those persons who have been committed for trial, which has not yet commenced, should be tried under the new rules. This is a controversial matter and there is a diversity of views within the legal profession and the community.

In the short time available we have tried to assess whether it is in the interests of the community at large, and accused persons, that there should be a change as embodied in the Bill. Although juries sometimes work in favour of an accused, it is always important to ensure that a person who is not guilty is found to be not guilty, rather than a miscarriage of justice occurring through some difficulty that may not have been envisaged. The more people available to serve on a jury and judge a person's innocence or guilt, the better it is, not only for the accused but also for society. I support the second reading.

The Hon. J. C. BURDETT secured the adjournment of the debate.

BOATING ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 19 September. Page 963.)

The Hon. R. C. DeGARIS (Leader of the Opposition): Most comments that deserve to be made on this Bill have already been made. This is the first amending Bill of any note since the Act came into force about three years ago. When the original Bill was introduced, there was a large public outcry against the legislation. This Council properly referred the Bill to a Select Committee, which made many amendments that were accepted by the Government. Obviously, a good job was done on the legislation, because it has remained almost unamended until now. Unfortunately, the Minister in charge of the Bill then roundly criticised the Council for daring to refer it to a Select Committee, but subsequent events have shown that that decision was a good one.

Under the original Bill, a boat requiring registration had to be a length of 3·048 metres or more. Although we have gone metric, it is remarkable that we still express feet in a decimal of a metre in our legislation. In a newspaper not long ago, I saw that a property in Victoria, was sold for $220 per ·405 of a hectare, another way of saying $220 an acre.

Most matters have been covered by the Hon. Mr. Burdett and the Hon. Mr. Carnie. However, I believe that the Government is trying to extend the powers of inspectors to the point where, as legislators, we must express our concern. The powers of inspectors under this Bill are excessive, because, unlike a Police Force that has a long tradition of doing a particular job, inspectors have not had much experience. We have to be careful, when extending the powers of inspectors, that they do not affect the freedom of other individuals. There seems to be a tendency in legislation today to equip inspectors with wide powers, and sometimes this goes beyond what should be granted in a democratic society. Other honourable members may not agree with that opinion, but I stress it at this stage. I support the second reading.

The Hon. ANNE LEVY secured the adjournment of the debate.

CHILDREN'S PROTECTION AND YOUNG OFFENDERS BILL

Adjourned debate on second reading.
(Continued from 19 September. Page 959.)

The Hon. J. C. BURDETT:

> The S.A. Government will rewrite the Juvenile Courts Act as a result of the Royal Commission into the juvenile courts.
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> The Premier (Mr. Dunstan) said yesterday the Cabinet had decided to draw up a new Act rather than try to amend the present one. This was in line with the recommendations of the Royal Commissioner (Judge Mohr). The new legislation would be drawn up quickly and it was hoped to have it before Parliament this year.
>
> "It is going to be very tight, but we hope to do that," Mr. Dunstan said. "The working party appointed by the Cabinet to plan the implementation of Judge Mohr's recommendations completed a point-to-point examination of the report on Monday."

What I have just read is a quotation from the *Advertiser*, not of 1978 but of 29 August 1977, after the election had been called on 17 August. I said publicly at the time that it was manifestly not possible effectively, carefully and usefully to rewrite the Act and have it before Parliament in 1977. I suggested that the Juvenile Courts Act should immediately be amended to enact some of the most urgent recommendations of the Royal Commissioner, and the recommendations which had been made by His Honour Judge Wilson almost 12 months before, and that the Act should be completely rewritten as soon as was practicable. I have been proven to be right in what I then said. No amendments were made to bring in the most urgent parts of the report, and the rewritten Bill was not introduced in 1977: it was introduced on 22 August 1978.

After this lapse of time, the sense of urgency has disappeared, and I believe that at this stage a further short

delay will do no further harm and will be worth while if it will produce a better Bill. The report of Judge Wilson in 1976, which recommended reforms, and the report of Judge Mohr as Royal Commissioner in 1977 were most valuable documents, and the recommendations, including the recommendations of the Royal Commissioner, have been by no means fully implemented in the Bill. There has been much useful and informed comment made to members of the Opposition about the Bill by the public including people who have been concerned in dealing with young people, police officers, youth workers, persons concerned in the care of young offenders, and so on.

At this juncture it is my belief that the Bill should be referred to a Select Committee. A move to do this was made by the Liberal Party in another place but was defeated. The principal argument to the contrary was that there had already been a Royal Commission and a working party. If the recommendations of the Royal Commission had virtually been implemented in full, this would have been a valid argument, but this is not the case. Perhaps more importantly, many informed members of the community, as I have said, have expressed support for the general principles of the Bill but have made various suggestions for the amendment of some parts of the Bill.

A Bill such as this is the very legitimate concern of the community. The community is very concerned, and properly so, to see that its youth is properly cared for and protected. In a period when juvenile crime is both prevalent and alarmingly violent, it is also concerned to see that young offenders are justly but properly dealt with in the interest of their own rehabilitation and in the public interest. This area of the protection of children and dealing with young offenders is a most delicate one. No-one is infallible: no-one is really a true expert when it comes to dealing with the problems of children, although I am not belittling the knowledge and skills of those with special knowledge and experience in this area. This question is very much one for the community.

It is an area where the community should be able to have its say. It is all very well to say that members of the community had the opportunity to give evidence to the Royal Commission. In the first place, the Royal Commission was not dealing with a Bill. The Royal Commission has not pronounced publicly on the Bill. Members of the public have not yet had an opportunity to give evidence on the Bill, and there is every indication that many of them want to. Moreover, many members of the public would not be prepared to give evidence before a Royal Commission and be examined and perhaps cross-examined by counsel, none of whom was acting for them, but would be prepared to give evidence before a Parliamentary Select Committee.

I carefully examined the Bill originally tabled in the House of Assembly and I had not got very far before I turned back to the first page and wrote on it, at the top, "Select Committee". Later, I found that Assembly colleagues whose opinion I respect had come to the same conclusion.

I wish to make quite clear that I consider that Bill to be a considerable improvement on the present Act. The present Act has been seen by the community to have been a failure in various important areas. It has failed to keep up with increasing violent crime committed by some young people. This Bill is a significant move in the right direction, although I think it can be improved still further, and a Select Committee can help do that.

In the first place, I think the long title is inadequate, and this is important because it sets the whole emphasis of the Bill and could govern its interpretation. The long title, after all, is supposed to indicate what the Bill is all about. Apart from the list of Acts affected, the title refers only to the protection, care and rehabilitation of children. I think that the title ought also to refer specifically to young offenders. After all, that is what the Bill is largely about.

In addition, it should refer to the protection of the community. The community has in recent times become increasingly concerned about its need to be protected for some young offenders. Judge Mohr suggested the short title as the "Children and Young Offenders Act", but the Government has chosen "Children's Protection and Young Offenders Act". Part II of the Bill refers to the constitution and jurisdiction of the Children's Court which is set up under the Bill. The Royal Commissioner, in his report, said:

> However, the present method of appointment, viz., appointment under the Local and District Criminal Courts Act, 1926-75, and the subsequent conferring of jurisdiction by proclamation under the Juvenile Courts Act should be abolished. I need only refer to the purported resignation of Judge Wilson last year to highlight the inherent dangers in the present system. Appointments for Judges to the Children's Court should be provided for in the Children's Court Act and those appointed should have jurisdiction only under that Act. Salary and terms of appointment should be the same as under the Local and District Criminal Courts Act. If this recommendation is approved and acted upon the position of Judges Newman and Crowe will have to be considered. Judge Newman in his evidence approved of this suggestion and intimated that he would accept appointment under the proposed new provisions. I recommend that the present Judges exercising jurisdiction be offered the opportunity (with suitable provision for continuity of service) of accepting a new Commission or continuing as they now are.

The Bill ignored this recommendation and blithely made the judicial members persons holding office under the Local and District Criminal Courts Act. This is remarkable in view of the fact that some time ago Senior Judge Ligertwood of the Local and District Criminal Court condemned the practice of making all sorts of people judges of his court when, in fact, he never saw them in his court. The judges sitting in the Children's Court ought to be appointed simply as judges of that court and ought to be appointed under this Bill. When one sees the departures which the Bill makes from the Commissioner's recommendations and the lack of merit in those departures my suggestion of a Select Committee seems all the more feasible.

Part III of the Bill, dealing with the protection of children in need of care, is, in general, very good. The recommended separation of what has been called the civil and the criminal functions of the court has been carried out, and in regard to offences the need first to establish that the child needs care and control is removed.

In regard to clause 17, I comment that the power of the court to hear submissions not only from and on the application of relatives but also any other person who has counselled, advised or aided the child seems very wide. Parents are not even specifically mentioned and there are several parts of the Bill which lead one to suppose that this Bill is yet another example of the whittling away of the specific rights of parents.

I commend the Government for inserting clause 18, enabling the court to order costs against the Minister in favour of the child or its guardian where any application under Part III by the Minister has been dismissed. Clause 24, which requires an annual review of the progress of a child under the Guardianship of the Minister, is also good. Part IV is an important part of the Bill, dealing with young offenders and it is in this area that the present Act has

been seen to be defective.

I think the function of the screening panel as set out in the Bill is good. I suggest that there might be more direction as to serious offences which must be dealt with in adults courts or at least in the Children's Court. The provision in the legislation for Washington State of a list of prescribed offences which are to be dealt with in a special way is good and should be considered in regard to this Bill.

The juvenile aid panels are retained as children's aid panels. The panels certainly have been successful and useful. I must say, however, that I have always been a little cynical about the oft-quoted low recidivism rate which is referred to in the second reading explanation. It was said that 87 per cent of children appearing before a panel do not subsequently appear before a juvenile court. Those who appear before the aid panels are mostly close to the 16 years mark. Their appearing before the panel means that they have been in trouble with the law: one would certainly hope that they would not be in trouble again before the age of 18 years.

The powers given to the court under clause 50 are good. The recommendations of Judge Mohr and Judge Wilson that the court has power to impose determinate sentences have been implemented and a child may be senteced to a period of detention, of not less than 2 months or more than two years. Judge Wilson stated (p. 8):

> At a time when indeterminate sentences are coming under increasing attack and when the present system is frequently being misunderstood a review is needed.

This power to fix periods of detention is most important. Unfortunately, while clause 50 of the Bill gives this power, clause 63 then carefully proceeds to set it at nought. Although the child may be sentenced to a determinate period of detention, the Training Centre Review Board may order the release of the child on certain conditions. It is true that a judge is chairman in all sittings of the board. However, there is much merit in Judge Wilson's comment on page 8 of his 1976 report that "the court ought to be involved directly or indirectly in the parole or release process". In my view the child, if released prior to the expiry of the period of detention imposed ought always to be sent back to the court for assessment.

I applaud the other powers in clause 50, including the powers, with or without conviction, of ordering attendance at a youth project centre, participation in projects or programmes, attendance at court for reviewing the child's progress, payment of a fine, the suspension of periods of detention, and disqualification from holding or obtaining a driving licence.

Judge Mohr at pages 37-39 of his report carefully canvassed the question of the admission of the press to Children's Court hearings and publication of proceedings in the media. He came to the conclusion that representatives of the media should be admitted. The Bill restricts this right to cases where a child is being dealt with under Part IV of the Act which, admittedly, is the most important area. The question of attendance of representatives of the media and publication of proceedings is one which warrants further consideration by a Select Committee.

I believe that amendment to the Bill will be much more enlightened and useful if a Select Committee is established. Moreover, in another place the Government accepted only five minor Opposition amendments and rejected several amendments of considerable merit. It even neglected an amendment to clause 91 to correct what was clearly sloppy draftmanship and change the word "lawyers", which is nowhere used in any similar context in South Australian legislation, to "counsel or solicitors".

This clearly showed the bloody-mindedness of the Government. The Government even rejected one amendment based fairly and squarely in the Commissioner's report, namely, an amendment to create separate Children's Court judges rather than simply to use judges appointed under the Local and District Criminal Courts Act.

There is only one other point that I should like to make. There is to be a committee to which the Attorney-General and the Minister in charge of the Act (the Minister of Community Welfare) shall have the power of appointment. Recently in this Council we passed unamended the Administration of Acts Act Amendment Bill, which gave the Government power by proclamation to delegate any power given to a Minister to any other Minister. The Opposition in another place moved an amendment, which is now clause 100 and provides:

> Notwithstanding any Act or law to the contrary a power or function vested in, or assigned to, the Attorney-General by or under this Act—
>
> *(a)* shall not, by executive act, be vested in, or assigned to, any other Minister;
>
> *(b)* shall not be delegated to any other Minister.

It has already been found necessary, and it has been accepted by the Government, that there are some functions that ought to be exercised by a particular Minister, and Parliament ought to have the power to give them to him.

It ought to be possible (and it has been done in this case and accepted by the Government that there should be a specific direction) that, notwithstanding any Act to the contrary, it should be a specific Minister—in this case, the Attorney-General—who exercises this power. I suspect that as a result of our having passed the Administration of Acts Act Amendment Bill without amendment there will in future be many other amendments to such Bills. They will be accepted by the Government because it will realise that, where it is peculiarly a function of a particular Minister to exercise some power, it ought to be he and not someone else. For all the above reasons I support the second reading, but I believe that the Bill should be referred to a Select Committee.

The Hon. K. T. GRIFFIN secured the adjournment of the debate.

COMMUNITY WELFARE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 19 September. Page 948.)

The Hon. J. C. BURDETT: This Bill is largely consequential upon the Children's Protection and Young Offenders Bill, and I do not intend to do more than support it at the present time. I believe that as this Bill is consequential it should be referred to the same Select Committee that considers the Children's Protection and Young Offenders Bill. I support the second reading.

The Hon. K. T. GRIFFIN secured the adjournment of the debate.

HARBORS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 26 September. Page 1130.)

The Hon. K. T. GRIFFIN: There are three principal concerns that I have with respect to this Bill. The first is in

relation to clause 12, which alters substantially the present position with respect to care, control and management of the foreshore of the sea. The second is the question of the liability of the Government in civil actions under clause 16, and the third concerns the powers of an inspector to board a vessel under clause 21.

It is somewhat surprising to hear that there have been no consultations with local government with respect to the significant changes foreseen by clause 12. There are substantial changes because, under the Local Government Act at present, there is provision for care, control and management of foreshore areas to be either with the Minister or with the local council in whose area the foreshore is.

Clause 12 introduces a totally new element: the Coast Protection Board can have the care, control and management of foreshore areas. It is possible, without consultation with local government, by proclamation to put into the care, control and management of the Board any of the foreshore areas in the metropolitan area, so that city beaches, as one example, can be under the direct care, control and management of the Board, and not, as is the present position, under the care, control and management of the local council in whose area it is situated.

The Coast Protection Board has, generally speaking, an advisory role, and good co-operation exists between local government and the Board. However, I can contemplate difficulties occurring if, in the example to which I referred, a coastal area that was previously under the care, control and management of a council is, without consultation with local government, vested in the Board, or even, if there is consultation but the local council does not consent, the coastal area is placed under the board's care, control and management. This introduces a totally new element in relation to those areas of land. So, I have a considerable concern regarding the significant changes that are made by that clause.

Last week, I asked a question regarding a working party, which, my information suggests, has been established by the Government to examine coastal areas. I am not sure what is its responsibility, although one would have thought that, if it had been established to examine coastal areas, the working party could well have covered the sorts of matters referred to in clause 12, so that all matters affecting a coastal area could be considered by it as a whole and not in a piecemeal fashion.

My other concern relates to clause 21, which sets out the powers of a member of the Police Force, a harbormaster, or a person authorised in writing by the Minister, to direct the master of a vessel to board and inspect a vessel, to require a person to state his name and address, and to do other things. There is already on file an amendment with respect to a direction by a harbormaster or person authorised in writing by the Minister, or a member of the Police Force, to manoeuvre a vessel in a specified manner. This provides that if the master of vessel deemed that the direction could create a dangerous situation, he could refuse to comply with it. That is an appropriate and proper amendment to propose.

One must remember that members of the Police Force undergo considerable training in relation not only to general police duties but also to the rights of individuals. They are trained to gather evidence in accordance with the law, to recognise where an individual's rights are likely to be infringed, and to acknowledge that they may not exceed their power or authority. So, although one might have no dispute with a member of the Police Force being referred to in clause 21, one could question whether a harbormaster or a person authorised in writing by the Minister ought to exercise the powers and authority referred to in that clause.

Although these people may be excellent boatmen, be steeped in the tradition of the sea, and be conscious of all the requirements of the Harbors Act, the Merchant Shipping Act and other relevant Acts, they are, nevertheless, not trained as police officers are, in assessing the limits within which they may exercise authority, in dealing with individuals, or in recognising infringements of individual's rights.

Therefore, at the appropriate time, I should like to restrict the operation of that clause to an ambit similar to that relating to the powers of the police as they exist at present, so that these people may board a vessel in circumstances where they have reasonable cause for suspecting that an offence has occurred or to assess whether or not a vessel is in a seaworthy condition and complies with the requirements of this legislation.

That is an appropriate limitation to the powers of those persons, and recognises the rights of individuals. It does not give to harbormasters and other persons authorised by the Minister powers beyond those held by police officers at present. In the circumstances, I support the second reading.

The Hon. R. C. DeGARIS secured the adjournment of the debate.

ADJOURNMENT

At 3.58 p.m. the Council adjourned until Thursday 28 September at 2.15 p.m.