HOUSE OF ASSEMBLY

Thursday 4 June 1981

The SPEAKER (Hon. B. C. Eastick) took the Chair at 2 p.m. and read prayers.

PETITION: COWELL-ELLISTON MAIN ROAD

A petition signed by 1313 residents of South Australia praying that the House urge the Government to provide the necessary funding for the sealing of the Lock-Elliston section of the Cowell-Elliston main road was presented by Mr Blacker.

Petition received.

PETITION: GRAPEGROWERS

A petition signed by 402 residents of South Australia praying that the House urge the Government to ease the cash flow burden on grapegrowers especially at vintage by improving the terms of payment for wine grapes was presented by the Hon. E. R. Goldsworthy.

Petition received.

PETITION: PROSTITUTION

A petition signed by 38 residents of South Australia praying that the House urge the Government to strengthen existing laws against the prostitution trade, reject any proposal to legalise the trade, and request the Commonwealth Government to sign the United Nations Convention on Prostitution was presented by Mr Blacker.

Petition received.

PETITION: CRIME

A petition signed by 32 residents of South Australia praying that the House urge the Government to increase the severity of penalties for serious crimes to include the death penalty, corporal punishment and life imprisonment without parole was presented by Mr Evans.

Petition received.

PETITIONS: PORNOGRAPHY

Petitions signed by 80 residents of South Australia praying that the House legislate to tighten restrictions on pornography and establish clear classification standards under the Classification of Publications Act were presented by Messrs Blacker and Evans.

Petitions received.

MINISTERIAL STATEMENT: RANDOM BREATH TESTING

The Hon. D. O. TONKIN (Premier and Treasurer): I seek leave to make a statement.

Leave granted.

The Hon. D. O. TONKIN: As all members would be aware, there appeared in today's *Advertiser* a full-page advertisement opposing the introduction of random breath tests. The advertisement depicted a photograph of me and attributed to me the words:

> The Tonkin Government is determined to save South Australians' lives on the roads even if we put people out of work to do it.

I wish it to be made emphatically clear that I have never uttered those words or in any way expressed the sentiment they are intended to convey. Neither, to the best of my knowledge, has any other member of Parliament been associated with such an irresponsible statement or, indeed, such an attitude.

The fact is that the advertisement is a gross misrepresentation of me in particular and, by implication, of every other member both here and in another place who has indicated support for the legislation. The authors of the advertisement have not had the courage to reveal their names but have chosen to hide behind the cowardice of anonymity and so avoid the legal consequences of their misrepresentation. I am confident that all members of Parliament join me in dissociating themselves entirely from such despicable tactics.

MINISTERIAL STATEMENT: SMALL BUSINESS

The Hon. D. O. TONKIN (Premier and Treasurer): I seek leave to make a statement.

Leave granted.

The Hon. D. O. TONKIN: Honourable members will recall that in August last year, I tabled a report entitled 'Deregulation—A call of action to rationalise South Australian legislation.' Amongst other things, that report identified the need for justification of existing licence and registration requirements, especially those affecting small business. Subsequently, the Government established a working party on small business licensing, comprising representatives of Government, the Chamber of Commerce and Industry, and the South Australian Mixed Business Association. The report of that working party on small business licensing, which is now available for public comment, represents a major achievement in the Government's deregulation policy. Indeed, it can be seen to translate both the Government's policy and the deregulation report itself, which the working party took as the overall guiding philosophy for its work, into concrete recommendations for the abolition of specific controls.

The report has identified many areas where existing controls are either unnecessary, or could be improved. It has taken as its overriding purpose the need to simplify procedures wherever possible, whilst ensuring that safety requirements and other aspects of the public interest are retained. It makes the point that clarity and simplicity of control as perceived by Government are not necessarily clarity and simplicity for the public, who often have perspectives and priorities very different from the person administering or formulating the control. 'In these cases', the report says, 'it is necessary for public servants as the proponents of controls to get outside of the system and gauge the effects of' . . . their controls 'on ordinary people—builders, shopkeepers and businessmen'. This, the report states, 'should be a general principle for all new legislation'.

After conducting an exhaustive study of all relevant Statutes, regulations and by-laws, the working party detected a number of licensing or registration requirements which duplicate other controls, or simply are unnecessary. To provide one example, since the turn of the century the Food and Drugs Act has required that persons who sell milk or cream should be licensed and their premises registered, at a current annual cost of $10 per year. The working party examined this and found it to be unnecessary given that alternative general require-

ments exist within the food and drugs regulations, and, in addition, found the control no longer necessary, given improvements in storage and packaging of milk over the past decades.

The Working Party examined all such licensing and registration requirements and found that many do not contribute substantially to public safety and well-being, and as a consequence their abolition has been recommended. In many of these cases, revenue raised by licence fees is insignificant, and out of proportion to the paperwork burden and overhead costs associated with administering them. As well as examining substantive controls, the Working Party also considered streamlining administrative procedures generally. For example, it examined the prospect of the various departments and authorities which issue licences unifying their notifications or other paperwork so that the licensee is confronted with only one account for the various purposes for which he or she is licensed. The possibility of paying that, or any other Government account, at the one point has also been considered, and outlines for the implementation of such a proposal appear in the report. In particular, the Working Party considered as important the need to improve the quality of forms used throughout the Public Service in order to reduce confusion, avoid duplication, and eliminate the collection of unnecessary information.

In this regard, some departments have already begun to simplify their licence and registration controls. Allied to the general need to reduce confusion, the Working Party examined and commented on the need to improve information services, thereby providing businesses with an accurate, up-to-date and easily accessible list of requirements facing them in their establishment and in their day-to-day operations. Copies of the report will now be circulated amongst employer, industry, consumer and other groups with whom the Government will consult closely as action on each specific recommendation is considered. In the interests of economy, I shall neither table the report nor move for its printing, but will ensure that the Leader of the Opposition is furnished with a copy and that additional copies are provided for all other members in the Parliamentary Library.

MINISTERIAL STATEMENT: PRISON OFFICERS DISPUTE

The Hon. D. C. BROWN (Minister of Industrial Affairs): I seek leave to make a statement.

Leave granted.

The Hon. D. C. BROWN: As I reported to the House yesterday, correctional officers and senior correctional officers at all institutions except the Port Lincoln Prison are currently involved in strike action. At Port Lincoln, the situation is somewhat confused as a number of officers have gone out on strike but some have gone to work.

These officers, who have been on strike since Friday 29 May 1981, are members of the Federated Miscellaneous Workers Union (A.G.W.A. branch). The issue has been deliberately extended by the union, as the dispute really involved the Yatala Labour Prison. The dispute involves two positions on the night shift.

The Government is concerned about staffing in correctional institutions, as indicated by the tabling of the Touche Ross report yesterday. The union is attempting to inflame this dispute by giving incorrect information to its members. For example, although prison officers at the Port Lincoln Gaol yesterday voted eight to one to reject the strike call, these officers were then threatened with expulsion from the union and were told that they would lose their jobs. Such threats are without foundation, as the Government employs people whether or not they are members of a union. I stress that I understand that the officers at Port Lincoln are prepared to go back to work once the situation is clarified as to whether or not they will lose their employment.

The Industrial Commission has specifically asked the union not to take industrial action over this issue so that it can consider the matter. Despite this request, the prison officers have gone on strike resulting in needless loss of pay and a useless confrontation. It is the Government's opinion that industrial matters such as this should be settled before the Industrial Commission. Consequently, the Public Service Board has, after consultation with me, requested the Industrial Commission to order a compulsory conference in order to get this senseless strike ended as soon as possible.

MINISTERIAL STATEMENT: OFFENDERS PROBATION ACT AMENDMENT BILL

The Hon. W. A. RODDA (Chief Secretary): I seek leave to make a statement.

Leave granted.

The Hon. W. A. RODDA: On 5 March 1981, I introduced a Bill to amend the Offenders Probation Act, 1913-1971. The explanation of the clauses was inserted in *Hansard* without my reading it and, as part of the explanation of clause 7, it was stated that the member of the Community Service Advisory Committee appointed from the panel nominated by the United Trades and Labor Council will have the power to veto any particular guideline proposed by the committee. The provision in the Bill had been deleted by the Government and the Bill before the House is as it was approved by the Government.

There should have been a corresponding deletion with respect to the power of veto in the explanation of clauses. However, this was an oversight. I have had discussions with Mr Bob Gregory, who is Secretary of the United Trades and Labor Council, who supports the concept of community service orders in principle and concurs with the proposal of a United Trades and Labor Council member on the committee. As I indicated in my speech in this place on Tuesday 2 June, the determination of guidelines for the approval of projects and tasks suitable for the community service scheme will be one of co-operation between all members on the committee.

Work projects selected for the scheme will not deprive the community of employment opportunities as stated many times in this place, and the input from the United Trades and Labor Council's nominee will be valuable in this regard.

MINISTERIAL STATEMENT: PRISON ESCAPES

The Hon. W. A. RODDA (Chief Secretary): I seek leave to make a statement.

Leave granted.

The Hon. W. A. RODDA: In the past 24 hours, there have been two escape attempts from the Yatala Labour Prison and Adelaide Gaol. Both attempts were thwarted by the actions of the staff manning the institutions during the present strike. At Yatala, five prisoners were involved and all have been returned to prison and face charges of escaping from prison or attempting to escape from prison. The staff at Yatala were assisted in detecting the escape attempts by the recently installed surveillance equipment.

A similar situation occurred at Adelaide Gaol during the early hours of this morning when two inmates managed to break out of their cell, and due to the vigilance of the patrolling officer, assisted by the surveillance equipment they were recaptured within the confines of the gaol. Both escape attempts highlight the value of the surveillance equipment, which both the Opposition and some union members have been all too anxious to criticise in recent days. It should be appreciated that without industrial disputation and full staff on duty, the value of this equipment would be even greater.

MINISTERIAL STATEMENT: TOURISM DEVELOPMENT BOARD

The Hon. JENNIFER ADAMSON (Minister of Tourism): I seek leave to make a statement.

Leave granted.

The Hon. JENNIFER ADAMSON: Earlier this year, I announced a number of initiatives which the Government had approved, following the Report of the Review into Tourism in South Australia, conducted jointly by Rob Tonge and Associates, tourist industry consultants, and staff of the Public Service Board during 1980. One of the major initiatives announced was the establishment of an eight-member Tourism Development Board, which was to be responsible to the Minister of Tourism for policy advice and liaison between the department and the industry.

I am pleased to advise that the inaugural board will take office on 1 July 1981 and I should now like to inform the House of the membership and role and responsibilities of the board, which reflect this Government's commitment to the development of tourism in this State. The board will be generally responsible to the Minister of Tourism for guiding the development of tourism in South Australia. Its functions will be to provide specific policy advice to the Minister of Tourism on all aspects of tourism with particular emphasis in the areas of—development of the State's tourist potential; promotion of the State's tourist product; assistance to the tourist industry and to local government; administrative support to regional tourism organisations.

It will be required to ensure that there is liaison and close co-operation between the Department of Tourism and all sectors of the tourist industry; local government; all regional tourism organisations; Government departments; trade and voluntary associations connected with tourism.

It will promote approved Government programmes for tourist development and provide advice and assistance to the Director of Tourism relating to the implementation of such programmes.

The board will provide advice to the Minister of Tourism and the Director of Tourism relating to the development and monitoring of performance measures for the department. It will also provide advice to the State Bank in the development, maintenance and monitoring of lending criteria for the Tourism Development Fund. Honourable members may recall from my earlier announcement that the Government has approved arrangements for loan capital of up to $5 million to be provided through the State Bank for the development of tourist projects.

The board is to consist of eight members appointed by the Minister of Tourism, six of whom are to have a term of membership of up to three years. The other two members are to be the Director of Tourism and the Chairman of the South Australian Association of Regional Tourist Organisations, who will have automatic tenure of membership for as long as they hold their respective offices.

The Chairman of the board is to be appointed by the Minister and to that office I have appointed the Director of Tourism, Mr Graham Inns, who has a distinguished record in the State Public Service as Chairman of the Public Service Board and Director-General of the Premier's Department, before his appointment as Director of Tourism.

Other members of the board are as follows: Mr Geoff Coles, Captain Keith Veenstra, Mrs Anne Murphy, Miss Jann Springett, Mr Bob Hardie, Mr Robin Sinclair, and Mr Gordon Porter.

Mr Coles, who will have a one year term, is Managing Director of John Martins and has extensive experience in the retailing industry. It is not generally appreciated that the retailing industry is a principal industry to benefit from an expansion in tourism. For every dollar that is spent in tourism the multiplier effect amounts to $2.62, with the additional dollars being spent in some form of retailing. It is important therefore that in the deliberations of the board there is appropriate recognition of the need to involve the retailing industry in efforts to further develop tourism in South Australia.

Captain Keith Veenstra, who will have a two-year term, is well known as the founder and Chairman of Directors of Murray River Developments Limited, a company which has had notable success in tourism in South Australia. Captain Veenstra will bring to the board his depth of experience as a successful tourist operator, whose company is recognised nationally and internationally for its successful entrepreneurial approach to tourism.

Mrs Anne Murphy, who will have a one-year term, is a member of a wellknown South Australian hotel and tourist industry family. Mrs Murphy is highly regarded throughout South Australian tourist circles, and she and her husband have operated the Ozone Motel/Hotel on Kangaroo Island for many years. The accommodation industry is one of the foundation stones of the tourist industry, and, in South Australia, has a turnover in excess of $35 million per year. Mrs. Murphy's experience in the industry and her knowledge of Kangaroo Island as a premier South Australian tourist resort will bring an important perspective to the deliberations of the board.

Mr Bob Hardie, who will have a two-year term, is State Manager for Qantas and is also Chairman of the Adelaide Convention Bureau. The convention industry brings well over $20 million into South Australia annually and has the potential to generate a much greater percentage of income for the State if its needs are fully appreciated by all spheres of Government, commerce and industry and the community as a whole. Mr Hardie's experience in air transport, both within Australia and overseas, and his understanding of the convention industry will be invaluable to the board.

Miss Jann Springett, who will have a two-year term, is a well known South Australian with a life-time of experience in the media and in tourism. In both these areas she has demonstrated a knowledge of and commitment to South Australia and to the tourism industry, and her expertise in travel consultancy and package tours is widely recognised.

Mr Robin Sinclair, who will have a one-year term, is a Director of Tolleys Wines and was Chairman of the 1981 Barossa Valley Vintage Festival. The wine industry is an integral part of the tourism industry in this State, as is demonstrated by its commendable efforts over many years to provide facilities to attract tourists and to link the promotion of its products with the regions in which they are grown. Mr Sinclair's chairmanship of the recent Barossa Festival, which was recognised as being an outstanding success, enables him to bring to the board an understanding of an industry and a region which are an

integral part of the State tourism scene.

Mr Gordon Porter is the current Chairman of the South Australian Association of Regional Tourist Organisations, and will be a member for as long as he holds that office. He is a businessman from Victor Harbor and is a councillor with the Victor Harbor council. Mr Porter has a long association with tourism. In addition to his Chairmanship of S.A.A.R.T.O., which he has held since the inception of the association, he is Chairman of the Fleurieu Regional Tourist Association and Past President of the Victor Harbor Tourist Association. He will bring to the board a wealth of knowledge, particularly in relation to regional tourism.

As I said earlier, the board is not, and was not intended to be, a representative board. Experience elsewhere has demonstrated that, when the composition of tourism boards is determined by Parliament and enshrined in legislation, the rigidity inherent in such structures inevitably means that boards cannot respond effectively to the dynamic and continuously changing nature of the tourist industry. For this reason the Government believes that maximum flexibility is desirable and that, by setting comparatively short terms of office, the Government can create the opportunity for both stability through re-appointment of some members, and a continuous input from the wide diversity of industries which make up the tourism industry.

In the foundation board, I believe a group of people have been selected whose collective experience and wisdom will be invaluable in advising on the development of policy and the successful operation of the department. There is a multitude of other interests which could make a valuable contribution to the board, and which will be paid due regard by the board in its deliberations.

The board will hold its first meeting early in July, and I have indicated to its Chairman that I believe its meetings should be held throughout the State in order that it can gain an appreciation of the tourist regions and principal attractions at first hand. The board will provide an annual report to the Minister of Tourism.

I am confident that the board will assist the Government to realise its objectives in relation to tourism. It will provide a significant means of enabling the Government to enlist the wholehearted support of the private sector in the development of tourism in South Australia, with all of the benefits that will bring to our State.

MINISTERIAL STATEMENT: WINDANA NURSING HOME

The Hon. JENNIFER ADAMSON (Minister of Health): I seek leave to make a statement.

Leave granted.

The Hon. JENNIFER ADAMSON: During Question Time yesterday, the member for Ascot Park asked me whether I had received any correspondence from the Minister for Health regarding the Federal Government's attitude to an application for approval of Windana as a nursing home. In my reply I said that, as the responsible Minister, I had not received a letter from the Minister for Health giving me advice which had been contained in a letter from the Hon. M. J. MacKellar, from which the honourable member quoted passages to the House.

I had, however, seen the letter to which the honourable member referred and which had been shown to me the previous day by Mr Patrick O'Neill of *Nationwide*. At no stage did I attempt to disguise that fact.

Members interjecting:

The SPEAKER: Order! The honourable Minister has been given leave and I would ask the House to hear her in silence.

The Hon. JENNIFER ADAMSON: Mr O'Neill alleged on *Nationwide* last night that, in the House yesterday, I had denied seeing Senator Jessop's letter. As the *Hansard* record will show, that is a false allegation.

Later yesterday afternoon, my staff delivered to my Parliament House office a letter from the Hon. M. J. MacKellar, dated 29 May 1981 and received in my office on 1 June 1981, responding to me on the question of Windana. As members opposite who have served in Government will know, the volume of correspondence in a Ministerial office is such that it is not unusual for several days to elapse between correspondence arriving in a Minister's office and being seen by the Minister.

I would like now to read to the House the letter which I received from the Hon. M. J. MacKellar. The letter is as follows:

> Dear Mrs Adamson,
>
> I refer to our earlier correspondence concerning the eligibility of the proposed Windana Nursing Home for approval under the provisions of the National Health Act.
>
> The revised proposal submitted by Southern Cross Homes for Windana to be approved as a 90-bed non-government nursing home for the special purpose of a 'centre of excellence' in the care of psychogeriatric patients has been assessed by the co-ordinating committee for South Australia. A report and recommendation was forwarded to my department. After extensive consideration of this matter by the committee, only the South Australian Health Commission representatives on the committee recommended in favour of approving the proposal. In assessing such proposals for the purposes of Commonwealth legislation, regard must be had to the adequacy of existing nursing. home accommodation to meet the needs of the aged population in the relevant locality. Where the existing beds (including beds already approved to be established) provide a ratio in excess of 50 per 1 000 population aged 65 years and over, approval is not granted unless there are special circumstances.
>
> It is considered that the existing beds in the area where Windana is located are adequate to meet the needs of the aged population. Also, in view of the large number of psychogeriatric patients currently accommodated in existing approved nursing homes, it is considered that the accommodation of this type of patient does not constitute a special purpose to justify approval of Windana, thereby increasing the existing high ratio of beds. It would seem more appropriate to improve, where necessary, the standard of care provided for this type of patient in existing approved nursing homes.
>
> In all the circumstances, I regret that I am unable to support the approval of the application submitted by Southern Cross Homes.
>
> Yours sincerely,
>
> M. J. R. MacKellar

Following my reply yesterday to the member for Ascot Park, I point out to the House that, whilst the commission's original submission to the Commonwealth was for approval for Windana as a nursing home to accommodate elderly people suffering from brain failure, because of public statements making reference to potential patients as 'psychogeriatric patients', and because of the Commonwealth's refusal to accept responsibility for such patients in normal circumstances, the commission had made a second application for Windana to be regarded for a special purpose as a 'centre of excellence' for the care of psychogeriatric patients. As Mr MacKellar has indicated, he has now refused this second application.

In light of the fact that the Commonwealth has recently reaffirmed its responsibility for nursing homes, I reject

and deplore the Federal Government's attitude towards the commission's application for Windana to be recognised as a nursing home. It is not good enough for the Commonwealth to ignore the needs of elderly, frail patients who are not mentally ill in terms of legislation which requires State Governments to accept responsibility for psychiatric patients, but who need special nursing home care because of their frail physical condition brought about by age.

Mr. MacKellar's statement that the needs of these people do not constitute a special purpose is, I believe, unrealistic, especially as he goes on to say that there is a need to improve the standard of care for this type of patient in existing nursing homes. In view of the fact that the Federal Government is transferring virtually all of its health responsibilities—namely, community health, school dental health and recognised hospitals to the States—it is clearly unacceptable to suggest that the State Government should make a financial commitment in an area which the Commonwealth has clearly designated as its own responsibility.

Given Mr MacKellar's reply, the only option for the State Government now is to explore the feasibility of making Windana a State nursing home, with the consequential burden on the State Treasury to meet the short-fall between income derived from patient contributions and Federal nursing home benefits and the cost of operating the home. Without Federal approval to the payment of benefits, even this option cannot be considered. I do not intend to let the matter rest until I have a satisfactory response from the Commonwealth in this regard.

QUESTION TIME

NATIONAL WAGE CASE

Mr BANNON: Can the Premier say whether the submission made last Tuesday to the Industrial Commission on behalf of the Minister of Industrial Affairs, which seeks to establish that there should not be a full flow-on from the national wage case decision because the performance of the South Australian economy and future business expectations are well below those of other States, represents the view of the Government? I have here a copy of the exhibit which contains statistical information concerning the South Australia economy and which was presented to that hearing. The exhibit was presented to the court last Tuesday and contains six sections comprising four series of tables, and a copy of a survey. It appears as through the Minister has to brief his Premier, which seems wrong. It might be more appropriate to listen to the explanation.

The SPEAKER: Order! The honourable Leader has sought leave to explain his question. I ask him to proceed in that way.

Mr BANNON: My question is whether this submission represents the view of the Government and, that is why it is directed to the Premier. This survey is in six sections, comprising four series of tables, a copy of a survey of major investment projects reprinted from a national journal, and a summary of a survey of business opinion. I have no quarrel with the accuracy of the information contained in the exhibit; it reads very much like the latest issue of *Opposition Report*, and confirms the arguments I have been putting in the debates in relation to the Supplementary Estimates.

The SPEAKER: Order! The honourable Leader is aware that he may not comment in giving an explanation.

Mr BANNON: Amongst other things, the exhibit (1) shows that South Australia's unemployment is Australia's highest; (2) notes that employment only (and that is the word used in the submission) grew by 2 per cent, a figure that is not only well below the national average but also the lowest of any other State; (3) confirms the figures given to the House yesterday by the Deputy Leader, which show a record 7 739 outflow of population; and (4) summarises two major national surveys of business opinion which show markedly low confidence in South Australia.

The Hon. D. O. TONKIN: The Leader of the Opposition knows very well that he has totally misrepresented the position; indeed, he has been so devious that I cannot remember the set wording of his original question. He has quite clearly implied that in that application to the Industrial Commission the South Australian Government is asking that there should not be a full flow-on because of the economic situation in South Australia. I have never heard such rubbish in all my life. It is not true: it is not an accurate representation. Let me remind the Leader that in this regard the economic position of South Australia is much better than it has been for a long time, and I remind him of the figures which I gave yesterday and which I will give again today. Those figures show that in the last two years of Labor Government in this State, some 20 600 jobs were lost. Since we have taken office—a period of considerably less than two years—some 20 900 jobs have been created.

Members interjecting:

The Hon. D. O. TONKIN: I notice the Leader is quiet, because he looks at the A.B.S. figures and quotes them regularly. Quite obviously, other members do not do that. We have already discussed the unemployment rate, which is most unsatisfactory, but it would have been far worse if the trend that was begun under the previous Administration had been continued. Members opposite choose to forget that.

The position is that there has been a creation of jobs; we have reversed the tendency for jobs to be lost, and jobs are now being created again. We are holding our own in the unemployment level. As I said yesterday, I hope to see some impact on those figures within the next few months as further jobs are created. I do not intend to go through the list of achievements and the list of companies that are opening up in South Australia, except to mention that two weeks ago we had one of the most successful weeks that this State has seen for a long time when 1 000 new jobs were created with the Adelaide/Crystal Brook railway, the opening of Grundfos, and the projected opening of the Raytheon plant.

Members interjecting:

The SPEAKER: Order!

The Hon. D. O. TONKIN: For some reason, the Leader of the Opposition does not seem to be pleased that those jobs are being created.

Mr. Bannon: I am very pleased indeed.

The Hon. D. O. TONKIN: I am pleased to hear that the Leader is pleased, because that is almost the first positive thing I have heard him say for a long time. The United Trades and Labor Council is asking the commission for a full flow-on and to abandon Federal guidelines—full wage indexation. If we were to do that, the turnabout towards prosperity that this State has been experiencing in the past 20 months or so would immediately be negated. Once again, we would have wage increases that were greater than those in other States, and industry would immediately begin to choose other States in which to develop instead of South Australia.

We have been remarkably successful in attracting

industries here. Some of the comments that have been made, for instance, by the Managing Director of Raytheon recently have been most complimentary of the South Australian Government in its attitude; it has been said that this Government's attitude is the best of any Government towards industrial development that the company has come across in Australia or, indeed, in the world. We will keep it that way, but there is no way that we can attract the industry and development to South Australia that we so desperately need if wage costs in this State become higher than those of any other State. That is what it amounts to.

The reason for our appearance and why we are asking that we do not go to full indexation is so that we can still compete with other States, and win development in the face of their competition. That is the way we want to keep it. I would hope that we would have the co-operation and wholehearted support of the Opposition in this aim.

IMMUNISATION CAMPAIGN

Mr RANDALL: Can the Minister of Health provide to the House a progress report on the State-wide immunisation campaign which was launched on 11 May? I do not believe that this question needs any further explanation.

The Hon. JENNIFER ADAMSON: I am very pleased indeed to provide to the House a progress report on the success of that campaign, and it has been clear from the very outset that the campaign is a success. It is the first major health promotion campaign undertaken by the South Australian Health Commission, and a great deal of preliminary work went into the preparation of the campaign.

Members may be interested in some statistics which I have taken at random and which point to the success of the campaign. The Christies Beach community health centre has indicated a three-fold increase in the numbers attending the regular immunisation clinic since the campaign commenced. That is an increase from approximately 50 people to 160 people requiring immunisation. West Torrens and Port Adelaide local boards of health have doubled their clinic attendances. Angaston and Kapunda local boards of health are opening new immunisation clinics during the next few weeks. The Adelaide Children's Hospital immunisation clinic has noticed a marked increase in people requesting free immunisation. This includes hospital staff, visitors, parents, and other members of the public. The Commonwealth Serum Laboratories have reported an increase in demand for mumps vaccine by chemists and G.P.'s.

The Department of Social Security circulated an insert on immunisation needs on 21 May to 146 000 people. Since that time, the communicable diseases control unit of the commission has received over 200 phone calls in three days from pensioners seeking information about immunisation.

Mr Hamilton: You ought to—

The SPEAKER: Order!

The Hon. JENNIFER ADAMSON: I might add that the people in that category that I have just referred to are people who, in the main, are most at risk from failing to seek immunisation in the normal course of events. School health nurses in both city and country areas have commenced special school based immunisation awareness programmes for teachers and parents.

Interest has been shown by several interstate organisations: the Deafness Foundation in Western Australia, the International Year of the Disabled Persons Committee in Victoria, the New South Wales Health Commission, and the Northern Territory Health Commission. All these reponses, which as I say are random responses (they are examples of what is happening across the board), are the results of efforts which include 82 000 pamphlets on measles and boosters, 38 000 pamphlets on rubella, 88 500 posters on each of those subjects, and 10 000 educational pamphlets for teachers and health care personnel, being distributed.

We should bear in mind that the cost of that campaign (and I am talking not about staff salary costs but media costs) was less than $40 000, which is the cost of maintaining, in an intensive care unit for five weeks, one adult patient suffering from tetanus. If we can rest assured that statistically at least one person per year might be expected to be saved as a result of this campaign, and leave aside the human and economic costs of rubella, measles, polio and the others, I think we can say that the campaign is already an outstanding success.

P.E.T. CONTAINERS

The Hon. D. J. HOPGOOD: Can the Minister of Environment say whether he has yet made a decision as to the future of the polyethylene terephthalate soft drink container? If he has, is he in a position to share the fruits of his deliberations with the House, and, if he has not, when can we expect a decision?

The House will be aware that the Minister last year exempted the P.E.T. bottle, as it is popularly known, from the deposit legislation, and that was for a period which is to run out at the end of this calendar month. I am told that there are groups in the community who are very anxious to have a decision on this matter as early as possible, either because they are vehemently against the introduction of these materials into the litter stream (and I refer to groups such as the Local Government Association and the conservation groups), or because they are involved in the industry, either in the sense of manufacturing and marketing these containers, or indeed manufacturing and marketing containers which are in competition with them, namely, the glass bottle manufacturers. In view of the uncertainty that exists in the industry, as well as in the minds of those people who are enthusiastically advocating a pro or con position, I ask the Minister to make the Government's position clear as soon as possible.

The Hon. D. C. WOTTON: The answer to the first question is 'No', and to the second question the answer is that, as he would be aware from press releases that I have already made, the Department of Environment and Planning, along with KESAB, is monitoring the situation. A report will be provided to me when the monitoring is completed. I expect that that will be towards the end of this month or the beginning of next month, and at that stage a decision will be made.

SOUTHERN TRANSPORT

Mr GLAZBROOK: Will the Minister of Transport say whether a departmental working party is preparing a report on transport needs for the eastern part of the southern areas incorporating Flagstaff Hill, Aberfoyle Park, and Happy Valley? Last year, a comprehensive report was given on some transportation needs of the southern areas. However, the report touched only briefly on the Flagstaff Hill, Aberfoyle Park, and Happy Valley areas. Recently, I conducted a survey of residents' priorities for Flagstaff Hill, and nearly all of the residents

who have so far responded have listed transport as the most vexing problem and the highest priority needed for the growth area, including some Saturday and Sunday services and extensions to the limited existing services during the week. My colleagues, the member for Fisher and the member for Mawson, and the electors within our areas are, like me, vitally concerned about the provision of services and the upgrading of transport facilities in general.

The Hon. M M. WILSON: I am well aware of the interest that has been shown by the member for Brighton, the member for Mawson and the member for Fisher in transportation problems in the southern area and particularly, so far as the member for Brighton is concerned, in the eastern section. A working party is bringing down a report on the question that the honourable member has put to me. It flows from the southern areas study, copies of which many members of this House would have seen, which was a report commissioned by the former Government and brought down some 18 months ago, and then distributed.

The member for Brighton is correct in thinking that the southern areas study generally concentrated on public transport, and in fact the recommendations of the report were that there should be an extension of the Hallett Cove and Hackham line or an extension of the present Noarlunga line to Seaford. The Government has already announced that it has commissioned the State Transport Authority to do a preliminary design study on the Hackham and Hallett Cove extension. As the honourable member rightly points out, not enough work was done in the southern areas study on the road network. It concentrated mainly on public transport, although the question of the north-south corridor was very much in evidence in the southern areas study, and obviously the resolution of that problem will have a great effect on what is done in the area.

Mr Mathwin: It will have a great effect on Brighton Road, too.

The Hon. M. M. WILSON: The honourable member for Glenelg is quite right. It will also have a big effect on Morphett Road, as the member for Mawson is aware. Immediately upon receipt of the recommendations of the southern areas study I had my officers do some work on the road network. That particular working party included representatives of the southern region and some of my officers.

The Hon. D. J. Hopgood: Does that include the member for Glenelg?

The Hon. M. M. WILSON: I do not think the member for Glenelg is a representative of the southern region in the local government sense, although he has had much experience in local government and is well regarded in that sphere.

I have received that report and sent it to my agencies for detailed costing and for some advice on what the priorities should be. Obviously, any comprehensive work on the road network in the southern areas would have to be over a reasonably long period of, say, five or 10 years, and obviously priorities will have to be allocated. Until I have that information I can make no decision, but as soon as information is available I will let the honourable member see it.

ADELAIDE AIRPORT

Mr SLATER: Can the Minister of Transport say what will be the basis of his discussions with the Federal Minister for Transport (Mr Hunt) in relation to the proposed upgrading of Adelaide Airport? During any discussions he has with the Federal Minister, will the Minister ensure that the interests of residents in the western suburbs in the flight path and near the airport will be adequately protected from aircraft noise and that the maintenance of the curfew times will remain?

The Hon. M. M. WILSON: Yes, I will certainly make sure that the interests of residents living near the airport will be looked after. In fact, in every statement I have made or in any delegation I have led to the Federal Government, I have always maintained that the interests of the residents living near Adelaide Airport should be considered as a top priority. Indeed, the member for Morphett has kept me up to the mark all the time, as he is concerned about any question of the lifting of the curfew or the extension of the runway over Tapleys Hill Road.

As to the question of my talks with the Federal Minister tomorrow, I must say that we are getting somewhere at last with the Federal Government on this question. The Premier, the Minister of Tourism and I have made, I think, 11 approaches to the Federal Government on this matter of limited international services into Adelaide Airport because we consider it absolutely vital for this State's development that that should take place, consistent with protection for the residents living near the airport. What my officers call noise nuisance must not be allowed to impose upon the lifestyle of those residents. My job tomorrow will be to continue the talks that I have had previously with the Federal Minister for Transport. I cannot say at this stage what the results will be. It would be silly to announce the results of the talks before we had them.

Mr Slater: I want to know the basis of the discussion?

The Hon. M. M. WILSON: The basis of the discussion will be what type of limited services we could have at Adelaide Airport. For instance, it has been suggested (and we would be very pleased to see it) that there should be an Adelaide-Melbourne-Christchurch or Adelaide-Melbourne-Auckland link. I believe that would be an advantage, but what I would like to see is an Adelaide-Perth-Seychelles-London or Adelaide-Darwin-Singapore-London link, or something of that nature, because I believe that would be of far greater significance to this State's development, especially for the development of tourism in this State, than would be an Adelaide-Melbourne-Christchurch or Adelaide-Hobart-Christchurch link.

We will be talking about these types of things with the Federal Minister, and also about when the Federal Government will begin upgrading Adelaide Airport. It is, I think, well known by the people of this State that Adelaide Airport is to be upgraded to take the new wide-bodied domestic jets, the A300 Airbus and the Boeing 767. The aprons and tarmac will be strengthened to allow these jets to operate from Adelaide Airport, and that will enable 747Bs to take off and land at Adelaide Airport with very little trouble. In fact, they do it now: I believe that one came in last week. However, it is important to realise that these big jets cannot take off or land with a full fuel load. That is why any limited international service to Adelaide Airport must be through another Australian port, say, Adelaide to Darwin, Adelaide to Perth or Adelaide to Sydney, which is not a problem. The important thing is that South Australian travellers have Adelaide as an exit and entry port. This Government will take nothing less than that. It is something which we are committed to fighting for, because the inconvenience and the cost to travellers leaving for or entering Adelaide from overseas is tremendous. The time lost can be some eight hours on an overseas trip, because travellers leaving

Adelaide have to go to another Australian port. Sometimes they transfer to Melbourne and then to Sydney before catching an international connection. Of course, on coming home from overseas we have a like situation, where one arrives at Melbourne at 2.30 or 3 a.m. and must wait until 7.30 or 8 a.m. to catch a connection to Adelaide. No wonder people suffer when they travel internationally from South Australia.

VITAMINS

Mr RUSSACK: Can the Minister of Health clarify the situation regarding media reports of the past few weeks concerning proposed restrictions on the sale of vitamins?

The Hon. JENNIFER ADAMSON: Yes, I can clarify the situation. I think it is important that the community realises, as it does not appear to do, that the recently publicised draft standard arose not from the initiative of this Government or, indeed, of the Federal Government but from a joint meeting of the National Therapeutic Goods Committee and the Food Standards Committee of the National Health and Medical Research Council.

Mr Millhouse: You hopped in and supported them before anyone else could say 'boo'.

The Hon. JENNIFER ADAMSON: Nowhere can the member for Mitcham, despite his allegations, point to any statement whatsoever that I have made supporting that standard. What editors choose to do with headlines is one thing. When the statements that I have made on this subject are read, you will find that they are basically in accordance with what I am about to tell the House. The council is a statutory body which advises State and Federal Governments on matters relating to public health, clinical medicine, and research.

Currently in South Australia there are restrictions on the sale of vitamins A and D above certain preparation strength. That situation has pertained for some time. The draft recommendations do not propose any change in this restriction, nor do they propose any further restriction. The draft standards provide for a tightening of the labelling and advertising requirements, but not a restriction on availability. I feel sure that, irrespective of their attitude to vitamins, all members of this House would support the need for sufficient information to be provided for consumers about the products they are purchasing.

The draft standard does not recommend changes in the present situation whereby a person can purchase whatever vitamins he requires from the usual supplier, and press reports to the contrary are misleading. I emphasise that health authorities recommend that people on vitamin supplements should from time to time review their vitamin intake to see whether it is appropriate and whether their requirements could not be more effectively and certainly more cheaply met by a balanced diet. I have signed and sent out more than 2 000 letters explaining the situation to the people who have sent letters, organised presumably by the manufacturers of vitamins. The letters that I sent out point out that these initiatives have not originated within State or Federal Governments. At this stage, I have had no advice from the Food and Drugs Advisory Committee as to its attitude to the draft standard, but, when I receive that advice, it will be made public in due course.

REMAND CENTRE

Mr ABBOTT: Has the Minister of Public Works considered the alternative site for a remand centre opposite the Thebarton Police Barracks on land used by the Electricity and Water Supply Department, as proposed by the Hindmarsh city council? If so, is this site acceptable to the Government, and why has the Minister rejected that council's invitation to attend a public meeting on this matter to be held on Monday 15 June? An article in this week's edition of the *Weekly Times* stated:

> A fresh move is under way to off-load the proposed Brompton remand centre onto Adelaide City Council. Hindmarsh Council wants the centre put opposite Thebarton police barracks on a site used by the Electricity and Water Supply Department as a sewerage depot . . .
>
> Hindmarsh Town Clerk, Bob Langman said the Electricity and Water Supply site was much better than the one at Brompton. It more than fulfilled the criteria given by the State Government when it first named Brompton as the remand centre site. The property was already owned by the Government, was close to the law courts and was not surrounded by housing. Also, the site was twice as big as the Brompton one which meant the remand centre would be less noticeable, particularly if trees were planted around it. Mr Langman said the Electricity and Water Supply depot was unsightly, with large tin sheds on it. Another point was that Adelaide City Council would not lose rate revenue if the remand centre was built on the Electricity and Water Supply site, unlike the situation with Brompton. With the centre at Brompton, Hindmarsh Council would lose revenue because it would otherwise encourage private, ratable development on the site . . .
>
> Replying to an invitation to attend a further meeting, Mr Brown said: " . . . the intention of the Government in this matter (remand centre) is quite clear. The centre will be established on the designated site unless an alternative location, acceptable to the Government, could be suggested by the council or resident groups . . .

The Minister gave the council only one month to come up with an alternative site. Is that alternative site proposed by the Hindmarsh council acceptable to the Government?

The Hon. D. C. BROWN: Yes, the Government has considered the alternative site, and the answer is 'No, it is not acceptable.' If the honourable member gave one moment of thought to the site, he too would realise that it was unacceptable. The site is the headquarters for the metropolitan sewerage branch of the Engineering and Water Supply Department. There is capital investment on that site of about $4 000 000. Why would we want to build a remand centre on top of an existing facility which the Government needs and requires and which it will continue to need and require, at the same time incurring an additional expenditure of $4 000 000? The replacement value is probably far more than $4 000 000. I find it astounding that the honourable member should be game to make such a foolish recommendation in this House.

Mr ABBOTT: I rise on a point of order. I made no recommendation whatsoever to this House.

The SPEAKER: Order! There is no point of order. The honourable member knows that by means of a personal explanation at a later stage he can correct a matter.

The Hon. D. C. BROWN: The honourable member this afternoon supported the application by the Hindmarsh council and it is obvious that he wants to see that remand centre, if possible, built on the Engineering and Water Supply site. The facts are clear, and I believe that one can see that the alternative site is not suitable. A number of residents are coming to see the Premier and me next week, I think to put one or two proposals. The written submission they have already put supports the Engineering and Water Supply site, which I again stress is not suitable, for very obvious reasons. I requested the people who attended a public meeting (and I believe it was a reasonable request) to approach me if they could suggest a

better site. It took them six or seven weeks to suggest one site. If at the meeting next week, the residents in the area can suggest a suitable alternative site, I will be prepared to consider it, but I must stress that the one alternative they have put is not feasible, practical, or economic in the Government's view.

YOUTH UNEMPLOYMENT

Mr MATHWIN: Is the Minister of Industrial Affairs aware of the recent statements by the Deputy Leader of the Opposition concerning the effectiveness of the pay-roll tax scheme in regard to youth unemployment, and can the Minister indicate the accuracy of the Deputy Leader's claims? One of the many wild Opposition claims is that the—

The SPEAKER: Order! The honourable member may not comment.

Mr MATHWIN: Yes, Mr Speaker. The Opposition claims that a return to the State Unemployment Relief Scheme (and we all know the cost involved) would solve the problem.

The Hon. D. C. BROWN: I have heard the wild claims made by the Deputy Leader of the Opposition, and I am sorry that he is not here today to hear my response. Perhaps the Leader could pass on the facts to the Deputy Leader so that he does not make a fool of himself when he again opens his mouth on this subject. I point out how effective the youth unemployment incentives of the Government have been.

Members interjecting:

The Hon. D. C. BROWN: If members opposite listen, they will realise that the incentives have been far more effective than the State Unemployment Relief Scheme proposed by their spokesman on this matter.

The Hon. D. J. Hopgood: Give us the details.

The Hon. D. C. BROWN: I will. To March this year, three incentives were in force: first, we lifted the base exemption for pay-roll tax; secondly, we paid a refund on pay-roll tax for every first and second additional employee taken on by the firm; and, thirdly, we gave an across-the-board exemption from pay-roll tax for all additional employees under the age of 20 years taken on in permanent employment. Under the first part of that scheme, until the end of April this year a total of 982 young people were employed by 674 employers. In regard to the second part of the scheme, to the end of March this year a total of 2 283 additional young people were employed by 545 employers. I stress that the scheme has been very effective: 2 883 additional jobs have been created for young people. I am surprised that the Opposition should publicly criticise the scheme that creates so many jobs for these young people under the age of 20 years.

The alternative put forward by the Deputy Leader was that we should abandon the scheme and return to the State Unemployment Relief Scheme. I can tell the House the bare facts on a cost benefit value between our scheme and that proposed by the Deputy Leader. In 1979-1980, the State Unemployment Relief Scheme was granted $4 000 000 from State funds. According to the Auditor-General's Report, in that year 1 089 people received temporary work, and of those only 95 people received permanent jobs.

In other words, for the expenditure of about $4 000 000 under the State Unemployment Relief Scheme, we found 95 permanent jobs. Under our scheme, which has cost less than $1 000 000, we have been able to find permanent employment for 2 883 persons. I think that without a doubt that shows that the scheme adopted by the Government is far more cost effective than any scheme put forward by the Opposition.

I make the final point that I was amused by the way in which the Deputy Leader of the Opposition (I think at that stage trying to act as Leader) was putting forward the proposal that we should spend large sums again on the State Unemployment Relief Scheme, while at the same time criticising the State Government for its Budget deficit. He said that that deficit should be removed, yet at the same time he was critical of the State Government for increasing State charges. The facts just do not add up. How can the Government spend money on the State Unemployment Relief Scheme but at the same time diminish the deficit? That shows the very hollow and thoughtless nature in which the proposals were put forward by that gentleman.

BEER PRICES

Mr CRAFTER: Can the Premier say what is his Government's intention with respect to the use and ownership of money overpaid by South Australian consumers of beer as a result of recent Government bungling in establishing beer prices in this State? In the absence of the right in this State for a consumer to bring a class action I ask this question because the responsibility thus falls on the Government to bring about some fair play in the market place and to recover the money paid by consumers as a result of Government error. Obviously it would be impossible to identify and repay money back to individual consumers. However, this money could nevertheless be put to some good community use, for example, the work of the Alcohol and Drug Addicts Treatment Board.

The Hon. D. O. TONKIN: Let me point out right from the outset that the Government has no part to play in the direct selling of beer in this State, and therefore has had no return whatever from sales of beer at whatever price it is sold.

Mr Millhouse: You've misunderstood the question altogether, deliberately I think.

The Hon. D. O. TONKIN: I think I am quite able to answer the question.

Mr Millhouse: You haven't started too well.

The Hon. D. O. TONKIN: I do know that the member for Mitcham has, for a number of years nursed that really great jealousy, that sort of desire to be on the front bench himself. I remember that he can answer questions very well, but at least it is a comfort for him to know that he has his own front bench to sit on.

Mr Millhouse: I do it pretty well, too.

The SPEAKER: Order!

The Hon. D. O. TONKIN: Basically, the member for Norwood, in a rather uncharacteristic way, has distorted the facts. There has been no Government error. The honourable member will know full well that beer has been moved out of the full control category into the justification category. The processes of that justification have been applied in the recent increases in the price of beer. The justification process requires that, when an increase is put on by the wholesalers, by the breweries, and that increase is passed on to the consumer, within five days a justification must be lodged with the Prices Commissioner. That was exactly what happened on this occasion.

The Prices Commissioner examined the justification details that were put to him, and indeed the only action that was taken by the Government, in view of the community's concern, was to ask that those figures be

provided a little bit sooner than the five-day limit. They were, and I am happy to say that, under the terms of the justification procedure, the Prices Commissioner was able to suggest that the price increase was not justified at the level that had been put on by the brewery, and that 1c should be taken off. The brewery was given the opportunity of acting itself to reduce the price increase by 1c, and in fact that was the responsible course of action that was adopted. There is no doubt that had the brewery or any other manufacturer refused the advice of the Prices Commissioner following the justification procedure then a prices order could and would have been issued. The point is that I believe the brewery did act responsibly in responding to the necessary requirements of the justification procedure and of then agreeing to reduce the price of beer by 1c when advised by the Prices Commissioner that that action should be taken.

MINERAL RESOURCES

Mr GUNN: Is the Minister of Mines and Energy, following his return from overseas, aware that the Leader of the Opposition made certain statements about the potential of Australian mineral resources and the desirability of public investment in resource development? Can the Minister say whether statements by the Leader of the Opposition properly reflected the situation overseas, especially in those countries that the Minister visited last year? Can the Minister indicate what conclusions he reached when he visited Alberta and Saskatchewan last year? I look forward to the Minister's reply.

The Hon. E. R. GOLDSWORTHY: We have read with a great deal of interest and a measure of consternation the diffusions from the Leader of the Opposition from overseas, and when he returned. So, no doubt, members opposite are looking forward to what I have to say. I read what he said with amazement, nothing less. The history leading up to the trip explains the statements that the Leader made, because quite frankly he does not know where to jump. On 20 February, the Leader, in answering questions at the Petroleum Exploration Society, said:

> I don't think a major political Party has the right to be either alarmed or to react emotionally on an issue as important as this.

That is, the uranium issue. He continued:

> I believe we must examine it objectively within our Party councils and come out with a policy.

Of course, that was an admission that it did not have a policy. In relation to uranium mining, the Leader said:

> It was now possible to place this in the safe category.

They were his words: 'safe category'.

Mr Bannon: I did not. Put it in context.

The Hon. E. R. GOLDSWORTHY: The context is that those comments were in answer to a question, and it was taken down by a journalist on tape, I understand, which led to an accurate report in the paper the next day. Then the Leader's comments were supported by the shadow Minister in another place, Dr Cornwall, who said on *Nationwide* on 3 March:

> I believe on masses of evidence that I have been able to examine over the last 15 months that we have probably reached the stage with the equipment that is available, the more sophisticated monitoring equipment and so forth, that you can say it is relatively safe to mine, to process, and to enrich uranium.

Mr Bannon: That's not what he said.

The Hon. E. R. GOLDSWORTHY: That is a quote of what was said; I checked it. The Leader protesteth far too much. I would suggest that he get hold of a transcript and that he read it carefully, because that is precisely what was said. As I indicated a day or two ago, that led to a phone call from the A.C.T.U., a deal of confusion, a retraction, and an extraordinary letter to the branches. This is what the Leader wrote to the perplexed faithful:

> Dear members, There has been some comment in the media recently concerning statements I made to the Petroleum Exploration Society. That statement is reported in the *Advertiser* of 21 February under a headline which implies I was suggesting a change in Labor policy concerning uranium. Also, John Cornwall's statements on *Nationwide* last Tuesday, 3 March, were misreported by the Adelaide *News*.

So, all the media is in the gun. The letter continued:

> I can assure you that neither I nor John Cornwall or any member of the Parliamentary Labor Party is advocating a change, or a possible change, in policy. In fact, the remarks of myself and John Cornwall were completely in line with the platform of the Party.

And so it goes on. As I suggested, he was told to pull his head in, and in it went.

The doom and gloom which we got from overseas was quite hard to unravel. On the one hand, the Leader was proclaiming the virtues of the Heritage Fund in Alberta and Saskatchewan and, on the other hand, he was saying that we should get into this, but there will be no resources boom, so there is nothing to pay into it. I do not want to go into this at length, because I mentioned it in passing a day or so ago. I visited Saskatchewan while I was overseas. I visited the places that the Leader visited, and I was interested in looking at the question on which the Leader had told the Petroleum Exploration Society we should have an open mind. I went to the Canadian States where they have been engaged for many years on resource developments, and looked particularly at the points of importance to us, namely, the proposed Roxby Downs development. Apparently the Leader switched off when it came to this question of what is happening in uranium mining in Canada, and particularly in Saskatchewan. With the Deputy Director-General of Mines, I visited these places. I suggest that the Leader should read assiduously the excellent report on the visit prepared by the Deputy Director-General. We went up to Rabbit Lake, a very large uranium mine.

The Hon. D. O. Tonkin: Did the Leader not go there?

The Hon. E. R. GOLDSWORTHY: Obviously not, and it is a State with a socialist Government. Mr Blakely, the Premier, is a very nice chap and a self-avowed socialist with a left-wing Government, as he described it, and he said they have really got into the resources boom. He is a nice fellow with a sensible approach to the matters which are causing the Leader so much trouble. They have socialised potash mining because they have a captive market, and they have got into the business of uranium mining in a big way as a Government, helping to back up the Heritage Fund, which appeals so much to the Leader of the Opposition. The Leader wants a Heritage Fund with nothing to put in it, and they are very perplexed about the question of uranium.

The Hon. D. O. Tonkin: And they haven't got a policy.

The Hon. E. R. GOLDSWORTHY: They have to look at it dispassionately and get a policy, but we have got a policy. The Leader got very little benefit from the trip to those Canadian States if he was not prepared to objectively look at what is happening in Canada, especially in relation to the development of uranium. That development is proceeding in this socialist State with the concurrence of the trade union movement. Nowhere else in the world is this matter a trade union problem. There might be an environmental problem with some people, but

there is no trade union problem as there is here.

If the Leader was prepared to exhibit some of the objectivity which he said to the petroleum people was so necessary, he would have to come back saying things other than those he has said. That dose of pessimism he obviously caught was obviously a stance which he was forced to adopt because of the blinkered policy of his Party. He obviously wants to break free from that policy, but the fact that he is bound by it means that his trip overseas was largely wasted.

FISHERIES OFFICE

Mr PETERSON: The Minister to whom I wish to address a question is not here.

The SPEAKER: The honourable member can proceed.

Mr PETERSON: The question is addressed to a Minister with a dual portfolio, and I am not quite sure how to preface it. However, I am sure you will set me right, Sir. The question is to the member for Victoria in his dual capacity as Minister of Fisheries and Minister of Marine. Will the Minister investigate the possibility of locating an officer of the Department of Fisheries in the Department of Marine and Harbors office building at Port Adelaide? The Port Adelaide district has developed quite dramatically in the last few years, and most Government services are now represented in the area. Naturally, because of the location of Port Adelaide and the north-western suburbs, many people are involved in boating and fishing, but it is necessary in fishing matters to make contact in Adelaide. It appears to me that, at very little extra cost, an additional public service could be provided in the associated function of boating and fishing tied together on a common site to service the north-western suburbs.

The Hon. D. O. TONKIN: I thank the member for Semaphore for his question. Indeed, in spite of the laughter opposite, it is a most sensible question, and I shall take great pleasure in investigating to see whether his suggestion could be achieved. I will be happy to make available to him a copy of the business deregulation report.

Mr Millhouse: What about one for me? I asked for one and you said you didn't have it.

Members interjecting:

The SPEAKER: Order!

The Hon. D. O. TONKIN: I shall be delighted to provide such a reasonable and co-operative member as the member for Semaphore with a copy of that report, and I think he will see from it that the Government is anxious to make services more readily available to consumers and members of the public. Certainly, I will undertake to make that investigation.

TROUBRIDGE SHOAL

Mr OSWALD: Will the Minister of Environment inform the House of any action he is taking to protect and preserve the lighthouse keeper's cottages and their outbuildings and vegetation on the Troubridge Shoal, off Edithburgh, which are being quickly destroyed by vandals since the lighthouse was abandoned as a manned navigational beacon? Early this year the Department of Administrative Services withdrew the lighthouse keeper and his family. The light is now an automatic beacon. I have received almost monthly reports from constituents who visit the shoal regularly as fishermen, and they have given me reports of increased cases of vandalism, stripping of furniture and window frames for building fires, which are being lit close to the existing buildings, smashing of windows, broken beer bottles and general destruction of vegetation in the area. This has been brought about by a hooligan element visiting the island at weekends, and I include bikie gangs going across for the purpose of destruction. The situation arises because there is no caretaker role on the island or anyone on the mainland with an interest in preserving this part of the State's heritage.

The Hon. D. C. WOTTON: I am aware of the honourable member's interest in this matter, and I am aware, too, that he knows constituents in the area. The member for Goyder is also interested in the matter. It is in his electorate, and he also has made contact with me on behalf of constituents in the area. The member for Goyder has written to me and I have replied to his correspondence on the matter of the Troubridge Shoal. I certainly recognise the problem. Real problems are being experienced as a result of the vandalism. I have had representations from local people of Edithburgh, from the progress association and other people, asking me to take some action.

At present, the shoal is under the ownership of the Federal Government. I have written to my colleague, the Federal Minister for Administrative Services, and I have received from him an acknowledgement to say that he is looking into the matter. We would rather like to have control over the management of the area because of the vandalism problem, and at present the Valuer-General is involved in looking at the costs involved and the actual value of the shoal itself. I can assure the member for Morphett that we are conscious of the need to do something. I am conscious, too, of the heritage value of the lighthouse and the cottage. I know that they are being vandalised, and I would be extremely anxious to be able to do something. I will do something as quickly as possible as soon as we receive a final reply from the Federal Minister.

PERSONAL EXPLANATION: PRISONS

Mr KENEALLY (Stuart): I seek leave to make a personal explanation.

Leave granted.

Mr KENEALLY: Earlier this afternoon in a Ministerial statement the Chief Secretary said:

> Both escape attempts highlight the value of the surveillance equipment which both the Opposition and some union members have been all too anxious to criticise in recent days.

The Opposition has never criticised the introduction of or use of surveillance equipment in our prisons. We support the use of this equipment to improve prison security. Our criticism is directed at any—

The SPEAKER: Order! Will the honourable member please indicate how this is a personal explanation?

Mr KENEALLY: Yes. I am the shadow Minister of Correctional Services, and the accusation that the Opposition has criticised is obviously a criticism of me as Opposition spokesman.

The SPEAKER: I want to make quite sure that the honourable member had a reason for seeking to make a personal explanation. To the point where I interrupted him, he had been talking about the Opposition in a blanket form. I make the further point that the Chair does not recognise the Opposition benches other than the Leader and the Deputy Leader as an office. However, the

honourable member has indicated that he has been responsible for action in this particular area, and it is on that basis that I believe he should proceed.

Mr KENEALLY: Thank you, Sir. My criticism is directed at any action taken to use the surveillance equipment as a replacement for prison warders rather than as an aid for prison warders, as it was intended to be.

PERSONAL EXPLANATION: WINDANA NURSING HOME

Mr TRAINER (Ascot Park): I seek leave to make a personal explanation.

Leave granted.

Mr TRAINER: In her Ministerial statement earlier this afternoon in response to a question that I asked in this House yesterday, the Minister of Health attacked me and she also attacked Mr O'Neill of *Nationwide* and the Federal Minister for Health. Firstly, in the Ministerial statement the Minister of Health misrepresented me in the sense that she implied I asked a question in this House which I did not ask, and I wish to set the record straight on that matter.

Secondly, the Minister indirectly repeated the inference that I had sabotaged the negotiations between the State and the Commonwealth bodies in this matter. Yesterday in response to my question the Minister directly alleged that I had by public statements sabotaged negotiations, and that inference was repeated once again today on page 3 of the Ministerial statement when she talked about 'public statements making reference to potential patients as psychogeriatric patients', and that clause appears in a context where the inference that I am involved is quite strong.

Referring to the first matter: the question that the Minister claims I asked is not the question I asked. Reference to *Hansard* will show quite clearly that I did not ask the Minister whether she had received any correspondence. I asked the Minister whether it was correct that the Federal Minister for Health had indicated that no Federal funding would be provided for Southern Cross Homes. I did not ask anything about correspondence directed to the Minister. When the Minister commenced her reply, she deliberately couched it in terms of an answer to a non-existent question in order to evade the facts of the matter. I sought to draw the attention of the House to this fact and you, Mr Speaker, quite properly I suppose in the circumstances ruled that out of order. However, I would like to take this opportunity now to set the record straight on what was the actual question that I asked the Minister yesterday. I will not take up the time of the House by reading it in full again because it is in the *Hansard* transcript.

I would like to set the record straight once again by saying that I do not accept any of this nonsensical charge of responsibility for upsetting negotiations between the State and Federal bodies. I made quite clear in a personal explanation yesterday exactly what terms I had used to describe potential patients in any of the items in the press that had originated from me. I also pointed out that an item early last year which had originated from the Minister's office used that term, and, in previous Ministerial statements, the Minister, and the previous Government made it quite clear that the original plans for Windana were worded exactly in those terms.

There is a fine dividing line between 'psychogeriatric patients' and 'those with chronic brain failure' and all the other categories. In other contributions to the House last evening, I think I made it quite clear that I have had further discussions with people involved in this field, and they assure me that the Minister is talking absolute nonsense. I am perhaps drifting a bit away from the explanation, but I am happy to have this opportunity to put on record exactly what nonsense the Minister has contributed to this Parliament.

The SPEAKER: Order! The honourable member asked for leave to make a personal explanation and then proceeded to debate the issue whilst the attention of the Chair was otherwise occupied. That practice will not be tolerated, and I withdraw leave to continue.

LOCAL GOVERNMENT ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

This short Bill is consequential upon the provisions of the Statutes Amendment (Valuation of Land) Act which was passed by Parliament earlier this year. While most councils now simply adopt assessments made by the Valuer-General for the purpose of local government rating, there are still some that make their own assessments. For the purposes of these councils, it is necessary to ensure that assessments of annual value and land value (i.e. unimproved value) that have already been made will continue to operate as assessments of annual value or land value (i.e., site value) under the amended definitions. Of course all new assessments will be made under the new definitions, and so it is only necessary to deal, in this respect, with the transitional period. The Bill also inserts a new provision empowering a council to convert an assessment of annual value into an assessment of capital value. This will give a council that has made its own assessments of annual value a ready means of converting its assessments into the more comprehensible assessments of capital value.

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

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 provides that the amendments made by the Statutes Amendment (Valuation of Land) Act do not affect the validity of existing assessments of annual value or land value. Clause 3 provides for the conversion of assessments based on annual value into assessments based on capital value.

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

ROAD TRAFFIC ACT AMENDMENT BILL (No. 3)

Received from the Legislative Council and read a first time.

The Hon. M. M. WILSON (Minister of Transport): I move:

That this Bill be now read a second time.

This Bill embodies the results of the Government's consideration of the recommendations of the Select Committee of the Legislative Council on Assessment of Random Breath Tests. Members will recall the history of this matter.

The Government announced in its policy before the last election that it would seek to introduce random breath

testing in South Australia in the interests of road safety. Legislation was accordingly put before the Parliament early in 1980, but the Legislative Council did not pass that portion of the Bill introducing random breath tests. Instead, a Select Committee was set up to inquire into the matter, and its report was presented in March 1981.

The Government has since then been considering the committee's views and this Bill sets out the Government's decisions. The Government welcomes the rcommendations of the bi-partisan Select Committee, in particular the primary one that states:

> . . . on balance, the introduction of random breath testing of drivers of motor vehicles by members of the police force is likely to contribute to a reduction in the road toll.

This reinforces the Government's conviction that it was right to propose random breath testing and that it is a worthwhile initiative in the fight against the road toll. The Government has accepted nearly all the recommendations of the committee in drawing up this Bill. As well as making substantial reforms to the drink-driving laws, the Bill brings up to date the penalties that apply to reckless driving offences under section 46. In addition, the concept of community service recognizances is provided for offences involving reckless driving and drink-driving. This reform is complementary to the Offenders Probation Act Amendment Bill which has been put before the Parliament, and it is something on which the Select Committee put considerable stress in connection with drink-driving convictions.

The Government accepts the committee's view that random breath testing should be introduced for a period of three years only and be reviewed at that time. The Bill provides for this limit, and the Government will at the appropriate time take steps to set up a Select Committee to make the review.

The Government acknowledges the importance of the testing causing little delay as possible, and the Bill therefore states that no undue delay or inconvenience should be caused to those affected. Once this Bill is passed and the Government comes to give detailed consideration to the administration of its enforcement, the Government will give close attention to what the Select Committee has said concerning this. The procedures will be designed to minimise the delay caused to motorists who are stopped, and studies of interstate experience will be made to help in devising such procedures.

To help assess the effect of the testing, the Bill requires the Commissioner of Police to report to the Government and the Parliament along the lines suggested by the committee. A major aspect is that of the penalties that are to apply, and the Government is proposing significant advances in this area. The minimum suspensions of driving licences are being increased substantially in some cases, and the fines are being increased as well.

The Select Committee made clear that it did not want people convicted because of random testing to face a gaol sentence, and suggested a separate scale of penalties. We cannot justify separate mechanism if we want random breath testing. Because the Government believes that random testing is an essential part of any programme to reduce the road toll, the Government accedes to the committee's views. In future, no gaol sentences will apply to breathalyser-related offences, and even for D.U.I. offences gaol will only be an option rather than mandatory. This is a major change, and an enlightened one in terms of seeing drinking problems much more as a sickness than as a crime.

Already, the Act provides for second and subsequent drink-driving offenders (within the prescribed area, at present the metropolitan area) to be assessed as to whether they have an alcoholism problem, and the court can, if it wishes, prevent such an offender holding a driver's licence indefinitely until the court is satisfied that the problem has been beaten. Provision is made, in line with the committee's report, for first and second offenders to be compelled to attend a suitable lecture, unless the court deems this impracticable.

The Government fully agrees with the Select Committee about the importance of adequate data being collected to make the review in three years time a useful one, and therefore the Road Accident Research Unit of the University of Adelaide has devised a three-year programme to evaluate the impact of random breath-testing. Already this year the Research Unit has been carrying out a programme of random testing to ascertain what the present position is, involving 9 000 drivers over a 12-week period. Similar surveys will be conducted at the same time of the year in 1982 and 1983 to measure what changes occur when random testing is operative. This programme will indicate drivers' attitudes to driving with a level over 0.08 and the number who are doing so, and whether this changes over time. As well, the Research Unit will use police accident reports and records to derive information on the number of accidents involving alcohol and the cost effectiveness of the use of police resources in detecting offences by both random and non-random methods.

The Government has already provided $78 000 to the Research Unit as an initial contribution for the conducting of this research. This legislation is based on both a Government election promise and lengthy consideration by a Select Committee. In a strong way, it indicates the community's concern about drink-driving and the potential dangers this brings to all road users. While minimising inconvenience to road users, it seeks to enhance their opportunity to drive on our roads free of the fear of being the victim of a drink-driver. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 provides that the measure shall come into operation on a day to be fixed by proclamation. Clause 3 inserts a new section 5a which provides that the amendments proposed by the measure shall apply only in relation to offences committed after the commencement of the measure. Clause 4 amends section 46 of the principal Act which provides that it is an offence to drive a vehicle recklessly or at a speed or in a manner dangerous to the public. The clause increases the fine provided for offences against this section from a minimum of $150 to a minimum of $300 and from a maximum of $500 to a maximum of $600. The clause also increases the licence disqualification for a subsequent offence of reckless or dangerous driving from a minimum period of one year to a minimum period of three years. These increases bring the penalty more into line with the penalties proposed for drink-driving offences. The clause replaces subsection (3) of the section which, in cases where a person charged with an offence against subsection (1) is convicted of the offence, precludes the making of an order under the Offenders Probation Act, 1913-1971, or the Justices Act, 1921-1981, the effect of which would be to reduce or mitigate the penalties prescribed by subsection (1).

The clause replaces this subsection with a subsection that sets out the mandatory licence disqualification requirements separately from the penalty provision. The

new subsection precludes the making of any order that would have the effect of reducing or mitigating the driver's licence disqualification prescribed by the subsection except in the case of a first offence that the court thinks is trifling. The new subsection (3) also includes a provision designed to ensure that the powers under the Offenders Probation Act may be exercised in appropriate cases in relation to the penalties of a fine or imprisonment, notwithstanding the fact that it will continue to be mandatory for courts to impose a licence disqualification. That is, where a court convicts a person of an offence against subsection (1), it is proposed that the court must impose appropriate licence disqualification, but then may, depending upon the particular circumstances of the offence or the offender, discharge the offender without penalty, discharge him without penalty conditionally on his entering into a recognizance, impose a sentence of imprisonment but suspend the sentence conditionally on his entering into a recognizance, or impose a fine not less than the prescribed minimum nor more than the prescribed maximum.

In this connection, it should be noted that the proposed amendment that the Offenders Probation Act presently before the Parliament would, if enacted into law, extend the kinds of recognizances presently available to include, amongst others, a recognizance requiring the probationer to undertake a period of community service at one of the proposed community service centres. The clause substitutes for subsection (4) a new subsection that has the same effect as the present subsection and provides that certain previous offences (whether committed before or after the commencement of the measure) shall be taken into account for the purpose of determining whether an offence is a first or subsequent offence for the purposes of the section.

Clause 5 amends section 47 of the principal Act which provides that it is an offence for a person to drive a vehicle or attempt to put a vehicle in motion while the person is so much under the influence of intoxicating liquor or a drug as to be incapable of exercising effective control of the vehicle. The present penalties for this section vary according to whether the offence in question is a first, second or subsequent offence. The present penalty provision provides in respect of a first offence for a minimum licence disqualification of 6 months together with a fine between a minimum of $300 and a maximum of $600 or imprisonment for a maximum period of three months. The clause has the effect of varying this range of penalties by increasing the minimum fine to $400 and the maximum to $700. The present penalty provision provides in respect of a second offence for a minimum licence disqualification of 1 year together with imprisonment for a minimum of two months up to a maximum of six months.

The clause has the effect of varying these penalties by increasing the minimum disqualification to 3 years, by removing the minimum period of imprisonment and by providing, as an alternative to imprisonment, a fine between a minimum of $600 and a maximum of $1 000. The clause also provides that these penalties for second offences shall also apply to subsequent offences. The clause substitutes for the present subsections (3) and (4) new subsections that correspond to the new subsections inserted in section 46 by clause 4. In the same way, proposed new subsection (3) sets out the mandatory licence disqualification requirements separately from the penalty provision and includes provisions designed to prevent reduction or mitigation of the disqualification except in the case of a trifling first offence and to ensure that the powers under the Offenders Probation Act may be exercised in relation to the penalties of a fine or imprisonment, notwithstanding the mandatory licence disqualification requirement.

Under the section, as amended by the clause, a court convicting a person of an offence against subsection (1) would be compelled to impose the appropriate licence disqualification. In addition, the court would have the option of imposing a fine not less than the prescribed minimum nor more than the prescribed maximum, imposing a period of imprisonment not more than the prescribed maximum, or, pursuant to the Offenders Probation Act, depending upon the particular circumstances of the offence or offender, discharging the offender without any further penalty, discharging him without further penalty conditionally on his entering into a recognizance, or imposing imprisonment but suspending the sentence conditionally on the offender entering into a recognizance. As mentioned in the explanation of clause 4, the Bill to amend the Offenders Probation Act presently before the Parliament would, if enacted into law, extend the kinds of recognizances presently available to include, amongst others, a recognizance requiring the probationer to undertake a period of community service at one of the proposed community service centres.

Clause 6 amends section 47a of the principal Act, which is a general definition section, by inserting a definition of 'breath test'. The clause defines the expression as meaning either an alcotest or a breath analysis.

Clause 7 amends section 47b of the principal Act which provides that it is an offence for a person to drive a motor vehicle or attempt to put a motor vehicle in motion while there is present in his blood a concentration of alcohol not less than 0.08 grams of alcohol in 100 millilitres of blood. The present penalties for this offence vary according to whether the offence is a first, second or subsequent offence and whether the concentration of alcohol is less than 0.15 grams or 0.15 grams or more. This arrangement is retained but the clause varies the penalties in a number of ways. The clause removes imprisonment as either an optional or mandatory penalty for any offence against the section. For a first offence of less than 0.15 grams, the clause increases the minimum licence disqualification from 1 month to 3 months and provides for a fine of between $200 and $500. For a first offence of 0.15 grams or more, the clause retains the present minimum licence disqualification of six months and provides for a fine of between $400 and $600.

For a second offence of less than 0.15 grams, the clause increases the minimum licence disqualification from 6 months to 12 months and provides for a fine of between $500 and $800. For a second offence of 0.15 grams or more, the clause increases the minimum licence disqualification from 1 year to 3 years and provides for a fine of between $600 and $1 000. For a subsequent offence of less than 0.15 grams, the clause increases the minimum licence disqualification from 18 months to two years and provides for a fine of between $600 and $1 000. For a subsequent offence of 0.15 grams or more, the clause retains the present minimum licence disqualification of 3 years and provides for a fine of between $600 and $1 000, that is, the same licence disqualification and range of fines as proposed for a second offence of 0.15 grams or more. The clause substitutes for the present subsections (2a) and (3) new subsections that correspond to the new subsections inserted by clauses 4 and 5. In the same way, proposed new subsection (3) increases the range of sentencing options available to a court convicting a person of an offence against subsection (1) in so far as it has the effect of enabling an order under the Offenders Probation Act to be made as an alternative to the scale of fines proposed for offences against that subsection. Proposed

new subsection (3) also increases the licence disqualification for a first offence that is trifling from a minimum period of 14 days to a minimum period of one month, thereby bringing it into line with the corresponding licence disqualifications for other drink-driving offences and reckless or dangerous driving offences.

Clause 8 inserts into the principal Act as new section 47da authorising the police to conduct random breath tests. Under proposed new section 47da, the Commissioner of Police may authorise members of the Police Force to require any person driving on a section of road specified by the Commissioner during a day so specified to submit to an alcotest, and, if the alcotest indicates that the person has consumed alcohol, to submit to a breath analysis. For this purpose, the Commissioner is authorised to establish a breath-testing station consisting of such facilities and devices as he considers necessary to enable vehicles to be stopped in a safe and orderly manner and the breath tests to be made in quick succession. The proposed new section requires members of the Police Force performing duties in connection with the breath tests to be in uniform and to conduct the tests in such a way as to avoid undue delay or inconvenience being caused to those affected. The Commissioner of Police is required by the new section to report to Parliament annually on the operation and administration of the section. Subsection (7) of the proposed new section provides that the section shall expire after three years.

Clause 9 amends section 47e of the principal Act. It is consequential to clause 8, in that it empowers members of the Police Force to require drivers driving on a section of road during a day specified by the Commissioner in an authorisation under proposed new section 47da to submit to breath tests. The clause amends subsection (1) of section 47e which empowers members of the Police Force to require drivers detected committing certain driving offences to submit to breath tests. The clause adds to the driving offences listed under this subsection the offence under section 20 of exceeding the speed limit in relation to roadworks and certain vehicle lighting offences. The clause also amends the penalties and licence disqualifications for an offence of refusing to submit to a breath test so that they correspond to those proposed by clause 6 in relation to offences of driving with a concentration of alcohol of 0.15 grams or more in 100 millilitres of blood. Clause 10 inserts in section 47g certain evidentiary provisions relating to the conduct of random breath testing. Clause 11 amends section 47i of the principal Act which provides for compulsory blood tests for persons injured in motor vehicle accidents. The clause amends the penalties and licence disqualifications for an offence under the section of refusing to submit to a blood test so that they correspond to those proposed by clause 6 in relation to an offence of driving with a concentration of alcohol of 0.15 grams or more in 100 millilitres of blood.

Clause 12 inserts a new section 47ia requiring any court convicting any person of a first or second drink-driving offence to order the person to attend a lecture conducted pursuant to the regulations unless proper cause for not making such an order is shown. Clause 13 arose as a result of the amendment proposed by clause 9 in relation to motor vehicle lighting offences. The clause amends section 111 of the principal Act so that it makes it an offence to drive a motor vehicle the lighting of which does not comply with the requirements of sections 119, 120, 121 and 124 of the principal Act.

Mr HAMILTON secured the adjournment of the debate.

MOTOR VEHICLES ACT AMENDMENT BILL (No. 2)

Received from the Legislative Council and read a first time.

The Hon. M. M. WILSON (Minister of Transport): I move:

That this Bill be now read a second time.

This Bill is complementary to the one amending the Road Traffic Act to provide for random breath testing and other recommendations made by the Select Committee of the Legislative Council on Assessment of Random Breath Tests. Thus, provision is made in line with the committee's wishes for L and P plate drivers not to be allowed to drive when they have a blood alcohol level between 0.05 and 0.08. This will be a useful additional tool in the task of impressing on relatively inexperienced drivers the dangers of driving while drinking. The Motor Vehicles Act already provides for a three-month delay before drivers in these categories can apply for their permit or licence once they have lost it, and this period will be applicable to this new provision. Any longer period, as has been suggested, would cause undue complications in an already complex section of legislation. The principle enshrined in this Bill puts proper emphasis on the need for new drivers to realise the dangers of drink-driving from the start of their driving career.

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

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 provides that the measure is to come into operation on a day to be fixed by proclamation. Clause 3 amends section 75a of the principal Act which authorises the Registrar of Motor Vehicles to endorse certain conditions on learners permits. The clause amends this section so that it imposes as a condition of every learners permit a requirement that the holder of the permit shall not drive a motor vehicle, or attempt to put a motor vehicle in motion, while there is present in his blood a concentration of alcohol not less than 0.05 but less than 0.08 grams in 100 millilitres of blood. Contravention of this condition would, under subsection (5) of the section, constitute an offence punishable by a fine not exceeding $200. The clause also requires any court convicting a person of an offence of contravening that condition to order the person to attend a lecture conducted pursuant to the regulations unless proper cause for not making such an order is shown.

Clause 4 amends section 81a of the principal Act which provides that first licences are subject to certain probationary conditions. The clause adds to the probationary conditions presently provided under the section a condition corresponding to the condition proposed by clause 3 in relation to learners permits. Contravention of a condition under this section also constitutes an offence punishable by a fine not exceeding $200. The clause provides in the same way as does clause 3 for a court convicting a person of contravening the condition to order the convicted person to attend a drink-driving lecture. Clause 5 amends section 81b of the principal Act which provides for cancellation of learners permits and drivers licences for breach of a probationary condition. The clause extends the application of this section to breaches of the proposed condition of learners permits and probationary drivers licences prohibiting driving with a blood alcohol level of 0.05 or more but less than 0.08 grams in 100 millilitres of blood. The effect of the clause would be to render any person guilty of a breach

of such a condition liable to be disqualified for three months from holding or obtaining a learners permit or a drivers licence.

Mr HAMILTON secured the adjournment of the debate.

LEAVE OF ABSENCE: Mr HEMMINGS

Mr LYNN ARNOLD: I move:

That two months leave of absence be granted to the honourable member for Napier (Mr Hemmings) on account of absence overseas on Commonwealth Parliamentary Association business.

Motion carried.

DOG CONTROL ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 27 November. Page 2345.)

Mr LYNN ARNOLD (Salisbury): This matter was to have been taken through this place on the Opposition's behalf by the member for Napier, who is our spokesman on these matters. But, Sir, you will be aware from the previous motion that he is overseas, at the moment I believe in Stockholm. He will no doubt be interested in hearing what happens today with this Bill. This Bill has meandered its way over the Notice Paper right throughout this session. I cannot help wondering whether it was desired to have it brought before this House when the member for Napier was not here to debate its provisions, because for days on end it worked its way up and down the Notice Paper while he was here, yet the moment he is absent it finds itself before the House being debated.

I do not want to be too cynical about that, but I suggest that the serious work that the member for Napier has done on this matter over the years is an indication that the Government was worried. I remind the House that the member for Napier was a member of the Select Committee that considered the original legislation that came before the House in 1979. Government members need not fear, because the member for Napier did a lot of research on this matter and fortunately he has given me the benefit of much of his wisdom. Many of the comments that I will make this afternoon are borrowed wisdom from the member for Napier. The progress of this Bill has been rather like the game of snakes and ladders: it has worked its way up the Notice Paper, about to be introduced, and then suddenly it has slid down the snake of political fortune. One of the possible reasons is the back bench revolt that the Government has had to face on this matter over the past months. Every time the Government has had the Bill nearly ready for passage, suddenly another back-bencher indicates his objection to certain provisions, and down the Notice Paper it would slide. Up the ladder it came again, and another back-bencher would indicate opposition, and down it would slide again. Doubtless, we will hear this afternoon those back-benchers explaining the situation in which they now find themselves. In fairness, we must give the Minister who is handling the matter in this place some credit. Amendments will be moved by the Minister of Environment, many of which are common sense amendments that take account of realities. However, we will not support all of the amendments.

I have been worried that the Local Government Association, on 22 January this year, sent a memorandum to all town clerks and district council clerks indicating that the Act was to be amended and that councils should put pressure on the Government to hurry the passage of the Bill. Government backbenchers were criticised: they were described as indecisve Government members, still insisting on procrastination. I am not so harsh on those Government back-benchers who wanted some degree of reasonableness and common sense in the Bill: I give them credit for that. I do not believe they deserve such censure from the Secretary-General of the Local Government Association.

The history of the Dog Control Act is worthy of recall. Certainly, dog control in this State, over the past few years, has received a great deal of attention in various forums. I remember, when I was working as the personal assistant to my predecessor, the former member for Salisbury, that no other issue received so much correspondence from the public at large than the then Dog Control Bill, or the working party report in relation to that Act, or the Select Committee report that was before the Parliament at that time. The correspondence at that office was voluminous, and I understand that the situation was similar in many other electorate offices around the State. Obviously, the matter has stirred public opinion in a way that many other matters seemingly cannot.

Members will know that a working party was established in 1978 to consider legislation to improve the degree to which dogs could be controlled for the public good. One of the members of that working party was from within my district—Mr Jones, the Health Inspector for the Salisbury District Council. The committee received a great many public submissions. The working party report states:

> In its deliberations the working party had the benefit of the report of the committee on Animal Welfare Services and the submission and draft legislation provided by the Metropolitan Town Clerk's Association, the Report of the Special Local Government Association Committee, together with numerous letters and submissions from various sources including Acts in existence in other States and in particular the Western Australian Dog Act. Inquiries made of a number of councils in Western Australia have shown that that Act has been accepted by the community and is proving successful in its objectives.

That was the first means by which the public had some opportunity to make submissions, and the public took up that opportunity in great part. The report was tabled in the House, and the House decided to appoint a Select Committee, consisting of the then Minister of Local Government (the Hon. Geoff Virgo), the member for Napier (Mr Hemmings), the former member for Albert Park (Mr Harrison), the member for Fisher (Mr Evans), and the member for Glenelg (Mr Mathwin). I understand that the committee had 15 meetings and received 381 submissions, and there were no submissions from local government that seriously opposed the legislation.

The legislation was assented to on 22 March 1979, some seven months after the Select Committee report was tabled in the House. There was a substantial period in which the public could comment so we could not say that the legislation was rushed through without due and careful consideration—it certainly had that. What has been the effect of the legislation? The working party report that started this debate suggested that, in 1976-1977, 79 000 dogs were registered in the various councils in South Australia. As at 30 June 1980, 107 552 dogs were registered. I do not believe that the effect of the legislation was to create a puppy boom to escalate the dog population; more realistically, the legislation was effective in the sense that people registered their dogs and the percentage of malingerers declined. That action must be taken as a vote of confidence.

By October 1980, registrations had increased to 112 000, again not the result of a puppy boom but, as the Non Dog Owners Association believes, the extra 4 800 registrations could include some coming of age puppies but more likely is probably the result of the campaign that the Central Dog Committee launched during that period to encourage people to register their dogs. This again is a tribute to the success not only of the legislation but also to the workings of the Central Dog Committee, a point to which I will return later.

Why is the Act to be amended? Why does the Bill seek to withdraw certain provisions of the Act and to undermine and seriously weaken certain aspects of the Act? Those who propose these amendments must be taking a position that the Central Dog Committee has been ineffective and that its work has been of no value, that it has not achieved what the Select Committee, the working party and debates in this House said it should achieve. Secondly, the Minister who handles this matter has clearly indicated that he is not interested in the effective working of the legislation as it presently stands on the Statute Book. He seems to be quite intent on undermining all the substantial work carried out over the recent years. That is really what is happening. The Minister intends to replace the Central Dog Committee with an advisory committee to advise the Minister, who has shown scant regard for the problem. One response that I could make could be derivative of a remark that was made in 1978: at that time, the Hon. Mr Hill, the present Minister of Local Government, reported in another place that a town clerk had told him that the legislation was a bureaucratic, gold-plated sledgehammer to crack a peanut. If that was the case, I suggest that this Bill is like a 10-tonne press to do the same job.

I imagine that the Bill to come from the Committee stage after various amendments will be different from the the Bill before us now. The Bill as it stands proposes to take away three of the four major concepts of the Dog Control Act, that is, the removal of the Central Dog Committee, and replace it with an advisory committee which ultimately may be nothing better than a collection of four stooges of the Minister. Secondly, it had sought to take away seriously the provision for the requirement for full-time dog wardens. Thirdly, it had wanted to undermine proposals for the positive identification of dogs. The only major area left in the original Act, according to that Bill, introduced last year, was the continuing to vest in the hands of councils the capacity for increased fines over the situation existing pre-1979.

The amendments that have wisely been brought forward by the Minister will seek to reinstate wardens in the metropolitan area on a full-time basis. The situation with the identification of dogs has been wall-papered over to hide many of the problems that the present Government faces. Members will see when they read these amendments later that they are exercises in duck-shoving. The Government is attempting to keep on the Statute Book a provision to enable it to say, 'We pay credence to the need for the positive identification of dogs, and therefore we pay credence to the fact that maybe tattooing is the way to do it', while clearly incorporating into the legislation a way out so that nobody in fact will do it.

One of the propositions put by the Minister in this matter is that local government is able to effectively control the dog problem. I suggest that that is not entirely realistic.

Mr Glazbrook: It depends which council.

Mr LYNN ARNOLD: Of course it does. How ludicrous! Dogs do not confine themselves to one local council area. Dogs will not say, 'I will not cross that road because that is a boundary between two councils.' They will decide to go wherever they will. Therefore, they will wander from effective councils to ineffective councils.

Mr Millhouse: They may not know which council is effective and which is ineffective.

Mr LYNN ARNOLD: That is quite right. To give an indication of the different responses found in the different councils, I have some tables that I want to incorporate in *Hansard*. The first table shows the number of dogs registered as at 30 June 1980 and the registered dogs at the various dates given after that time. The table is purely statistical, and I seek leave to incorporate it in *Hansard*.

The SPEAKER: With the assurance that it is purely statistical, leave is granted.

Leave granted.

DOGS REGISTERED

	Registered Dogs	Registered Dogs to Date given 1980-1981	
Marion	10 637	10 262	30.9.80
Salisbury	9 894	10 300	1.10.80
Enfield	9 146	9 417	8.10.80
Tea Tree Gully	8 594	8 769	1.10.80
Noarlunga	8 567	10 000	21.10.80
Woodville	8 500	8 902	21.10.80
Mitcham	6 550	6 550	26.9.80
Elizabeth	5 196	5 420	6.10.80
Port Adelaide	5 034	5 606	24.10.80
West Torrens	4 611	4 924	23.9.80
Campbelltown	4 084	4 606	22.9.80
Burnside	4 063	4 123	3.10.80
Meadows	3 656	3 800	24.10.80
Unley	3 359	3 520	29.9.80
Brighton	2 497	2 500	3.11.80
Stirling	2 160	2 136	19.9.80
Prospect	1 899	2 209	30.9.80
Henley and Grange	1 875	1 931	20.10.80
Payneham	1 435	1 491	15.9.80
Glenelg	1 195	1 235	20.10.80
St Peters	913	862	18.9.80
Hindmarsh	894	923	16.9.80
Walkerville	788	784	21.10.80
Thebarton	731	765	17.10.80
Kensington and Norwood	713	728	7.11.80
City of Adelaide	561	614	20.10.80
	107 552	112 377	

Mr LYNN ARNOLD: I have a series of four tables. The next table I seek leave to incorporate is the table showing the ratio of expiation fines in selected councils to register dogs in the 1979-1980 financial year.

Leave granted.

RATIO OF EXPIATION FINES TO REGISTERED DOGS
1979-1980 YEAR

Marion	1 800	1: 6
Payneham	209	1: 7
Brighton	303	1: 8
Meadows	400	1: 9
Glenelg	135	1: 9
Noarlunga	850	1: 11
Hindmarsh	68	1: 13
Prospect	117	1: 16
Thebarton	41	1: 18
Walkerville	36	1: 22
Elizabeth	158	1: 33
Enfield	272	1: 34

RATIO OF EXPIATION FINES TO REGISTERED DOGS 1979-1980 YEAR—*continued*

Henley and Grange	55	1: 34
Salisbury	285	1: 35
Stirling	58	1: 37
Mitcham	159	1: 41
West Torrens	83	1: 56
St Peters	15	1: 61
Burnside	64	1: 64
Tea Tree Gully	130	1: 66
Woodville	127	1: 67
Unley	42	1: 80
City of Adelaide	6	1: 94
Port Adelaide	50	1:101
Campbelltown	30	1:136

Mr LYNN ARNOLD: Before moving on to the next table, I want to make a point here that is relevant. The table that I have had incorporated into *Hansard* indicates that apparently some councils are much more effective in policing dog control legislation. For example, the Marion Council in the 1979-1980 financial year imposed 1 800 expiation fines, a ratio of one to every six dogs. On the other hand, the Campbelltown council imposed only 30 expiation fines, a ratio of one to every 136 dogs. I am not of the opinion that dogs in Campbelltown are more law abiding than dogs in Marion. I suspect that dogs tend to have the same degree of waywardness throughout the metropolitan area. There must be another cause. I would suggest that maybe that table indicates the degree to which councils are prepared to take up the serious challenge of the dog control problem.

It is interesting to note the councils that were given exemptions by various Ministers at various times for their dog control wardens to be engaged on other duties. Members will recall, with their photographic memories, that on 24 February this year the Minister of Environment replied to question No. 1239 from the member for Napier on that very matter. The reply listed the date of letters of approval to various councils that received that exemption. Of the nine councils that received wardens' exemptions under the previous Government, that is, before 15 September 1979, in the financial year in question those councils levied a total of 2 851 expiation fines for 36 570 dogs, which meant that they levied one fine for every 12.8 dogs. That is quite an impressive ratio. They indicated themselves to be a fairly responsible group of councils with regard to the implementation of the legislation. Those nine councils were within the metropolitan area.

With regard to the three metropolitan councils given exemptions since 15 September 1979, they imposed 166 expiation fines (which is next door to nothing) in relation to 11 195 dogs, or one to every 67.4 dogs, which is clearly an indication that those councils were not as responsible in the execution of their duties under the new Act.

Mr Glazbrook: Which councils?

Mr LYNN ARNOLD: When you read *Hansard* you will see the complete list and you will be edified accordingly. There are some other figures that should be included here to amplify the situation. I have now a table of the ratio of the number of registered dogs to population. It is purely of a statistical nature.

The SPEAKER: Would the honourable member please indicate to the Chair the size of the tables that he is seeking to have incorporated?

Mr LYNN ARNOLD: I would say that each table is about a third of a page.

Leave granted.

RATIO OF NUMBER OF REGISTERED DOGS TO POPULATION

	Population	
Meadows	21 150	1: 5.6
Noarlunga	57 700	1: 5.8
Stirling	12 900	1: 6
Elizabeh	34 300	1: 6.3
Port Adelaide	36 400	1: 6.5
Marion	69 700	1: 6.6
Tea Tree Gully	63 300	1: 7.2
Enfield	70 200	1: 7.5
Salisbury	83 800	1: 8.1
Brighton	20 700	1: 8.3
Prospect	18 600	1: 8.4
Henley & Grange	16 300	1: 8.4
Woodville	76 600	1: 8.6
Hindmarsh	8 200	1: 8.9
Walkerville	7 000	1: 8.9
Mitcham	59 500	1: 9
Burnside	37 800	1: 9.2
Campbelltown	42 300	1: 9.2
West Torrens	46 100	1: 9.4
St Peters	8 900	1: 9.8
Unley	35 700	1: 10.1
Glenelg	14 000	1: 11.3
Payneham	17 100	1: 11.5
Thebarton	9 700	1: 12.7
Kensington & Norwood	9 400	1: 12.9
City of Adelaide	13 400	1: 21.8
	890 750	= 1: 7.9 average on 112 377 registered dogs

Mr LYNN ARNOLD: I have further information as to the statistics relating to dog ownership and expiation fines between various council areas. I think this information will help us in the process of identifying whether or not all councils handle this issue fairly, whether or not we can take up the Minister of Local Government's challenge that local government is able effectively to control the dog problem. With advance knowledge of those figures, I put it that that cannot be accepted. While some councils do very effectively handle the dog control problem, regrettably other councils do not. The very purpose of the legislation was to provide the Central Dog Committee to ensure that the effectiveness was improved. I believe that, as time goes by, if this Bill is accepted by this House, we will see a deterioration in that situation. I fear that in two years time when we re-present figures like those I have given they will be even worse than they are now with regard to some councils. If certain members who want to participate in this debate want access to the statistics I have presented, then I am prepared to provide them prior to their speaking.

One thing that we need to ask ourselves is why is this situation taking place. I believe it is because the Minister does not have an interest in protecting and enforcing this legislation. He seeks to remove from around his neck the burden of a heavy dog collar and transfer that thorny problem back to local government. What better way to solve the problems of life! That will not give any real benefit to residents. All of us have constituents who complain to us of the problems associated with uncontrolled dogs, be it with regard to dogs barking or roaming the streets, or attacking people or pets. What controls do we have over that? These are real problems. We have constituents who have these problems and we find, regrettably, that some councils do not seem to take

an active interest in the protection of the rights of our respective constituents.

As an indication of councils who have malingered in certain ways, we had information in Question on Notice 1240, regarding councils that had made no payment to the Central Dog Committee. In other words, they voted with their cheque books, about the way in which they felt they supported the need for effective dog control, by not paying at all. I refer members to that question in *Hansard* and to the Minister's reply on that occasion.

The Central Dog Committee, I believe, was a well structured committee, and I believe it is doing an effective job. I think that the information on the increase in dog registrations over a four-month period last year indicates just how effective it can be, given the opportunity, given the removal of hindrance to its activity. One comment I would like to make relates to one organisation's opinion about the attitude of the Minister. Again, I refer to the Non-Dog Owners Association which, on 2 December 1980, addressed the following letter to the member for Napier:

> These recommendations—

that is, the recommendations proposed previously—

> together with a press statement made by the Minister soon after his appointment which implied the future of the Act and the Central Dog Committee were doubtful must have given councils confidence to please themselves how they carried out the enforcement of the Act including when they paid their dues to the Central Dog Committee. It was even suggested the committee not operate but instead it was decided a deputation wait on the Minister to determine his attitude. But this did not occur. The Minister left us with doubts. There were three representatives of local government on the committee and they all must have known the Minister's and their executive's attitude. How could the committee work under these circumstances? The Minister did not want it to work.

I think it is full credit to it that it was able to work as well as it did, given those very serious problems.

One could easily get quite carried away with emotionalism about dogs. I have heard numerous contributions saying, 'I love dogs but we must control them', or 'I hate dogs but we must not be unfair to them', and various types of logic such as that.

Mr Mathwin: Some people say the same about children.

Mr LYNN ARNOLD: I hope the honourable member is not to move an amendment to incorporate children under the Act. We have to identify some real dog problems that exist and need comment. First, there is the one relating to the effect on stock, and this has been documented many times over the years. I have some press clippings to which I shall refer. There is one published in the newspaper in 8 May 1980 referring to more than 50 sheep having been killed by dogs in the Stirling area over a two-month period. Another one in the *Advertiser* on 31 December 1980 referred to one dog which eventually bit the dust, so to speak, in the Murray Mallee, near Karoonda, and that dog was thought to have killed 1 000 sheep over a four-year period. One could go on and on in relation to that situation.

We have to ask ourselves how we can control the effect of uncontrolled dogs on stock. Certainly, I am positive that members representing country areas must be very concerned about that problem. You, Sir, will be concerned about this issue, and not keen to see any weakening of the Act that would make life more difficult for these farmers with stock.

The Minister of Water Resources, in 1978, when he was known as the member for Chaffey, indicated that a major area of concern regarding stock damage related to metropolitan domestic dogs being abandoned in country areas. What positive identification do we have of abandoned metropolitan domestic dogs? We do not, unless we have some effective tattooing method. I seriously doubt that a person abandoning a dog will make sure the collar is tight so that it is there for all to know who abandoned the dog.

It is interesting to note from the press releases that in not one of four articles in relation to the effect of dogs on stock is there any evidence that the previous owner of the dog in question was prosecuted. Of course, there was no way of tracing where the dog had come from. Country members must fear that they are losing avenues for controlling the problem of stray dogs attacking stock.

Another of the areas affected was noise from barking dogs. The Act apparently provides some opportunities for people to take action. It seems to me, however, that we are left in some limbo situation where no-one wants to take responsibility for problems faced by constituents bedevilled by barking dog noises.

Mr Gunn: It takes an inch pipe behind the ear.

Mr LYNN ARNOLD: We need to clarify the situation and to straighten out the legislation so that ordinary citizens of this State can have redress of persistent and worrisome barking dog noises. We do not have that at the moment. The evidence seems to be that councils are not prepared to accept responsibility, and in some circumstances the police find they are not able or willing to accept responsibility. The Noise Control Unit no longer sends out inspectors on complaints of dog noises. It worries me that the policy has been changed and that inspectors are no longer sent out in such matters. What is the poor bedevilled constituent to do? Perhaps we could take up the whimsical suggestion of the member for Eyre. I do not know that banging a dog behind the ear with a piece of iron would read very well, even if it was put into legalese.

The Minister has not incorporated in the amendments anything in relation to permitting funds from registration fees to be used to tackle the problem of the diseases that can be transmitted to humans from dogs. The Minister was informed of community concern on this aspect and was advised of areas where money could be allocated for spending on research in the prevention of the spread of certain diseases that can be transmitted from dogs to humans. We know that there are a number of such diseases, one of the most serious, although by no means the only one, being hydatids. The evidence apparently is that the legislation does not presently permit funds to be spent in that direction and it is a matter of serious misfortune that it does not. It is a pity that, when the Minister was advised of that situation, he did not take the opportunity to amend that aspect of the legislation.

I do not want to take up the time of the House much longer on this matter in the second reading debate but I want to state that we will be supporting some of the amendments of the Minister, and we will be opposing two of them. We will be introducing two amendments of our own.

An honourable member: Where are they?

Mr LYNN ARNOLD: They are being prepared at the moment. We will be opposing certain clauses in the Bill. The amendments we will be moving are to—

The SPEAKER: Order! The honourable member will be able to more clearly identify the amendments when we get to the Committee stage. I ask him not to be too specific in what he is about to say.

Mr LYNN ARNOLD: I was trying to enlighten an honourable member over there who was obviously quite confused and in the dark. I appreciate that he will remain in the dark at least until the Committee stage, if not for the

rest of time. I do not wish to take up the time of the House any longer because I believe other members want to contribute to this debate. I will be listening with particular interest to the comments of certain Government back-benchers.

Mr EVANS (Fisher): To some degree the member for Salisbury was accurate when he said that least one member on this side might have some disagreement with the Bill. It is obvious that I am one of those members because I have some amendments on file. I will talk about them when the opportunity is made available for me to do so.

What the member for Salisbury said about the Local Government Association sending a circular to its members is also true. In a circular to its council members on 22 January 1981, the Local Government Association said:

> The Bill was introduced and passed through the Upper House. It is our understanding, however, that because of opposition from several Government members it has been allowed to lapse until the February sitting of Parliament. Accordingly, the safe passage of the Bill depends upon the opinions of the dissenting members being changed.

How that conclusion was arrived at I do not know, because at that time the Opposition had not declared its views, except for their members in another place. The circular continued:

> This association recommends that local authorities throughout the State make the strongest possible protest with their local members and with the Premier. We understand that the objections currently being raised centre upon the removal of the tattooing clause. Tattooing has been demonstrated to be expensive and utterly unwarranted.

I disagree with that and I will try to prove it later, because I do not believe it was ever tested, tried or debated by local governments in a manner in which I suggest it could be achieved. I do not believe it has yet been discussed by local government delegates at their annual convention. The letter continues:

> In 1979, our Annual General Meeting clearly called on the State Government to 'remove the mandatory provisions with respect to tattooing of registered dogs'. This position was again ratified at the 1980 annual general meeting. As administrators of the legislation, the voice of local government must be heard.

As members of Parliament, we must be concerned about that sort of statement being made because they are not the sole administrators. Some provisions, I suggest, would take away some of their responsibilities. In fact, as the Bill is now drafted it puts more responsibility on to local government than did the original Bill. The letter continues:

> This issue has been drawn out over far too long a period and the procrastination of a few indecisive Government members must not be allowed to damage attempts to responsibly manage a widespread social problem. The collective strength which we, as legitimate community representatives, can muster may well determine the fate of this legislation. Again, I ask that the Government be given active support on this matter.

I responded to that circular in writing to local government organisations as follows:

> It has been brought to my notice that a letter from the Secretary-General, Local Government Association of S.A., has been directed to all town and district councils regarding the Dog Control Act Amending Bill, which is before Parliament at the moment. As a member of Parliament, I have received several letters from local government authorities pointing out that they would like me to support the present Bill.
>
> I support most of the proposals within the present Bill because I believe they are vital and necessary for a more effective Act, and it seeks to correct one or two anomalies that have existed since the rewrite of the Act. There are two issues in particular that concern me. The first is in relation to tattooing. I accept that part of the Bill that removes the Central Dog Committee, and replaces it with an advisory committee. I accept that it is unnecessary to have an obligation on local government officers to apply a tattoo.

I emphasise that. My letter continues:

> I will be seeking to amend the Bill to require all breeders of dogs, as from 1 July 1981, to have puppies registered by the age of three months, or when they give away or sell the dogs, whichever is the earliest.

I was referring to all breeders. When a considerable number of the local councils wrote back to me, it appeared as though they had not read my letter correctly or that they had misunderstood it because they said that they did not believe requiring only pedigree breeders to tattoo their dogs would have any effect. I referred to all breeders, whether they be of pedigree or mongrel dogs. Some councils put the view that if it was made law to compel breeders of mongrel dogs to tattoo their puppies they would not take any notice of it and would reject the law and ignore it. It has always been the case that some people ignore the law, but when they are caught up with they are fined and suffer severe penalties. The object of every law is to catch those who offend against it and make them responsible for their actions.

By making the law refer only to puppies I was making the suggestion that by this method in the long term the vast majority of dogs would be tattooed. That may take up to 10 years but it would take away from the individual pet owner the emotional stress of having to take the little pet dog to be tattooed, whether it be by a friend or by a local government officer. Nowhere did I say that it would have to be done by a local government officer. In fact, if I was in local government I would have refused to do the tattooing, because it is up to the breeder to get the dog tattooed. He could apply the tattoo himself as do sheep and pig breeders, or it could perhaps be done when the dog is desexed as is now law in the Northern Territory. That provision is already law in Australia, but some local government authorities have told me that this law does not apply anywhere. My letter continues:

> Where they know the dog is going to another council area and the new owner has been issued with a number they can then apply the number as a tattoo to the dog's ear. By this method, over a period of years, we will have the vast majority of dogs tattooed with a reasonable chance of identification.

I know it is only a reasonable chance, but in many cases now in present circumstances there is no chance. Under the Minister's amendment there is not much possibility of identification. I continue with the letter:

> The obligation for the owner to have collar and disc attached to the dog at all times would still prevail. When a dog is sold and moves from one area to another there would be no need for a second tattoo to be applied. The owner when registering the dog in the new council area would inform that council of the original tattoo number so that the council would have a record of that, with a description of the dog, and would issue the owner with that local government's registration disc for that particular dog. In this way, there would be absolutely no need for councils to worry about employing people to apply the tattoo. There would be no emotional stress placed on the family home where an adult dog needed to be tattooed. It will place more responsibility on the breeders of mongrel dogs, who quite often provide the biggest problems within our community, when mongrels are owned by irresponsible people. The professional dog breeder

would find it very easy to accept. The breeder could apply the tattoo himself or, as would occur in most cases, the vet could apply the tattoo when the owner takes the puppies to be innoculated against distemper or other diseases.

It is quite a common practice. If a responsible person is going to keep a dog, it needs to be inoculated. The letter continues:

A full vet's fee would not apply, I believe, if tattooing were carried out at the time of inoculations. The benfits would be that where a dog had escaped without its collar and disc, or been released by some vandal, and subsequently lost; or is hit by a motor vehicle and needs a vet, or the animal infringes against the law by attacking individuals, stock, domesticated animals or birds, there would be a reasonable chance of the owner being identified, either to return the dog, a valuable asset, or claim compensation or lay charges where necessary. The only extra obligation being placed on council would be where the dog is being registered the second or subsequent time, to keep a record of the original tattoo number as well as the usual council disc number. I trust you will consider this quite seriously as within certain parts of the State the irresponsible dog owner, through his uncontrolled animals, causes substantial losses to domestic animals and pets, stock, road users, and causes stress to neighbours. The other inclusion I would seek to have in the Bill is to allow for regulations to exempt out certain breeds of dogs from the tattooing provisions. Personally I can see there is merit in not forcing people who breed chihuahua and toy dog types to have them tattooed.

We made one bad error in the legislation, in that we allowed the Government opportunity to regulate regarding the breeds of dogs to be tattooed. That was a let out for Ministers or Governments who did not like tattooing. If the law was that it was necessary to regulate out dogs they did not want tattooed, it would have been easier for Parliament to control. The only dogs required to be tattooed are three of the German breeds. We thought we came down with an excellent report as a Select Committee, which Parliament accepted, with one or two exceptions.

I am not a dog hater, but I have never had a dog since I moved into the urban community, as I think it is unfair to a dog and to one's neighbours. I know that some people, including the Minister, object to tattooing, and that is their right. I love dogs, but I believe that there is a place for them, and I could not keep a dog in an urban community.

I would like tattooing to remain in the regulations, and for those dogs the committee did not want tattooed to be regulated out. Had that been done, there would have been no doubt that councils would have had to deal with that, instead of avoiding it. The vast majority of local government authorities avoided that responsibility of taking control of the dog problem in their area, although some were very responsible about it. My letter continues:

I am also concerned that under the present Act there is no power of entry for council inspectors to check whether a dog has a collar with disc attached, as the new Bill will provide, without the owner's consent. Although any amendment in this area may not succeed, I think it is something Parliament will have to consider, and I will be attempting an amendment. It is important to get the present Bill through with the many provisions that are in it, but I believe it would be irresponsible not to take the opportunity to place upon breeders to have new born dogs tattooed (as from 1 July), if they will be disposed of live, or kept after three months. I would appreciate receiving your or your council's thoughts on the above proposition as early as possible because this Parliamentary session is only a short one. I will also be contacting dog clubs, associations and interested bodies seeking their views on my propositions.

I received several responses from local government. I shall quote from the Secretary-General, who sent out a circular stating:

The procrastinations of a few indecisive Government members must not be allowed to damage attempts to responsibly manage a widespread social problem.

I shall now talk about what I call indecision. I wrote to the Local Government Association and asked for a view, and the reply I received states:

Thank you for your letter of 27 February 1981, which I read on my return from Tumby Bay to Adelaide today. I am directed to advise you as follows: the Executive of the Local Government Association strongly supports the original amendment as proposed by the Government to remove the tattooing provisions from the current legislation. However, at the executive meeting of 26 February 1981, the members were advised that you had contacted councils with a proposal to vary the tattooing provision by compelling the dog breeders to undertake the task, thus removing the responsibility from local government. The executive was further advised that unless your amendment was acceeded to, the other important amendments to the dog legislation would be in jeopardy. Because you had done so much work on this matter, it was presumed that you would have considered the problems associated with number allocations, the recording system, the movement of dogs from one place to another, and the policing of the backyard breeders.

I do not have the time to debate that now, but I believe it can be done quite simply. The letter continues:

On the above basis, the executive resolved to indicate to the Government that it would be prepared to compromise on the tattooing amendment, provided that all the other amendments were allowed to pass. This means that the present tattooing requirements would be removed from the Act and replaced with an amendment binding the dog breeders to the responsibility for tattooing. Please understand that in principle the Local Government Association is opposed to local government being responsible for the tattooing, and that the executive resolution is based on the Act of Government.

I am happy with that reply. It was excellent and quite clear. Foolishly or otherwise, on that day I mentioned to other politicians that I had that letter, someone immediately got on to local government and to the headquarters of the Local Government Association and applied pressure. I do not know who it was, or whether it was one or more persons. Before 5 p.m. that day, less than two hours afterwards, I received this letter from the Local Government Association:

On further consideration, after having now read the wording of your proposed amendment . . .

Let us be honest. Does that suggest that they did not read my proposal in the first place, but decided to read it on the second occasion when someone put the pressure on? Of course not; they read it beforehand. It stated:

. . . I believe that you are in fact widening the tattooing provisions and not limiting those that presently exist in the Act.

I deny that. It further states:

The administrative entanglement that would ensue as a result of your amendment, I believe, would be totally unacceptable to local government.

The association was backing down on the deal. It further stated:

I therefore advise you that my previous letter of this afternoon (3 March 1981) is withdrawn.

Less than two hours after I received the letter, it was withdrawn. It further stated:

I will consult the senior members of the executive and advise you further.

Who made the second decision? It was not the executive: the first decision was made by the executive. The second decision was made by the Secretary-General, who then advised the executive of the Local Government Association. Who is indecisive? Am I, as a Government member who had some doubts about the Bill, indecisive, or is the Local Government Association, which could not stick to the wording of its letter two hours after the original letter was received by me, indecisive? Members could understand that I was not very amused with that situation.

As a result of the letters I sent to local government, I received 52 replies. Some of the letters were sent by the clerks, which was quite proper, because I had stated that I required either their views or the council's views, because time was of the essence of the problem. I accept that. One reply was from a council clerk, and later was substantiated by a council meeting. Of the 52 letters received, 34 were not in favour of my proposal, 14 were in favour and four were undecided (they had a bet each way). Those figures show that 14 of 52 councils, constituting an association that is supposed to be united, were in favour of the proposal, so one can see that the decision was not unanimous. A lot of local government authorities did not answer my request.

I would have liked to read out the names of the councils and quote from their letters, but I will not do that, although I may be able to do so in the Budget session; then, those councils and the Parliament will know the individual attitudes. I believe that if local government believes it is a body that should look after this area and is prepared to do the right thing by the community, we as a Parliament can test it out. I will refer to that point when amendments are moved.

The old legislation worked if people wanted to make it work. I do not have the latest figures: I have the figures to January only. The Lonsdale Dog Rescue Home from 1 July 1979 to 31 January 1981 received 4 418 dogs that had been wandering at large. Of these, 1 847 were returned to their owner, and an estimated two-thirds had no identification. In addition, an estimated 95 per cent of those dogs that were not returned to their owner had no identification, and, if one adds those two figures, one will see that the total is 3 673 dogs wandering at large without identification. If such a dog attacks a person's sheep or causes a motor bike or push bike accident, there is no way the victim can track down the owner of the dog to have some chance of claiming compensation. From 1 January 1981 to 31 January 1981, 171 strays were taken to the dog home, of which 67 were returned and only 27 had identification. The percentage of dogs that were not returned for the full period is estimated at 58 per cent, and for January 1981 it was 60 per cent. We can see that the legislation worked to the degree that we ascertained how many dogs were not identified.

More particularly, I will refer to Whyalla. In that city from 1 July 1979 to 30 June 1980, 613 dogs were impounded; 56 were claimed, 8 were sold, 7 went to the R.S.P.C.A. and 533 were destroyed because no-one wanted them and they could not be identified. The Whyalla council achieved this with effort. I give credit to the Marion council and one or two other councils that have taken action in a proper manner. I received a letter from one of my constituents dated 2 June 1981, which stated:

> As a result of many attacks on my neighbour's and my sheep I would like you to give support to legislation that all dogs be positively identifiable with either a tattoo to the ears or flanks, my reasons being:
>
> Of the many dogs I have destroyed attacking sheep none have had a registration disc on their collar. People would give serious thought before allowing their dog out at night (after the dog inspector has finished for the day), if they knew that the dog's owner could be identified as the cause of needless injury, suffering and death to other harmless animals.
>
> The claim that tattooing would cause pain to dogs—I would ask all animal lovers to consider this quick short pain to that endured by sheep after a dog attack. My eight near neighbours and I have had over 90 sheep killed since late 1980, other sheep have been maimed with broken legs, ears chewed off, stomachs ripped out or noses and faces crushed and mangled. Consider the trauma they have to endure by being chased, often over hilly, rough, stony ground, through fences into creeks or dams, through shelter scrub, briars or blackberry bushes until they drop from exhaustion. These sheep are shockingly bruised and often die many days after being chased. I can assure any animal lover that if they could see the massive bruising these sheep died from it would make their stomachs turn. Many ewes are lambing this time of year, and even if they escape the above treatment the trauma of being chased often causes the ewe to abort her unborn lamb, or the lamb dies within its mother; she could die later unless assistance can be given. A tattoo could protect many dogs because their owners would take more care of them, knowing that the dog can be identified and that the owner is liable for damages to stock.

That letter was written by a person who lives on Chandlers Hill Road, Happy Valley, and I believe that other members received a copy. We had an opportunity to write a provision into the Act that would have overcome difficulties relating to the responsibility for tattooing. Those people who have contacted me have demonstrated that they know how to act responsibly, that they will take up the dog problem, take notice of the members of their community and that they will take action to get rid of the irresponsibility of some dog owners in the community.

I am prepared to accept most of the provisions of the Bill, and I believe that some amendments will be moved. The letters that I have received from local government indicate that very few of these bodies have considered my proposition fully. I intend writing to them telling them that I hope they will give full consideration at their next annual meeting to what I suggested, because I believe in the long term it is the only solution. I support the Bill at its second reading.

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

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

Motion carried.

Mr LANGLEY (Unley): I listened intently to the speech made by the member for Fisher, and I heartily agree with the points he made about identifying dogs. However it is done, dogs must be capable of being identified, because they can cause a lot of damage and the victim does not know who owns the dog. The Select Committee continued for some time, and I believe that most members considered the Bill that resulted was excellent. I believe the decision was unaminous, but I am not certain of that. Like all legislation, there must be changes, but the changes do not have to be as drastic as what is happening in this Bill.

Some of the teeth of the Bill are now being taken out. I know for sure that the Minister controlling the Bill in the Upper House has at no time been in favour of this legislation. Now he has picked it to pieces to make it almost non-existent. I hope that other honourable members do something in this House to help this situation in some way when amendments are moved.

The Unley council has been supportive in this area and has gone to great pains with its dog warden and also with the provision of a van. I think that they have the van for 2½

days a week, and share it with another council for the rest of the week. That has been quite successful. I have never heard one complaint in my district about the legislation. If one walks along the streets of Unley one does not see dogs straying, or messing the streets, or things like that. I think people have come to know about the Act and have become used to it. They have now been educated on what the legislation is all about.

In these days of robberies and rape, a dog is part and parcel of family life. A good watchdog is very handy, and a dog does not have to be vicious. The keeping of a dog is almost becoming an essential part of living, especially for elderly people, who get very keen on their pets. A dog always lets a person know when someone is around the place.

I do not like savage dogs, and I get a little frightened if an Alsatian dog appears when I am door-knocking. In those cases I would rather put whatever I have in the letterbox.

Mr Millhouse: The problem is that the card drops to the bottom of the letterbox and may never be found.

Mr LANGLEY: I put it in the letterbox properly. I do not know whether the member for Mitcham goes in when he sees a savage dog, but I want to keep my clothes if I can. Why have so many alterations been made when the Act has been working so successfully? I think that only a minority of people were not satisfied with the Bill when it was first before the House. What is the reason for these large changes and for taking the teeth out of the Bill? This Bill is not very old, and it could be easily amended, but not to the savage extent that is proposed.

I refer to another area which has caused trouble in Unley. It looks as though the Noise Control Unit will be taken away. The hands of the police are tied in this issue. One of the things that people do not like is dogs incessantly barking at night. There are some dogs that bark during the daytime, which is not as bad, unless there is a shift worker in the house, but there is no doubt that at night it is very inconvenient. But who does one go to? The Noise Control Unit does not operate at night. This area is one that is not covered in the legislation. I do not know how it could be covered, but at the moment nothing like that has been introduced to safeguard people at night from barking dogs, and they can become rampant. The problem is not too bad in my district, but there are one or two complaints now and again.

The council's wardens have done an excellent job. The councils are willing to spend some money. I think it has put in some $3 000 in one area last year in relation to dogs. I do not know what benefits that will be in the future. Most people pay enough to register their dogs these days. Some people complain that money goes into coffers of councils, but if the money were paid directly for dogs alone we could overcome a lot more problems. The Bill has not been given a fair trial. Further amendments could improve the Act, but at this stage I support the Bill only to the second reading, and I hope that before this Bill leaves this place it has been improved.

Mr BLACKER (Flinders): I support the Bill at this stage, but I want to make some comments in relation to behind-the-scenes chatter that has occurred on relation to the tattooing provisions. I make no secret of the fact that I am a strong supporter of tattooing. Just about every form of livestock produced today, whether it is for show purposes, meat of whatever, has a permanent identification. Every pig has a tattoo when it is a weaner, when it changes hands from a breeder to a grower, and when it is sold either at porker or bacon weight. In those cases pigs go out with two brands on them. If the breeder actually carries the animal through to sale point, then it remains with only one brand. Also, of course, they all carry certain numbers, certain letters of identification, and there are certain places on the animal where the tattoos have to be placed.

The main reason for supporting this tattooing principle is that it is a traceback system in the case of exotic diseases. I do not think that any member of this House has given that serious consideration. At the moment, Australia is free of rabies and it is virtually considered free of hydatids. Rabies has an incubation period of at least four months, so an animal can be roaming at large within a community for that time before it is identified as being a carrier of an exotic disease. If that animal could be positively identified, the owner could be positively identified, and then there would be some means of tracing back where that animal has been and where there may have been a possibility that it may have contracted rabies or whatever. It may have come into contact with a person who had just stepped off an overseas plane and who may have been a carrier.

We need to take every possible precaution to see that a traceback system is provided if at all humanly possible. That is the very reason why tattooing was introducing into the pig industry. It is the very reason why so many other livestock enterprises have undertaken tattooing or some other form of permanent identification. In some ways I may almost be paranoid about exotic diseases, but if such disease were to break out in South Australia it would seriously affect all our meat exports, and most of our livestock exports are in the meat area, the processed area, and just about every aspect associated with livestock would be seriously affected. We would be out on a limb; our export markets would drop overnight because of the fear of exotic disease contamination. Principally I am talking about the likes of blue tongue or foot and mouth disease, but rabies and hydatids have a very similar effect when contracted by canine animals.

To that end, I do not believe that we can be careful enough in identifying our animals. Admittedly, the provision is not working correctly, mainly because no-one has grasped the nettle and tried to make it work. Too many people think that it is a nuisance and, if we read the Bill, that is the explanation that is coming through. No-one has grasped the idea that the reason is to have a positive identification, and if it is only for that reason it is worth while, because this is a most serious problem.

I make no apology for harping on in this House about the seriousness of a problem such as rabies or hydatids coming into this country. We have within our grasp an opportunity to continue with the tattooing system. I believe that the amendments will water that down considerably and throw the matter back on the local government area for it to implement. We are not technically throwing it out the door, but we are watering it down. I think local government will rue the day, because it will be local government constituents and taxpayers who will have to exert pressure to make sure that this is implemented.

One of the reasons for the tattooing provision is that the level of pain associated with tattooing a dog would be unacceptable to the average dog owner. I do not like to inflict pain upon any animal, but we must be fair and at least try to safeguard the human as well as the canine species in this case. Rabies and hydatids are communicable to humans, so therefore it is in the interests of our health, not just the health of the animals, that we should be taking these precautions.

There are other reasons why positive identification is, I believe, necessary. Quite often city dogs roam to nearby

country areas and maraud sheep. I have seen sheep torn apart, I have seen animals that have been killed, and numerous flocks where people have had to go out the next day and destroy sheep because they have been savaged by dogs. On many occasions, the farmer has shot the dog. However, if he loses 40 or 50 sheep, worth maybe $25 to $30 an animal if they are in three-quarter wool, that is a large sum of money. The farmer has the right to seek compensation because an irresponsible owner has seen fit not to adequately house or look after the dog.

If that farmer shoots the dog he has a positive identification and he can go to the owner and say that the dog has destroyed 15 sheep worth $30 each and that he is claiming compensation from the owner as the person responsible. He would have a reasonable chance of successfully prosecuting the owner if the dog is positively identified. However, if the dog is not so identified, and a dead dog cannot be identified by its showing affection for its owner) how can a person lodge a prosecution against the owner of the animal for being totally irresponsible and allowing it to roam at large?

The point is clearly made. If we have a means of identification, at least the farmer has some opportunity of claiming compensation. More importantly, the dog owner, knowing that the animal is positively identified with his brand or number, which can be traced back through the local government office, knowing that he will have to be responsible for the actions of the animal, is more likely to look after it and provide proper housing and enclosure, restricting its movements. There is an incentive not only to the person who might lose livestock but also to the owner to do the right thing by his fellow citizens.

Most of the members in this Chamber who will be affected by animals live within the metropolitan area. We have had statistics today of the numbers of dogs caught by dog catchers, but we have had few statistics about the number of successful prosecutions of owners for failing to properly care for and control their animals. Dog catchers have been mentioned in their thousands, but there has been no mention of prosecution. Every dog caught with a number on it could be the subject of a successful prosecution against the owner. The positive identification provides a reasonable case for going to the owner and demanding compensation.

In the early stages of the legislation, I, like most other members, received a letter referring to the procrastination of members of this House, a grossly unfair charge to lay against any member of this place because at that time the Bill had not been introduced here. It was totally unfair to make any accusation against any member when the Bill had not been here and we had had no opportunity to debate it. I said so at the meeting of the Eyre Peninsula region of the Local Government Association held at Tumby Bay. During that week preceding, I received letters from all over the State. Because they were worded basically in the same way, I believe it was an organised campaign against certain members of this Chamber who, at that time, had had no opportunity to give their views publicly.

I have made clear my attitude towards the provisions of a permanent means of identification, tattooing, whether it be in the ear, on the flank or on the tummy, whether it be by the spike method or freeze branding. My greatest concern is that it is a permanent means of identification. We have cases of pain applied to just about every other type of livestock—branding, dehorning, tailing, docking, and so on.

Mr Evans: You tail dogs.

Mr BLACKER: That is so. I believe that every dog in the racing industry has to be tattooed and that many canine associations demand of their members that their animals be tattooed. In most cases, tattooing for registration for studs is a necessary requirement, so it is ludicrous to suggest that we should allow those people who do not act responsibly to say that they do not have to tattoo their dogs because they might be hurt. Other dogs have to be tattooed. Stud animals, racing animals, are tattooed quite willingly by their owners as a positive means of identification in preserving the stud tradition and the stud stock breeding requirements. We need tattooing as a means of identification, but, more importantly, because of exotic diseases. I fear the day when we will have an outbreak in Australia because it will be a serious thing indeed, not only to the canine industry, the canine association and the owners of dogs, but all other forms of livestock.

If one form of exotic disease is transmitted into Australia, then it is likely that others will follow. More importantly buyers of our exports will say that because exotic disease is in Australia they will not take the risk and they will buy elsewhere, and down will go overnight our world markets. It is a fact of life that in the fish and animal food industry markets can drop overnight because of a scare. To that end we must be able to preserve the opportunity in this case to provide a permanent means of identification for a form of animal that is integral part of our community today

Mr MILLHOUSE (Mitcham): I take a rather more personal interest in this Bill than do the members who have so far spoken in the debate this afternoon. It seemed to me that they were a little bit detached about this problem. Maybe I am too emotionally involved, but in the course of our married life, we are now on our third doggy member. First of all, had Suzy and then we had Mollie (so named so that in this place I could say 'That bitch Mollie' without offending the then member for Todd), and now we have Pippa as my constant running companion. I measure the operation of this Act and these amendments which have been bandied about now for some months—

The Hon. D. C. Wotton: By your running ability?

Mr MILLHOUSE: That would put the standard problem a bit too high but I certainly measure this Bill by my own practices and the way in which we lead our family life. When I do that I find that in some ways this Act is absolutely absurd and these amendments are not going to make it any better; in my view they will make it rather worse. I make that explanation. I am not terribly interested in this question of the Central Dog Committee or whatever the bureaucratic nonsense—

Mr Gunn: The Central Dog Committee is nonsense.

Mr MILLHOUSE: Yes, I am not just interested in it. I am not a fanatic pro-tattooer. In fact it is too late for Pippa to be tattooed now, so I am against it. I am sorry for those in the gallery and elsewhere who think that I should do otherwise. I measure the effect of this Bill on Pippa. She has authorised me to say this, and she asked me to emphasis that I should speak with due deference to your person, your profession and your exalted office, Mr Speaker, but when she came in and had a look at this place, as she did last Sunday afternoon after our dog obedience training, she found it a peculiar place indeed.

Members interjecting:

Mr MILLHOUSE: She was sniffing about on the Government benches and that is where she was obviously more repelled than anywhere else. She even approached your chair, Mr Speaker, and had a look at that and she is a very intelligent dog.

Mr Randall: Does she have her security pass yet?

Mr MILLHOUSE: No, but she has her primary

education certificate.

An honourable member: More than some of us.

Mr MILLHOUSE: Yes, indeed, and I would measure her favourably against some members in this place. She has her primary education certificate—we were given it only a fortnight ago and it shows me as the trainer. She thinks that this place is a bit peculiar, and I think this Bill is a bit peculiar, and this Act is a bit peculiar.

Mr Gunn: You don't think you're peculiar?

Mr MILLHOUSE: No, I am certainly not peculiar. Let me now come to the two sections of the Act, both of which are being amended in this Bill, to which I take objection and the amendments to which I take objection. The first is section 33 of the Act which at the moment provides:

> (1) If a dog is in any place to which the public has access without a collar around its neck . . . the person liable for the control of that dog shall be guilty of an offence and liable to a penalty not exceeding one hundred dollars.

In fact, when one is training a dog it does not wear a collar; it wears a slip chain, a lead chain. When we go running in the morning, as we do, when I am fit (and, alas, I am not fit at the moment, nor is she as a result), I take her collar off and I put the slip chain on and attach the lead to it. Sometimes, and particarly when we are down at Moana on holiday, when we come back from the beach, I do not bother to take her lead chain off and put the collar on.

Mr. Hamilton: Did you say Maslins?

Mr MILLHOUSE: She does not have to undress at Maslins. She has been there and she has thorougly enjoyed it, I may say, but that is not the point.

The SPEAKER: Nor is that in the Bill.

Mr MILLHOUSE: No, Sir, but I always like to be frank and to be frank on behalf of members of my family. As the Act stands at the moment a dog does not have to wear a collar when it is in its owner's premises. For reasons which the Minister has not yet been able properly to explain to me, under this amendment the dog will have to wear a collar at all times because the words 'to which the public has access' are being deleted.

The member for Flinders has talked, as one would expect him to as a Country Party member, about the killing of sheep and so on, and I agree with what he says, but on the other hand to provide, as we are providing in this Bill, that a dog has to have a collar on whether it is at home, in bed or wherever it is, is an invasion of personal rights and liberties, and I do not believe it is correct. I resist it. Why should I, when I look after my dog, when I have the gate closed (we keep the gates closed and it cannot get out), when it has been properly trained anyway, be obliged by some blasted bureaucrat to have a collar on the dog all the time? It is not as though on the lead chain there is not an identifying medal or disc. It has her name, my name, address and telephone number on it, so there is never any problem about identification of the dog because she either wears the slip chain, the lead chain, or she wears a collar. Why, I ask, is it necessary for me always at the expense of her training and comfort to have a collar on her, which is what we are providing in this Bill. I do not like it and I do not think it is necessary and I will resist it. In section 33 of the Act, there is some hesitation as to whether the tattooing provision should be taken out. Section 33 provides:

> (2) This section does not apply—
>
> *(a)* to a dog that is tattooed in accordance with this Act;

In the original Bill that is to be deleted, but in the Minister's amendments it will put back.

The Hon. D. C. Wotton: Do you have a copy of the Act?

Mr MILLHOUSE: Yes, I have a copy of the Act, a copy of the Bill, and a copy of the amendments. What I have done is crossed out in pencil placetum *(a)* and then put 'stet' against it because I think it will be restored. A placetum will be added which allows dogs of a prescribed class to be taken out of the application of the subsection. That is all right; the Minister has been doing his best. He has been lobbying me in the past few days to try to persuade me to accept it. He is a tiny bit jealous of me because his doggy granddaughter which started off in the same class as Pippa and I fell beh nd. I think that that has warped the Minister's outlook on this Bill. Quite apart from that, I do not like Parliament giving away its opportunity to decide the shape of legislation by delegating its legislative power to the Government, by way of regulation. That is what we are doing. The Minister asks me to accept his word that Pippa and her class of dog, a Kelpie border collie cross (and that class had better go in any regulations), will be looked after when the regulations are made.

I do not like it; I do not believe that any dogs should be obliged, if they are being properly looked after and secured, to wear a collar all the time. I do not believe that I should be committing offences, as I do every day when I run with her in the morning, because this is what we do. I refer particularly now not only to section 33 but to section 43 of the Act , which is the faeces section, with which you are probably familiar, Mr Deputy Speaker.

I put the lead chain on before we leave home and we run around to a neighbouring oval. She has the lead chain on and she is on a lead because we are running in the street, and that is fine. She is under control; there is no doubt about it. She, being a well brought up dog, but one of fixed habits, on the way around to the oval almost always, within about a quarter of a mile or so, wants to answer calls of nature of one kind or another. I have said that she is a well brought up dog and she usually chooses a hedge or a tree or the gutter in which to defecate. This is an absolutely absurd section because its provisions cannot be enforced. You never get caught because we are out at about a quarter to six in the morning. In the winter it is still dark.

Mr Mathwin: You can run with a bucket and spade.

Mr MILLHOUSE: No, that is the point. It is impossible. I know this Government is against runners; they are now being prosecuted for running on the road, but that is another story. Many runners run with dogs. It is, of course, impossible. I have never seen, except at dog obedience classes once or twice, anyone with a little bucket and spade going around after their dog, anyway. Section 43 is very silly because it is unenforceable. We are going to amend it a bit to say that guide dogs owners, masters and mistresses, do not have to pick up the faeces. Of course, nobody ever picks up the faeces. Unlike the member for Unley, I have seen no difference in the condition of the streets since before and now after the passing of this Act. We answer these calls of nature on the way around there and I do not have a bucket and spade with me.

Mr Mathwin: We?

Mr MILLHOUSE: She. I have attended to those needs before we leave home but she, because of her nature, needs a bit of exercise first. We get around to the oval. When we get there, because it is one which is securely fenced and I want to run, as I did before I had my operation a couple of weeks ago, eight laps to get in a few miles, I take her off the lead and let her run free.

Mr Mathwin: Here's trouble.

Mr MILLHOUSE: That is right. Under this Act we are committing an offence. Sometimes she runs around with me or sometimes she darts to the other side of the oval to see what is there. Sometimes she sniffs around the clubrooms. You, Mr Speaker, know perfectly well the

customs and habits of dogs, probably none better in this Chamber. What is wrong with that? Why should she not? She is doing no harm to anybody else. Why should she not be allowed to run free? Of course, under section 33, even as it is now, it is an offence for me to let her off the chain and run because she has not got a collar on. She has her lead chain on and a little medallion, the disc. But, nevertheless, that is an offence. I think it is absolutely wrong that it should be an offence, and it should not be beyond our wit to put right the Act so that, in fact, what is prescribed in it fits in with what actually happens and merely goes to prevent those activities which are undesirable.

Certainly, section 33 at the moment is not in a proper form. It will be worse if that amendment goes into it. I do not like, as a matter of principle, having to trust the Minister, or anybody else, to say we will put it right by regulation; will prescribe classes of dogs that do not have to wear their collars all the time.

Mr Mathwin: It is like a packhorse with a collar, a chain, a bucket and a spade.

Mr MILLHOUSE: It is idiotic. Even the member for Glenelg has picked it. If he can, anybody can. Section 43 is also absurd. I am not going to try to do anything about it in this Bill. It should be repealed, of course, because it is ineffective; that is why it is foolish. It was put in, I suppose, as a sop to the anti-dog lobby, but it is just useless and makes those of us who are law-abiding citizens commit offences through our dogs, repeatedly.

Mr Hamilton: Therefore you aren't law abiding.

Mr MILLHOUSE: That is right, and I should be law abiding. I am always law abiding—what I do is right. The law is wrong and I am right, in this case. Those are the only things I want to say about this matter. I, and members of the Labor Party particularly, have had a good deal of fun this afternoon at the expense of the member for Fisher and others about the amendments and the backing and filling that has gone on. If this Bill had gone through in November when it first hit the deck I probably would not have taken so much interest. As the backing and filling has gone on, so my interest has grown. I have looked at Pippa and discussed it with her. I brought her in here to have a look at the place so she would know all about it when I went home and told her.

I hope that what I have said will not fall on barren ground and that section 33 will not be worsened, as is proposed under the amendments, and that in due course something will be done about section 43. I do not know whether the Minister is going to give any undertakings.

The Hon. D. C. Wotton: You will be surprised.

Mr MILLHOUSE: No, I will not, because his colleague in another place has told me he is going to give me undertakings about this matter. The Minister in another place is very keen to muster all the support he can for this Bill and he has worked very hard to get it. We have not seen him so constantly in the precincts of this Chamber for a long time as we have since this has been going through.

Members interjecting:

Mr MILLHOUSE: I think I have been very regular in my attendance. I never miss a day; I am present every day. I think I pulled my weight this week quite well.

The SPEAKER: Order! The honourable member will be pulling his weight much better if he refers to the clauses of the Bill.

Mr MILLHOUSE: I have said all I want to say. I had better follow the advice given me by the member for Albert Park, and say that I am prepared, for the sake of the Minister in another place, to support the second reading but, if I am here in the Committee stage, I may have a few things to say about some of the amendments.

Mr HAMILTON (Albert Park): That is the first time the member for Mitcham has accepted my advice, and I am glad to see that happen. I am concerned because I have received numerous representations over the past 18 months in regard to this matter. Quite clearly, dog-owners have a responsibility. I vividly recall an incident involving a friend of mine who now owns a motel at Port Lincoln. He saw a dog defacating on his front lawn and took strong exception to it (and I do not blame him for that). He followed the dog to the house that it entered, knocked on the door and asked the lady who answered the door whether the dog belonged to her. She said, 'Yes', and he said, 'Thank you very much.' He then went home, picked up a shovel, shovelled up the droppings, took them back to the house and said to the lady, 'That is your dog, and these are the dog's droppings', and he put the droppings on the front doorstep. I do not think I need to say more about the responsibilities of dog-owners.

Mr Mathwin: The moral of that is never to open your front door.

Mr HAMILTON: Particularly to the member for Glenelg; I would agree. Numerous complaints have been directed to my office as a result of which an article appeared in the local *Messenger* press on 28 January this year, under the heading 'Roaming dogs a major pest—M.P.', as follows:

> People are living under virtual siege conditions because of a local dog menace, according to Albert Park M.P. Kevin Hamilton. He said the dog problem was worse now than he could ever remember.
>
> Dogs roaming the streets alone or in packs were harassing people in their own homes. 'One woman I know at Seaton is too frightened to open her front door', he said. 'A big, black mongrel has been trying to break into her place for weeks. It even tore a hole in the screen wire on a window.'
>
> Mr Hamilton said there had been other incidents recently at West Lakes and Semaphore Park. Local beaches were also a major problem area. 'Kiddies are being harassed and bitten by unattended dogs. Often the dogs are just playing, trying to grab hold of towels.' Mr Hamilton, a dog lover, blamed an 'irresponsible minority' of owners who allowed their dogs to roam the streets.
>
> The Seaton woman mentioned by Mr Hamilton, a women in her 70s, said the dog giving her trouble was so determined to get inside that it frothed angrily at the mouth. She wanted to remain anonymous in case of reprisals by the dog's owner who, she said, 'couldn't care less.' It's a real cold war of nerves,' she said. 'After complaints some time ago the owner was asked to put up gates to keep his dog in, which he did, but they're always open.'
>
> She had not been able to open her lounge room window since the dog tore away the wire screen. 'It makes it very uncomfortable in the hot weather,' she said. 'Whenever I open the front door to let in a breeze, the dog stands at the fly-wire door and goes into a frenzy'. She believed the dog wanted to get at her poodle inside.
>
> She had complained to Woodville Council about the problem but had been told that nothing could be done unless the dog catcher actually saw the dog misbehaving.
>
> Mr Hamilton said he had written to council about the dog menace and believed that follow-up action would be prompt. The difficulty was that most dogs were let loose only during the hours when the dog catcher was off duty.
>
> At its last meeting, a report was presented to Woodville council about the growing dog problem on suburban beaches. Among the options considered was either a total ban on all dogs on the foreshore or allowing them on the beaches only during certain times. The report said that the by-law introducing such restrictions was not favoured generally by

either the public or council staff involved in dog control. It suggested that council should wait until amendments were made to the existing Dog Control Act, described by Mayor John Dyer as having more loopholes 'than a dog has fleas.' In the meantime the report concluded, 'staff will endeavour to make every use of the provisions of the Dog Control Act to resolve the problem and . . . to do so at the earliest opportunity.'

Clearly, the teeth that exist in the Act will be watered down by this Bill and I can imagine that more and more problems will occur and more representations will be made to me. One of the most persistent problems that I have encountered is in relation to dogs barking at night. The reaction of the police and noise control units has been discussed in the House previously, and I agree with the comments that have been made. I ask the Minister whether he has taken up a suggestion put by the Western Regional Organisation Secretary, Mike Duigan. An article of 4 February 1981 stated:

An educational film on dog control could be shown in local schools if the Western Regional Organisation has its way. The organisation has written to the Education Department urging that the film—viewed recently by regional members—be shown at schools. It also suggested that the film be made available to the public through the South Australian Film Corporation.

Produced by Ku-ring-gai Council in New South Wales, the film shows both the problems created by dogs and the benefits to be gained by having a dog properly trained. 'Dogs are really in a love-hate relationship with human beings,' according to Mike Duigan, regional executive officer.

'Some people love their companionship, others loathe their disruption and scavenging. Dogs love the beach as much as people do, for instance, but unless controlled they cause an unnecessary nuisance. The film tells people that if they cannot control their dogs then they run the risk of the animal being destroyed.'

Four dog control wardens currently patrol the western region, which covers the council areas of Glenelg, Henley and Grange, Hindmarsh, Port Adelaide, Thebarton, West Torrens and Woodville. 'Dogs are wonderful things to have for fun and companionship for both young and old,' said Mr Duigan. 'The point of the film is not that some dogs give other dogs a bad name, but that some dog owners give all dogs a bad name.'

I hope that the Minister will consider the Opposition's amendments.

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

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

Motion carried.

The Hon. D. C. WOTTON (Minister of Environment): I wish to refute a personal criticism that the member for Salisbury directed to the Minister responsible for this Bill. I did not appreciate the comment made, and I do not believe that other members appreciated it. I do not intend saying any more about that. The member for Salisbury referred to the difference in metropolitan council implementation. The Government believes that that difference will be overcome by the need for a full-time authorised officer as well as the application of all funds to dog control. The honourable member opposite is shaking his head, so he would appreciate that that would be the case. An amendment will deal with that matter later.

There is some confusion about the Central Dog Committee and about the role of that committee in regard to enforcement, and I should make the point quite clearly that the Central Dog Committee never had the role of enforcing the Act. That power was always, of course, with local government.

Mention was made about the paying of the share of fees on the part of councils. I understand that at this stage only one council has now not paid its share of fees, so I do not see that that is particularly a problem. We heard allegations about the working of the Dog Committee. I should point out that the Canine Association and the Australian Veterinary Association were members of the committee. It was suggested that there were only local government members on that committee.

The member for Salisbury and the member for Unley mentioned barking dogs. I am sure that members appreciate that individuals can now go to the courts and seek redress on barking dogs. At the moment, only councils and the police can commence a complaint, so, in fact, the amendment will broaden, and not narrow, the powers, as was suggested.

The member for Unley really would have complaints from his constituents if they had to have their dogs tattooed, and those would come particularly from elderly people. I am sorry that the member for Unley is not here, because I really think that he needs to be assured that there is no change to the basic enforcement provisions of the Act. In the main, the Bill is changing the administrative provisions.

I notice that the member for Mitcham has disappeared also. I want to give him an assurance as well. He was referring to matters in the principal Act which were not directly the subject of the amending Bill. The member for Mitcham referred to the fact that he had received some assurances from the Minister responsible for this legislation. I want to place on record that the Minister of Local Government has undertaken the following: first, to promulgate a regulation permitting a person to be in control of a dog wearing a slip collar without that dog having to wear a collar and disc; and, secondly, the Government has indicated that it is prepared to investigate the question of establishing dog exercise areas on suitable ovals or reserves, where dogs will be able to exercise without the need to wear a collar and a disc. I am sure the House would appreciate that before that can happen there must be detailed discussions with local government.

Finally, the member for Albert Park referred to a particular film. I am led to believe that the honourable member is a little bit behind the eight ball, because that film has been produced and is now out with the councils.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Definitions.'

Mr LYNN ARNOLD: This clause concerns the Opposition, as it removes a definition of 'dog warden'. As the Minister will later move amendments providing for full-time officers of metropolitan councils to do what it seems that dog wardens would be doing, it seems to be irrelevant and unnecessary to remove this definition from the Act.

Also, the Opposition takes objection to the removal of the Central Dog Committee and the replacement of it with the Dog Advisory Committee, and I should like that objection noted. The other point to which we take exception is the removal of the option of having a central registry at some time. The Act provides for a central registry, and perhaps that provision will not be acted on in the immediate sense. This Bill seeks to remove that provision and put the registry in the hands of local government. We indicate our opposition to this.

The Hon. D. C. WOTTON: I do not believe that it is incorrect to remove the definition of 'dog warden' at this stage. I have noted the other points made by the other

member.

Clause passed.

Clause 5 passed.

Clause 6—'Appointment of authorised persons.'

The Hon. D. C. WOTTON: I move:

Page 2, after line 34—Insert subsection as follows:

(2a) In the case of each metropolitan council within the meaning of the Local Government Act, 1934-1981, at least one person who holds an appointment as an authorised person for that council must be engaged upon a full-time basis in the administration and enforcement of this Act within the area of that council unless the Minister consents to some other arrangement.

Amendment carried; clause as amended passed.

Clause 7 passed.

Clause 8—'Public pounds to be maintained by councils.'

Mr LYNN ARNOLD: It seems that new section 11 (2) would put the sole right in the hands of the Minister, and it does not stipulate that that should be done by regulation. It provides an opportunity that the situation may be varied from occasion to occasion. Could the Minister say how the Minister in another place would do that? Would it be a varying case by case approach, or would there be a set of guidelines determined by regulation?

The Hon. D. C. WOTTON: I am of the opinion that regulations will not be introduced in this regard. It will be taken as a guideline.

Mr LYNN ARNOLD: I indicate that the Opposition would be opposed to that provision.

Clause passed.

Clause 9—'Accounts and payments to the Minister.'

The Hon. D. C. WOTTON: I move:

Page 3—

Line 17—Leave out 'subsection' and insert 'subsections'.

After line 17 insert subsection as follows:

(1a) Subject to this Act, all moneys received by a council pursuant to this Act shall be expended for the purposes of this Act.

Mr EVANS: I support the amendment. Up until now, no local government authority has taken the responsibility of making available to dog owners an area for dog recreation. Local government will now have money available to it to apply the Act, and responsible dog owners are entitled to have an area of public ground made available, properly fenced, where they can allow their dogs to run free. This is done for equestrian and pony clubs. I hope that local government, when its officers read this debate and the Bill, will look seriously at the matter. In the metropolitan area and the fringe areas there are pieces of land that could be made available, whether they be part of the Adelaide city parklands or otherwise. People who take pride in their dogs would be able to let them roam free and play without the dangers from traffic, and they should be encouraged to do that. Local government has been given the money, and I trust that this will be done soon so that responsible dog owners can have the right to use public ground without people interfering with them or without the dogs interfering with other people.

Amendment carried; clause as amended passed.

Clauses 10 and 11 passed.

Clause 12—'Constitution of the committee.'

Mr LYNN ARNOLD: I understand that the Minister has received a submission from the Non Dog Owners Association that the committee should be extended from four to five to include a nominee of the association, which represents the majority of the population who do not own dogs and yet are affected by their presence in the community.

The Hon. D. C. WOTTON: I think that the honourable member would appreciate how the committee is composed, but perhaps I should remind him. The new committee will comprise a nominee of the Local Government Association, representing the interests of councils; a nominee of the R.S.P.C.A., representing the interests of animal welfare organisations; and two persons appointed by the Minister, one of whom will be a member of the Australian Veterinary Association, an assurance was given in another place in relation to that, as a result of an undertaking by the Minister of Local Government. I am aware of the request for representation on the advisory committee from a number of areas including the Non Dog Owners Association, the Australian Canine Association, and the Animal Welfare League. The Minister believes that that is not possible.

Mr LYNN ARNOLD: I repeat that the Opposition is opposed to the removal of powers presently held by the Central Dog Committee and the evolution of a smaller set of powers for the Dog Advisory Committee.

Clause passed.

Clause 13—'Repeal of ss. 12 to 25 and substitution of new sections and heading.'

Mr LYNN ARNOLD: The Opposition expresses its opposition to this clause.

Clause passed.

Clause 14 passed.

Clause 15—'Registration.'

Mr LYNN ARNOLD: I move:

Page 5, lines 6 and 7—Leave out paragraph *(b)*.

The Hon. D. C. WOTTON: The Government supports this amendment.

Amendment carried; clause as amended passed.

Clause 16—'Issue of registration certificate and disc.'

The Hon. D. C. WOTTON: I move:

Page 5—

After line 19, insert subsections as follows:

(2) A council may make by-laws requiring that any dog of a class specified in the by-laws that has not been previously registered by that council or tattooed in pursuance of this Act shall, upon registration by that council, be tattooed in the manner specified in the by-laws.

(3) Notwithstanding the provisions of this Act, a dog that is required to be tattooed in pursuance of this Act shall be deemed to be unregistered until it is so tattooed.

Mr LYNN ARNOLD: This is the clause relating to tattooing. The Opposition believes the present provisions of the Act should remain in force, and we are not prepared to support this amendment. We oppose it.

Mr EVANS: The intention of my amendment was that all breeders of dogs, whether the dogs be pedigree or mongrels, would have to have the dogs tattooed before the age of three months whether they are to be given away, sold or to be kept. In July 1980 a petition was prepared containing the signatures of 12 000 people saying that they believed in tattooing and supported it strongly, I believe that tattooing should apply across the board.

This provision gives each local council the authority to apply a tattoo provision in its area, if it so wishes. Few councils will take up the opportunity. Some members could accuse me of accepting a sop, and say that it does not mean much. Although that would be a fair assessment, I will accept the Government's amendment on the basis that I give local government 12 months—until the spring of 1982—to see whether it is prepared to take up the challenge.

It will then be my intention in spring 1982, if local government has not taken up the challenge and tackled the dog problem by means of tattoo or other solution, I will move for that situation to obtain. I can be no fairer than that, and that is the simplest method of telling local

government that I am not trying to force my ideas on it. Local government believes it is responsible enough to accept the challenge. I will now give local government the opportunity and, if it does not act in this matter, I will seek the support of members throughout Parliament to try to get support to have an amendment inserted in the Act to ensure that local government accepts the responsibility. I will support the amendment at this stage.

The Committee divided on the amendment:

Ayes (17)—Mrs Adamson, Messrs Allison, Ashenden, Billard, D. C. Brown, Eastick, Evans, Glazbrook, Goldsworthy, Lewis, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin, and Wotton (teller).

Noes (16)—Messrs Abbott, L. M. F. Arnold (teller), Blacker, M. J. Brown, Duncan, Hamilton, Hopgood, Keneally, Langley, McRae, O'Neill, Peterson, Plunkett, Slater, Trainer, and Whitten.

Pairs—Ayes—Messrs P. B. Arnold, Becker, Chapman, Mathwin, Olsen, and Wilson. Noes—Messrs Bannon, Corcoran, Crafter, Hemmings, Payne, and Wright.

Majority of 1 for the Ayes.

Amendment thus carried; clause passed.

Clauses 17 to 19 passed.

Clause 20—'Collars and registration discs.'

The Hon. D. C. WOTTON: I move:

Page 6, line 15—Leave out paragraph (6).

Amendment carried.

The Hon. D. C. WOTTON: I move:

Page 6—After line 19 insert:

(d) by inserting after paragraph *(c)* of subsection (2) the following paragraph:

(d) to any dog of a prescribed class subject to the conditions (if any) prescribed in relation to that class of dogs.; and

(e) by inserting after subsection (2) the following subsection:

(3) It shall be a defence to a charge of an offence under subsection (1) if—

(a) the defendant proves that before the date of the alleged offence a registered veterinary surgeon had certified that the wearing of a collar would be injurious to the health of the dog during a period not exceeding three months specified in the certificate; and

(b) the alleged offence took place during the period specified in the certificate.

Amendment carried; clause as amended passed.

Clause 21—'Seizure of dogs found wandering at large.'

The Hon. D. C. WOTTON: I move:

Page 6, lines 31 and 32—Leave out paragraph *(c)*.

Amendment carried; clause as amended passed.

New clause 21a—'Powers of entry of authorised persons.'

The Hon. D. C. WOTTON: I move:

After clause 21 insert new clause as follows:

21a. Section 37 of the principal Act is amended by inserting after subsection (2) the following subsection:

(3) Notwithstanding the provisions of this section, an authorised person may:

(a) without the consent of the owner or occupier; and

(b) without any warrant,

enter any premises where he has reasonable grounds to believe that there is a dog that has attacked, harassed or chased any person, or any animal or bird owned by or in the charge of some person other than the owner or occupier of those premises.

Mr LYNN ARNOLD: I move:

Page 6—After the last word of that proposed new clause insert 'and that urgent action is required in the circumstances.'

The Hon. D. C. WOTTON: The Government supports the Opposition's amendment.

Mr Lynn Arnold's amendment carried; new clause as amended inserted.

Clauses 22 to 25 passed.

Clause 26—'Dogs creating nuisance.'

Mr LYNN ARNOLD: I would like some undertakings from the Minister that the practical reality of the clause will be an extension of a citizen's opportunities to control a dog problem by giving an individual the opportunity to take action through the courts so that that person will have extra power and the power that he already has will not be undermined.

The concern is that, by giving them that power, it may be the response of some councils to say, 'You solve your own problem. You take action in the court. We will not take action on your behalf becuse the power exists for you to do that.' If that is the response of some councils, that is a weakening of the position rather than an extension of the provisions.

The Hon. D. C. WOTTON: I have already explained that this is an extension.

Clause passed.

Remaining clauses (27 to 32) passed.

Title passed.

Bill read a third time and passed.

HANDICAPPED PERSONS EQUAL OPPORTUNITY BILL

Received from the Legislative Council and read a first time.

BUSINESS FRANCHISE (TOBACCO) ACT AMENDMENT BILL

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

LEGAL PRACTITIONERS BILL

Received from the Legislative Council and read a first time.

The SPEAKER: The Legislative Council draws the attention of the House of Assembly to clause 95, printed in erased type, which clause, being a money clause, cannot originate in the Legislative Council but which is deemed necessary to the Bill.

ADJOURNMENT

At 6.14 p.m. the House adjourned until Tuesday 9 June at 2 p.m.