

## HOUSE OF ASSEMBLY

Tuesday 6 December 1983

**The SPEAKER (Hon. T.M. McRae)** took the Chair at 2 p.m. and read prayers.

## ASSENT TO BILLS

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

Bills of Sale Act Amendment,  
Criminal Law Consolidation Act Amendment (No. 3),  
Financial Institutions Duty,  
Prices Act Amendment,  
South Australian Health Commission Act Amendment (No. 2),  
Stamp Duties Act Amendment (No. 2),  
Wrongs Act Amendment (No. 2).

## QUESTIONS

**The SPEAKER:** I direct that the written answers to questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: all questions on the Notice Paper except Nos 209, 245, 252, 253, 260, 263, 264, 265, 267, 269, 270, 271 and 272; and I direct that the following answers to questions without notice and a reply to a question asked in Estimates Committee A be distributed and printed in *Hansard*.

ARTIFICIAL SWEETENERS  
(Estimates Committee A)

In reply to **Mr FERGUSON** (19 October).

**The Hon. G.F. KENEALLY:** My colleague the Minister of Health informs me that the artificial sweeteners, saccharin and cyclamates, have been permitted as additives to food in South Australia for many years. The range of food is limited to special dietary foods without added sugar, special dietary low energy foods, and specifically approved beverages such as brewed soft drinks. They are also permitted as table-top sweeteners. These categories include soft drinks which are permitted for their dietary or dietetic values. These approvals are in line with food standards recommended by the National Health and Medical Research Council.

It is true that these sweeteners are subject to strict controls in the United States of America. Cyclamates are prohibited because of the 'Delaney Amendment' which provides that a substance which has been demonstrated to cause cancer in laboratory animals shall not be permitted in food for human consumption. The manufacturer of cyclamates has been unable to demonstrate its safety in humans (often a very difficult task). Saccharin is permitted in the United States for diabetic or dietetic purposes but not for general consumption. It is controlled under a special Act which requires specific labelling with warning statements based on demonstration of carcinogenic action in animals. It is used widely in soft drinks, similar to those in which it is used in Australia.

The use of additives such as artificial sweeteners and possible adverse effects are continually monitored by the Food Science and Technology Committee of the National Health and Medical Research Council. I understand that there has been no recent advice from that committee to cause a need to consider a revision in current standards. However, in view of the addition of the sweeteners to a

product of a very large and successful soft drink manufacturer, a product which is likely to be frequently consumed by young children and adolescents, the Minister of Health has requested the Chairman of the S.A. Food and Drugs Advisory Committee to seek from N.H. & M.R.C. a further updated assessment to see if any evidence suggests adverse effects to these sweeteners and if justification exists to further restrict their use in South Australia.

## VEGETATION CLEARANCE

In reply to **Mr LEWIS** (29 September).

**The Hon. D.J. HOPGOOD:** An inspection on the Betts application will be taking place in the near future. The application from the Argents at Wanbi was approved on 4 October 1983. Mr S. Evans' application has been processed, and the planning decision notification was signed on 13 October 1983. This application took longer than most because it had to go to the S.A. Planning Commission for a decision. Mr Evans was given the option, in June 1983, of allowing that part of his application with no restrictions on it, to be processed quickly so that his woodcutters could continue their work on his property. He declined this suggestion. Mr Lowe's application is presently being processed.

## HALIOTIS ROEI

In reply to **Hon. P.B. ARNOLD** (8 November).

**The Hon. LYNN ARNOLD:** The decision which the honourable member refers to in my statement to the Estimates Committee on 6 October 1983 is the decision to consider the issue of some Ministerial permits for the commercial exploitation of *Haliotis roei*. Until the time of that statement, there had been no public announcement that the Government was considering granting commercial access to *H. roei*. The point which I made to AFIC in my letter of 27 October is that the Government had not decided how many permits should be issued, if any at all. I advised AFIC that a biological study should precede the issue of licences or permits to take the species in question.

In putting these two statements together I will state categorically that it is my intention to issue permits for the commercial exploitation of *H. roei*, in accordance with the capacity of the resource to absorb commercial fishing effort. I add that a study by the Department of Fisheries into *H. roei* resources off the West Coast of the State is still in progress. It is a continuation of a study of *H. roei* resources in Western Spencer Gulf, but, regrettably, the West Coast survey has been delayed by unfavourable weather. A decision regarding the number of permits and the zones, if any, for which permits will apply, will be based on relevant biological information. I hope some progress on this aspect will be made by early December 1983. If any permits to take *H. roei* are issued, it will be by means of a public tender. A decision to issue permits will be well publicised, as will the associated tender conditions.

## TELETEX

In reply to **Mrs APPLEBY** (24 August).

**The Hon. G.J. CRAFTER:** Teletex is a system for transmitting additional data within a standard television broadcasting signal. To receive the additional material, such as captioning, a special decoder is required. It was announced on Budget night (1983-84) that decoders purchased for the use of deaf people would be exempt from the current 32½ per cent sales tax. The purchase or renting of a new television

set with a built-in decoder is one of three options that are available to deaf people. The cost of the purchase would be about \$1 300. The second option is the conversion of an existing television set to enable it to take a decoder, the cost of which would be about \$300. The third option is the purchase or rental of additional decoding equipment and the cost there would also be about \$300.

The Federation of Commercial Television Stations (FACTS) is currently conducting a trial survey on captioning in Sydney and Melbourne. It is unlikely, therefore, that Adelaide commercial television stations will make final decisions regarding caption broadcasting in South Australia before the results of this survey are known. The Australian Captioning Centre in Sydney which provides the sub-titling service was supported with an initial grant by the Commonwealth Government. It provides, at a cost, captioning for the programmes recorded and presented by television stations. The concern of the honourable member on behalf of people suffering from deafness is appreciated and the progress taken towards implementation of captioning on programmes in South Australia will be closely monitored following the results of the survey being undertaken by FACTS.

### PYRAMID SELLING

In reply to Mr MAYES (18 August).

**The Hon. G.J. CRAFTER:** I have been advised by the Commissioner for Consumer Affairs that he is aware of the activities of a number of organisations operating in South Australia selling dietary products. One of those organisations is Total Image Pty Ltd which was subject to a prohibition order issued by the New South Wales Attorney-General and Consumer Affairs Minister. The use of the term 'ban' in the press release in New South Wales may be considered somewhat unfortunate because the prohibition order neither banned the scheme nor banned the product. The effect of the prohibition order was to prevent further recruitment by the organisations involved. However, the Commissioner has been informed that Total Image applied to the Industrial Commission in New South Wales which made interlocutory orders that the prohibition be suspended subject to compliance with certain conditions until an appeal by the company can be heard. It was set down for hearing on 10 October 1983.

Because of the complicated nature of these schemes, the investigations necessary to establish whether they are pyramid selling schemes as defined in the South Australian Pyramid Sales Act, have been lengthy. However, it now appears that at least three of the organisations operating in the State are pyramid selling schemes. The investigations into the other organisations are proceeding. The Pyramid Sales Act does not contain any power to prohibit or 'ban' pyramid selling schemes. The Act makes certain actions on the part of promoters of pyramid selling schemes illegal and also makes certain other practices, for which pyramid selling schemes have been notorious in the past, illegal. The Act also confers powers on the Governor to make regulations prescribing requirements to be complied with by the promoters of a pyramid selling scheme in relation to certain practices and prohibiting these practices unless the prescribed requirements are complied with. At present, the Commissioner is considering the appropriate course of action that should be taken as provided by the Act.

### INSURANCE COMPANIES

In reply to Mr MAYES (29 September).

**The Hon. G.J. CRAFTER:** In December 1982 the Commonwealth Attorney-General tabled a report by the Aus-

tralian Law Reform Commission (A.L.R.C.) proposing reform of the law of insurance contracts. One of the reforms recommended by the A.L.R.C. is standardisation of insurance contracts in various fields, two of which are homeowners' insurance and householders' insurance. The A.L.R.C. recommended that there be standard minimum cover under all homeowners' insurance policies, which will be codified by Statute. Insurers would still be free to offer a lesser cover, but in choosing to do so would have to draw the insured's attention to the nature of the reduction in cover. Failure to do so would mean that the restrictions would be statutorily overridden and the standard cover would apply.

At a meeting of the Standing Committee of Consumer Affairs Ministers in September 1983, it was advised that the Commonwealth Attorney-General and Commonwealth Treasurer were preparing a Bill to be introduced into the Federal Parliament implementing the A.L.R.C. recommendations during the current session. If the honourable member wishes further information on the subject of insurance contracts, I refer him to the A.L.R.C. report.

### PUBLIC WORKS COMMITTEE REPORTS

**The SPEAKER** laid on the table the following interim reports by the Parliamentary Standing Committee on Public Works:

Yatala Labour Prison—Security Perimeter Fence and Microwave Detection System.

Marla Bore Police Complex—Stages I and II.  
Ordered that reports be printed.

### PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. J.C. Bannon)—

*Pursuant to Statute—*

1. Superannuation Act, 1974—Regulations—Employee Transfers.

By the Minister for Environment and Planning (Hon. D.J. Hopgood)—

*Pursuant to Statute—*

- i. Planning Appeal Tribunal—Report, 1982-83.
- ii. South Australian Planning Commission—Report, 1982-83.
- iii. Planning, Director of—Report to 4 November 1982.
- iv. State Planning Authority—Report to 4 November 1982.

By the Minister of Education (Hon. Lynn Arnold)—

*By Command—*

1. Australian Agricultural Council—Resolutions of the 117th Meeting held in Port Moresby, Papua New Guinea, 1 August 1983.

*Pursuant to Statute—*

1. Department of Fisheries—Report, 1982-83.

By the Minister for Technology (Hon. Lynn Arnold)—

*Pursuant to Statute—*

1. South Australian Council on Technological Change—Report, 1982.

By the Chief Secretary (Hon. G.F. Keneally)—

*Pursuant to Statute—*

1. Institute of Medical and Veterinary Science—Report, 1982-83.

By the Minister of Mines and Energy (Hon. R.G. Payne)—

*Pursuant to Statute—*

1. Department of Mines and Energy—Report, 1982-83.

By the Minister of Community Welfare (Hon. G.J. Crafter)—

*Pursuant to Statute—*

- i. Classification of Publications Board—Report, 1982-83.
- ii. Credit Union Stabilisation Board—Report, 1982-83.
- iii. National Companies and Securities Commission—Report, 1982-83.

**PUBLIC ACCOUNTS COMMITTEE REPORT**

**Mr KLUNDER** brought up the 30th report of the Public Accounts Committee which related to school dental services. Ordered that report be printed.

**QUESTION TIME****ROXBY DOWNS**

**Mr OLSEN:** Does the Premier reject the A.C.T.U.'s policy on the Roxby Downs project, and does he completely disassociate his Government from an advertisement in the latest issue of the A.L.P. *Herald* Newspaper, calling for union support for that policy? At its meeting in Melbourne this week, the A.C.T.U. Executive is discussing what action it should take to implement its uranium policy. In this morning's newspapers, the President of the A.C.T.U., Mr Dolan, is widely quoted as saying that, in accordance with its uranium policy, the A.C.T.U. will attempt to stop the Roxby Downs project.

An advertisement in the latest issue of the *Herald* newspaper, signed by 15 unions, indicated that any industrial action in South Australia backed by the A.C.T.U. would have the potential to seriously disrupt and even stop work at Roxby Downs. The unions endorsing the advertisement include the Amalgamated Metals, Foundry and Shipwrights Union, the Building and Construction Workers Federation, the Australian Railways Union, the Storemen and Packers Union, the Seamen's Union, the Transport Workers Union, and the Waterside Workers Federation. These unions represent members who are already or will be involved in supplying materials for the project, and in construction and other activities on the site. In view of their potential to disrupt the project, and the present deliberations of the A.C.T.U. in Melbourne this week, the Premier should make a strong statement rejecting any move for industrial action against the South Australian project.

**The Hon. J.C. BANNON:** I will ignore the comment at the end of that question, and answer the first part of the question 'Yes', and the second part of the question 'Yes'. In doing so, I guess that I would like to throw back a question to the Opposition: is the Leader's purpose in raising these matters in the way he did, in sending telexes to the President of the A.C.T.U. and generally grandstanding in public, aimed at advancing the project or simply creating and scoring cheap political points out of it? I think that that question ought to be answered.

*Members interjecting:*

**The SPEAKER:** Order!

**URRBRAE AGRICULTURAL HIGH SCHOOL**

**Ms LENEHAN:** Has the Premier seen the report in today's *Advertiser* referring to a proposed 10 per cent levy on income earned by the Urrbrae Agricultural High School at Fullarton and, if so, can he say whether or not this levy will be enforced?

**The Hon. J.C. BANNON:** The first that I knew of this matter was on reading a statement in the *Advertiser* this morning. I had a report from my colleague the Minister of Education and the Treasurer, and I thank the member for

raising the issue so that I can make clear what has happened. Under policies adopted by the previous Government—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.C. BANNON:** —to identify specifically all those areas where costs were being incurred or where income was being generated, then ensuring that those costs and incomes were promptly tabulated and, if necessary—

*An honourable member interjecting:*

**The Hon. J.C. BANNON:** Exactly—paid into accounts, the issue of the proceeds of sale from agricultural courses was raised, and I make clear that this was a policy adopted by our predecessors, as I remind the member who was interjecting earlier and who has raised this and other matters with a lot of mealy-mouthed sentiments. However, in pursuance of this policy, discussions were taking place between the Education Department and Treasury officers as to the method of treatment of this aspect of income generation in schools.

As I understand it, the discussions had reached a stage where Treasury officers in terms of preparing a recommendation (which would eventually have come to me) had suggested a notion whereby this income was to be subject to a return of 10 per cent, not on profits but on gross income, to the general revenue, because general revenue funds the activities of these schools. The Education Department (again, we are talking at officer level) in pursuance of the previous Government's policy had objected to that particular treatment of these areas of income, and the matter was still under discussion.

No recommendation had been made to me. As I have said, I was not aware of this matter at all until I read about it in the paper. It is quite appropriate because, in the normal course of events, if agreement had been reached at officer level or, in turn, if disagreement remained, a recommendation had to come through which would have eventually found its way to me. From my inquiries on this matter, I am not convinced that there is justification for making such a levy. I think that several aspects have to be taken into account, and I do not believe that the rigorous application of this policy (as the previous Government obviously had in mind) is appropriate in this instance, because agricultural programmes are not normally profit-making. The farm projects are an integral part of the school's overall education programme and, in many cases, especially in the case of Urrbrae, there is considerable support in kind from outside organisations that is very welcome. I think that that is part of the ongoing education programme of an agricultural high school.

So, taking into account all of those factors, I would not, if Treasury recommends to me that a levy should be made, support such a levy. I do not believe that an appropriate case is made out on the matters I have had reported to me by my colleague and after my examination of it. So, the whole thing is being blown up in a way that it is a furphy as far as any imposition being applied in this instance is concerned.

**URANIUM POLICY**

**The Hon. E.R. GOLDSWORTHY:** Does the Premier support yesterday's decision taken by the Federal Executive of the Australian Labor Party that comments on the Federal Government's uranium decision should be limited to the Party's internal forums? If so, has he been effectively muzzled, so that he cannot openly support the Roxby Downs project? We all know that the Premier was opposed to the Roxby Downs project last year, when he described it as a mirage in the desert. He then had some sort of miraculous

conversion and has on occasions in recent times been heard to support it. It has been suggested that, following yesterday's decision by the Federal executive, all members of the Australian Labor Party, including the Premier, are no longer free to speak in public about the Roxby Downs project, as it is now the most controversial part of the Labor Party's confusing uranium policy.

**The Hon. J.C. BANNON:** I thought the decision made by the Federal Executive was an appropriate and sensible one. I also think that the point it is making about the way in which this debate should be conducted could well be heeded by members opposite. Time and again they are intent on raising this matter.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.C. BANNON:** I think their reactions speak for themselves. My Government's attitude to this proposal is as we stated before the election, clearly and concisely, and as we have demonstrated in practice since being in Government. I would suggest that it is very fortunate for the project indeed that we were in Government, because I suspect that, without the advocacy of the South Australian Government in relation to this project, the decisions made at the Federal level may well have been different.

#### ASH WEDNESDAY FIRES

**Mrs APPLEBY:** Will the Minister of Education say whether any assessment has been made of children in the education system involved in the Ash Wednesday fires in relation to what effects this traumatic experience has had on their education this year, as well as on the teachers responsible for the children?

**The Hon. LYNN ARNOLD:** I am concerned that honourable members opposite see fit to interject that this question is a Dorothy Dixier, or somehow suggest that it is a totally unimportant question. That shows great disrespect for those who suffered so terribly earlier this year. Honourable members opposite do not have the degree of knowledge about this issue to comment adequately at this point in time. Mention has been made by an article in the *Advertiser* this morning, which was interesting, and I am sure all members appreciated reading it, detailing the findings of the Flinders Medical Centre study. If they cast their memories back to a few months ago they will recall that this House was advised that the Education Department and the Department for Community Welfare jointly arranged for the engagement of additional social workers to work with children and their families affected by the bushfires. That was not the Flinders Medical Centre study. I ask members to recall to mind the incident on which I have been asked to comment by the member for Brighton.

The very issues raised in the Flinders Medical Centre study indicate the importance of or justification for the decision we made earlier in the year to have those social workers working with children in those circumstances. I was convinced that serious problems could face the children in our schools as a result of the aftermath of the fire and the trauma they were suffering. When I visited the schools in the State affected by the bushfires, ample evidence was provided to me by teachers and parents that such was the case. Some of those schools were in the South-East, and the point was strongly made there that it was important that support be made available for those children.

That work has been undertaken this year between the two departments. I want to thank the Department for Community Welfare under my colleague the Minister of Community Welfare for its support to the Education Department in this regard and, now that we are drawing to the end of the year,

I am looking forward to receiving a report from that Department on the situation that applies from its point of view, so that we can tie its evaluation of the situation for those children in 1983 with the data that has now been printed from the Flinders Medical Centre study. It is very important, I think, that we seriously analyse all of this data to find out just how long lasting these sorts of effects are.

It does not simply concern the immediate effect of the physical danger of a fire and the stress caused by a fire being around one and the loss that it caused to life and property; it also concerns the various reactions that are gone through later, the grief reactions almost, the grief process that is gone through later by children (or anyone involved), and how one copes with that in an educational sense. I look forward to receiving that report from those who have compiled it in the Department and to marrying that with the information that has come out of the Flinders Medical Centre study, which I think will offer us a great deal of information for handling similar situations in the future. I lament one again the rather poor attitude of certain members opposite who did not think this was a matter even worth discussing.

#### RAILWAY STATION REDEVELOPMENT

**The Hon. MICHAEL WILSON:** Can the Premier say over what period has Kumagai Gumi agreed to lend \$58.5 million for the Adelaide railway station redevelopment? Further, has a final agreement for that loan been signed by all parties involved and, if so, will the Premier table that agreement in the House?

**The Hon. J.C. BANNON:** A repetitious question, Mr Speaker—

**The Hon. Michael Wilson:** Just give us an answer.

**The Hon. J.C. BANNON:** I do not have the details before me, but I would refer the member to my statement made on this matter wherein I set out the substance of the financial agreement that had been undertaken. Whether the full agreement will be tabled will depend on whether we need to approach the Parliament on a legislative matter in the next session.

*Members interjecting:*

**The SPEAKER:** Order! The honourable member for Florey.

#### MINERALS SEMINAR

**Mr GREGORY:** I address my question to the Minister of Mines and Energy—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr GREGORY:** Can the Minister of Mines and Energy provide the House with any further information about a seminar on South Australia's mineral exploration potential which, I understand from media reports, is to open in Adelaide tomorrow?

**The Hon. R.G. PAYNE:** Yes, I can provide more information. I thank the honourable member for providing me the opportunity to do so.

**Mr Gunn:** You just happen to have the answer with you!

**The Hon. R.G. PAYNE:** I am surprised that the member for Eyre is not interested in a matter affecting mineral exploration in this State. The seminar, organised by the A.M.F., will provide an important forum for officers of the Department of Mines and Energy to stimulate interest in mineral and petroleum exploration in South Australia. I believe the inherent degree of interest has been already demonstrated to an extent by the fact that more than 100

delegates representing most of Australia's major mineral and petroleum explorers have indicated that they will be attending this seminar. The papers and working sessions at the seminar will be highly technical in nature, but basically they will make available to the exploration industry a substantial body of important new geoscientific information gathered since the last such seminar held in 1977 in Adelaide by the A.M.F.

I think it is important to note, for example, that South Australia is holding its second such seminar, while some States have not yet held their first. It is also important to note that members of the South Australian mining industry will be making a very significant contribution to the proceedings at the seminar through the presentation of papers on the Stuart Shelf and aspects of petroleum exploration. A considerable effort has gone into preparing for this seminar in due acknowledgement of the importance of the occasion and the long-term benefits which we hope will flow from it. I trust that the member for Eyre will support that sentiment. The Government recognises that mineral exploration funds are tight around Australia at present, and the seminar is seen as an important opportunity to maximise the share of exploration effort being directed towards South Australia.

### PAROLE BOARD

**The Hon. D.C. WOTTON:** Will the Premier, being responsible for Government policy, say why the Government has failed to respond to the Parole Board's assessment of the discussion paper on the Government's parole policy? Whilst the Premier is receiving his marching orders from the Chief Secretary, I point out that the Chairman of the Parole Board, Mr David Angel, has criticised the Government's parole policy. In a statement reported in the *Advertiser* last Saturday he said that last September the board had delivered to the Premier, the Attorney-General and the Chief Secretary a 10-page critique of the Government's discussion paper on parole, but had not received a reply before Government policy was determined. Mr Angel said that he had been disappointed that the board's critique had not been answered. He was quoted as having said:

Ordinarily we would not comment on merits of the present or proposed system, but the board has been criticised and that is what prompted us to criticise the proposals.

The Premier, particularly in the past, has advocated the need for consultation, but on this issue has been accused of ignoring the views of the people responsible for the application of current parole policy.

**The Hon. G.F. KENEALLY:** As I understand it, the Chairman of the Parole Board sent out copies of his reply to the discussion paper that I circulated, not only to the Premier and the Chief Secretary, but to the Leader of the Opposition, the shadow Minister, the Ombudsman, and a number of other people. I expect that they responded to him, although I do not know that, because that information has not been made available to me. I was interested to see that the Chairman of the Parole Board only wanted to draw attention to the fact that he had sent a copy of his reply to a discussion paper that I circulated to members of the Government.

Be that as it may, the purpose of the discussion paper was to canvass views of a whole range of people and organisations that were involved and concerned about the operation of the Correctional Services Act in South Australia, and particularly that part of it that referred to the parole legislation. It was never the purpose, having received the comments of these organisations and individuals, that I would respond to them and argue the point about it. I had input from all the people concerned, and from that input

we developed a parole Bill that recently has passed this House and is now in another Chamber. There was never any reason for the Chairman of the Parole Board to expect that we would respond to his contribution to a discussion paper.

Secondly, the Chairman of the Parole Board said that he had gone public because the Parole Board had been subjected to criticism. I have made clear on many occasions, here and at every forum I have addressed, as the member for Torrens acknowledged in the debate last week, that I had been on record repeatedly as saying that there is no criticism either of the Chairman of the Parole Board or the Parole Board itself. My criticism was directed towards the Act that they had to implement. I have no doubt at all, and I have made this public, that the Chairman and members of the Parole Board would administer whatever Act the Parliament or the Government presented to them. The fact is that they had an Act that I believe needed reform. That reform measure has been introduced and has passed the House.

There was no criticism of Mr Angel, Q.C. of which he is well aware. Frankly, I am surprised that he still insinuates that there has been criticism by the Government through me, as Minister, which I could only interpret that article in the newspaper as suggesting. I make clear once more that I have not criticised the Chairman of the Parole Board, nor have I criticised the Parole Board itself. I am very pleased that the Parole Board (a number of people who are very busy otherwise) has seen fit to spend so much time implementing an Act for the benefit of the people of South Australia. It is our responsibility to provide the legislation that is implemented by the various committees working for the Government. It is also our responsibility to make sure that that legislation reflects current attitudes towards whatever individual aspect it covers, which is what we are now doing.

### MISLEADING ADVERTISING

**Mr FERGUSON:** Will the Minister of Community Welfare, representing the Minister of Consumer Affairs, ask his colleague to request his Department to examine the practice of overseas retailers advertising goods for sale on a mail order basis without including the cost of sales tax and import duty in the advertisement or brochure? Yesterday constituents of Henley Beach received by Australia Post a well produced brochure advertising for sale watches, pens, ornaments containing precious stones, gold jewellery, clothing and other items of giftware. The prices advertised represented the actual prices that would be paid by an Australian for goods in Hong Kong or Singapore. The prices were attractive and would be considered a bargain in Australia. The printed information did not inform the potential buyers that they would have to pay both sales tax and import duty in addition to the prices quoted.

I have made inquiries with the Australian Police, who have said that they have often been confronted by angry members of the public when it has been discovered that they must pay up to an additional 80 per cent duty and sales tax on jewellery and 50 per cent plus a surcharge of \$15 on all clothing. The Australian Police have told me that they regularly send out warnings to the general public about this undesirable practice, especially in relation to tailors visiting from other countries. Unfortunately, the publicity is not reaching enough people. Constituents have stated that legislation should be considered to ensure that the true prices of these overseas goods are included in advertising material.

**The Hon. G.J. CRAFT:** I will refer the details of the question to my colleague in another place, but I point out

that legislation already exists to provide a remedy for persons who are victims of misleading advertising. I acknowledge that this matter is complicated by a shared responsibility between the Federal and State Governments. With that in mind I will certainly refer the question to my colleague.

### RAILWAY STATION REDEVELOPMENT

**The Hon. B.C. EASTICK:** When will the Minister of Local Government respond to my question asked seven days ago about the Adelaide railway station development, which he promised to answer in two or three days? On 29 November I asked the Minister to advise whether the Adelaide City Council had been consulted about plans to redevelop the Adelaide railway station site and, if so, whether the council had agreed to forgo rates, in connection with the redevelopment, at an annual cost to the council of more than \$1 million. The Minister replied that he would send me a detailed report within the next two or three days, but I have not yet received that report.

**The Hon. T.H. HEMMINGS:** I would have thought that the member for Light would realise that when I said that I would give a detailed report I would give a detailed report. Officers of my Department are working on that report and as soon as—

**The Hon. B.C. Eastick:** What about the two or three days?

**The Hon. T.H. HEMMINGS:** If the member for Light wants a hastily prepared report I will give it to him, but if he wants a detailed report he will get one, and he will get it as soon as it is ready.

### POVERTY

**Mr HAMILTON:** Is the Minister of Community Welfare aware of the allegation, appearing in an article in yesterday's *Advertiser* and attributed to the member for Flinders, that the Government seems uninterested in knowing that many people in South Australia are being forced to beg for a meal, and will the Minister set the record straight on this matter?

**The Hon. G.J. CRAFTER:** I was certainly surprised to see the interest of the National Party in matters of poverty and particularly the statement the source of which I am not sure, that parts of the metropolitan area are areas of deprivation. The Party to which the honourable member belongs and the Federal coalition Administration, under the Prime Ministership of Mr Fraser, was one of the most heartless Administrations with respect to the poor people in society that this country has ever seen. The division between the rich and the poor in this country has never been greater. I will quote one example and that is the failure of the Federal Administration to increase single unemployment benefits for juniors throughout the period of its office, and that is an indictment of any Administration: they are one of the most deprived groups in the community.

The Government in this State, on coming to office, found that inadequate funding was provided for emergency financial assistance, 85 per cent of which goes to families to buy food so that they can live from day to day. That is an area where the previous Administration in this State indicated its concern for the poor in society. Upon coming into Government we increased funding for those people. We realise that we can never cover up all the hidden poverty that is in the community. It is a tragic indictment upon any nation as wealthy as ours.

However, a wide-ranging package of services at State and Federal levels is now being provided to try to minimise poverty in our community. It is not a matter of hand-outs

of meals: it is a matter of job creation programmes, increases in the appropriate pensions and benefits, programmes such as Medicare, and at the State level in public housing programmes, health, education, and welfare programmes and the like. Since coming to office, we have provided substantial assistance to the poorest in the community. The Electricity Trust concessions, which provide concessions to almost twice the number of people to which the previous Government intended it to apply, was provided many months earlier than that Administration would have implemented it had it been successful at the elections.

Additional staff and resources have been provided to the Department for Community Welfare and, as I have told the House, in such vital areas as the emergency financial assistance branch and in the area of budget advice, another directly relevant area. The basis for all of these initiatives is in the area of the ability of Government to raise revenue and to reallocate the revenue that it has. I now know that this is the earnest desire of the member for Flinders, and obviously that of his Party, and I would expect in future to receive his support when we seek additional revenue measures to provide these urgently needed resources that he requests.

### JUDICIAL APPOINTMENTS

**Mr GUNN:** Will the Premier say whether the Government intends to appoint two new District and Criminal Court judges this week and, if so, will any member of this Parliament be one of those appointed?

*Members interjecting:*

**Mr GUNN:** I could name a couple of interested members, starting with the member for Hartley, and perhaps even you, Mr Speaker, and the member for Adelaide.

*Members interjecting:*

**The SPEAKER:** Order! Order!

**Mr GUNN:** I was endeavouring to obtain leave to briefly explain my question. An article in the *Advertiser* last Saturday quoted the Attorney-General as saying that the Government had approved in principle a proposal to appoint two judges and that discussions were under way with candidates. It has been put to me that several members of the Parliament have shown suitable interest in these appointments.

**The Hon. J.C. BANNON:** I do not know who are the several members to whom the honourable member refers, although I guess when one looks at qualification there is no-one sitting on the benches opposite who is qualified to be a judge in the Supreme Court, and that deficiency showed up very much in the term of office of the previous Government, when it was very much in the hands of the member of the other House, the Hon. Mr Griffin, and some quite extraordinary things resulted.

However, the deficiency of legal expertise on that side of the House is, I think, painfully apparent, both in Government and in Opposition. Of course, in the period of the previous Government there was a prominent lawyer sitting on the Opposition benches representing another Party, and he was certainly a considerable thorn in the side of the then Government and, indeed, had very much to say. Fortunately, for the carrying out of the legal processes in this State and very unfortunately for the political process, the previous Government saw fit to offer that gentleman elevation to the bench, and it was very interesting to see the way in which that particular transaction occurred. The former member concerned is discharging his judicial duties with all the experience, dispatch and aplomb that we would have expected of him.

## COPPER ART

**Mr MAYES:** Will the Minister of Community Welfare, representing the Minister of Consumer Affairs, investigate whether an organisation trading under the name Copper Art and operating from premises in Fullarton is in breach of existing consumer law? I have been approached by a number of traders in my electorate who are supplied—

*Members interjecting:*

**The SPEAKER:** Order! I hope that we will not have a betting competition as to who will get these positions, if they exist at all, so I call for order.

*Members interjecting:*

**The SPEAKER:** I am not in the field, if there is a bet. I call for order and recall the member for Unley.

**Mr MAYES:** Thank you, Mr Speaker. As I said earlier, information has been supplied to me from traders in my electorate that Copper Art has been offering through advertisements misleading information to the consumers and the public at large. I have been informed that advertisements have been offering for sale certain items which have not been available at the point of sale nor, in fact, at the point of the advertisement being placed in the press. Items are said to be available but this is qualified by the statement 'Items available at the time of printing.' In addition, items are being sold as a liquidation sale which I have been informed suggests that misleading advertising is involved. I ask the Minister to urgently investigate these practices.

**The Hon. G.J. CRAFTER:** I will refer the question to my colleague in another place so that he can have officers of the Department of Consumer Affairs investigate this matter as a matter of urgency, particularly prior to the Christmas rush.

## URANIUM POLICY

**The Hon. D.C. BROWN:** Will the Premier now agree that his Government's uranium policy is acting as a major disincentive to mineral exploration in South Australia? The Department of Mines and Energy annual report tabled in this House only about half an hour ago indicates that there was a downturn of more than \$10 million in real terms in expenditure on mineral exploration in South Australia in 1982-83 compared to the previous year. The most significant comments are those of the Director-General of the Department, as follows:

Consequently, the present policy of the Government on uranium is inevitably seen as a deterrent to exploration in this State.

On page 24 of the report appears a further comment which I think is of serious concern to this Parliament, as follows:

Following the Government's decision in March to halt further development of the Honeymoon deposit, exploration for uranium has virtually ceased. The effect of this cutback is expected to be reflected in the exploration statistics for the year ahead.

In other words, the Department is predicting an even greater down-turn this financial year, 1983-84, a fact which should cause considerable concern to the Government, particularly as it now questions the Government's uranium policy.

**The SPEAKER:** The Minister of Mines and Energy.

*Members interjecting:*

**The Hon. D.C. Brown:** The question was to the Premier.

**The Hon. R.G. PAYNE:** It is true that a cursory study of the report—which I am sure is all the honourable member has been able to do, since he pointed out that the report has only been in the House for a relatively short time—would suggest that that is one connotation—

**The Hon. E.R. Goldsworthy:** Have you read it?

**The SPEAKER:** Order! I ask the Deputy Leader to restrain himself while the answer is being given.

**The Hon. R.G. PAYNE:** I suggest that the honourable member refer to one of the pages to which he drew the attention of the House where it states, 'Potential for further mineral discovery is high'. Other statements in the annual report indicate that the mining history of South Australia is not yet finished, nor has it ceased. On the contrary, the Government is taking energetic action, as I told honourable members opposite and all members of the House only a few moments ago in answer to a question from the member for Florey. A high level seminar has been organised to be attended by more than 100 leading Australian mineral principals.

*Mr Becker interjecting:*

**The Hon. R.G. PAYNE:** It is one up further than a loaded seminar.

**The Hon. D.C. Brown:** The report damns the Government.

**The Hon. R.G. PAYNE:** On the contrary, this report does not damn the Government. It quite correctly carries out the responsibility of the Director-General to bring before Parliament the state of the economy in respect of mining.

*The Hon. D.C. Brown interjecting:*

**The SPEAKER:** Order! I ask the member for Davenport to come to order.

**The Hon. R.G. PAYNE:** The report is so embarrassing that I understand strenuous efforts are being made to produce it in time for it to be a part of the seminar! That is how embarrassing it is! Mining and exploration in South Australia is so poor, according to members opposite, that we only have the greatest onshore oil production and further exploration going on! We have got such a poor scene in relation to uranium that we have Roxby Downs cited as being of world-class for the production of copper, uranium, gold, and silver! That is the so-called scene of doom and gloom that supposedly exists!

This report factually states the situation in the belief of the Director-General. The table on page 24 (referred to by the honourable member, who perhaps should have stayed in his own discipline and left the matter to the shadow Minister, who might have given more thought to the matters he was raising) shows that the down-turn occurred in 1982 of which at least nine months was under the Government of the Party of which the honourable member is a part. I am suggesting that, instead of trying to knock this State's mineral prospects, members opposite cut it out and get on with helping promote the great mineral future that faces this State.

## MURRAY RIVER WATER

**Mr PLUNKETT:** Is the Minister of Water Resources considering further relief for irrigators in view of continued high flows of the Murray River?

**The Hon. J.W. SLATER:** I am pleased to tell the member that I am not now considering the matter: I decided that penalty rates will not be applied to Murray River irrigators in 1983-84 due to continued surplus flows in the Murray River. I believe that that is the first time, at least in recent years, that Murray River irrigators will be able to use additional water for a whole financial year without paying penalty rates. I point out that early in the year I granted relief from 1 July to 30 September 1983. That period was then extended to 31 December. The present extension will be for the whole 12 months to 30 June 1984. That means that irrigators in Government irrigation areas will pay normal rates for all water used during this financial year. It also means that no limit will be placed on the use of surplus Murray River water in private irrigation areas.

According to predictions, Murray River flows to South Australia will be in excess of regulated flows until well into



February, due to further useful rains in the Upper Darling catchment area as well as to good flows in the Murray River. Over the past few months the River Murray Commission has carried out an empty/fill operation of Lake Victoria to improve the quality of the water. As a result, salinity has been reduced considerably. The high flows have also helped to decrease the salinity level in the lower lakes, particularly in Lake Albert where the Department has been fluctuating the pool levels to replace the higher salinity water with better quality water.

The operation is still in progress, and figures are not yet available. It is expected that the water quality of Lake Albert will be improved by 300 e.c. units. The strategy of fluctuating the pool levels of those lakes has been used in conjunction with the flushing of the Murray River mouth. For the benefit of the member for Peake and other members, I point out that the River Murray Commission storages are now holding 74 per cent of their capacity, compared to 35 per cent at this time last year. Further, the Menindie Lakes and Lake Victoria are full of good quality water.

### CHIEF JUSTICE'S VISIT

**Mr LEWIS:** Mr Speaker, my question is to you. Were you able to greet and do you know the purpose of the Chief Justice's visit to Parliament House one morning last week when he was seen shortly after 9 a.m. in the messuage of the Chamber?

**The SPEAKER:** The honourable gentleman spoke so fast that I ask him to repeat the question.

**Mr LEWIS:** I asked, Sir, whether you were able to greet and whether you knew the purpose of the Chief Justice's visit to Parliament House one morning last week when he was seen shortly after 9 a.m. in the messuage of the House?

**The SPEAKER:** What was that last word?

**Mr LEWIS:** 'Messuage', meaning in the immediate vicinity of.

**The SPEAKER:** First, I was not able to greet him; secondly, I did not see him; thirdly, I do not have the faintest clue as to whether he was here or not: therefore, it would obviously follow that I cannot answer any further.

### SCHOOL LEVIES

**Mr GROOM:** Can the Minister of Education say in what circumstances the Education Department imposes a levy on moneys raised by schools, and whether there is any record of the Minister of Education in the previous Government recommending that such levies be not continued? I refer to an answer given by the Premier this afternoon in reply to a question from the member for Mawson in relation to an article in today's *Advertiser* dealing with the Urrbrae Agricultural High School. I understand that there are other situations in which levies are made and that these practices have been long-standing.

**The Hon. LYNN ARNOLD:** Indeed, there are other situations, which are not of recent standing; they have gone on for many years. I think that, for maybe 10 years, money raised by schools was subject to an impost by the Government to the tune of 10 per cent. These 10 per cent levies applied on the hire fees that were raised by school councils on the use of school properties apropos the policy that the Education Department has for many years pursued of opening up schools to the community.

That is something that happens now: it happened under the previous Government, and under the Government before that. Whilst the member for Mount Gambier a few moments ago said that he, the previous Minister, said 'No' to this

proposition, there is no record available that I can find in the Education Department to suggest that he ever said 'No' to it. Yet, this went on throughout the full term of his Government.

There is also no record that I can find, (and maybe the member for Davenport can help me sort this one out) that indicates that he contacted his then Ministerial colleague to make the point that he is quoted as making in the *Advertiser* this morning, as follows:

The school is being asked to contribute from general revenue from its running expenses. Governments must be pretty desperate when they stoop to taxing income raised within the education system.

There is no record of him making that point to the member for Mount Gambier at all. Let us consider the situation that applies. When a school makes available its facilities for community use (and schools are encouraged to do so by the Department and the Government, and I think that the whole community expects this should happen) we understand that there are extra cleaning, power, and water costs involved, and these costs are being paid for by the Department.

It is felt not unreasonable that we should try to recoup the extra marginal cost that that community use generates by virtue of the property being available to the wider community. The traditional figure has been set at 10 per cent, which is deemed to meet the extra costs, in part, that are caused by the use by community groups of school facilities. That is a long-standing procedure. The previous Government never made any attempt to change that, because it accepted the proposition that it was meeting the cost, in part. With regard to the agricultural products used, on which the Premier commented earlier this afternoon, it started off with the same kind of philosophical approach.

However, it has become quite clear, as a result of the investigation that has taken place, that it is not possible for this situation to be proceeded with. In fact, few schools make any profit at all on their agricultural programmes. The most important point that should be remembered is that the agricultural produce is an outcome of a direct educational programme being run in schools. It would be quite inappropriate for this officer's suggestion to become a policy initiative. I certainly agree with the Premier that this matter should not be proceeded with.

I make the point that when the member for Davenport is jumping up and down in high dudgeon about the actions of the Government and when the previous Minister is doing the same, saying he said 'No' to all sorts of things (he did say 'No' to all sorts of things), he did not say 'No' to this because right throughout every month in his term of office as Minister he presided over that levy as did the Government before and as does this Government now.

### STONY POINT OIL REFINERY

**Mr INGERSON:** Can the Minister of Mines and Energy say whether the Government is to support the development of an oil refinery at Stony Point? I have been advised that a group of independent business men has approached the South Australian Government with a proposal to build an oil refinery at Stony Point, to use products available, and to provide an alternative supply system to the Iron Triangle and Eyre Peninsula. I have also been advised that, for the proposal to proceed, Government assistance in one form or other is required. I have also been informed that the Government commissioned an independent feasibility study into the project, and that the results of the study are now with the Premier. Therefore, can the Minister advise the House as to the Government's intentions?



**The Hon. R.G. PAYNE:** I would have thought that that was a strange way to end a question, by saying that a report or study was in the Premier's hands and then asking me what was going to happen. However, in answer to the honourable member, the matter that he raised is still being investigated.

### RANDOM BREATH TESTS

**Mr TRAINER:** Can the Chief Secretary say whether it is correct that random breath testing of motorists takes place more frequently in working class areas? The possibility that this might occur was canvassed when the legislation for this was introduced in 1980. On 26 March 1980, I asked whether the festivities of the upper echelon of society, such as yacht squadron or hunt club celebrations, were likely to attract the same police protection with the breathalyser unit as might events in working class areas where alcohol was consumed. Two and a half years later yesterday's *News* carried an article headed, R.B.T.: Working class areas 'hit hardest', part of which states:

Random breath testing of motorists in South Australia was being conducted on a discriminatory basis, a Flinders University sociology student said today.

Police records showed people living in 'working-class' suburbs received more attention in the campaign to catch drinking drivers, Mr Matthew Swan claimed.

Suburbs such as Richmond, West Croydon and Parkside came in for particular attention.

The member for Unley puts to me that Unley is also receiving the same sort of attention. The article continues:

Mr Swan said 'working-class' suburbs experienced up to double the breath test effort of 'upper-class' areas.

And he said this often had nothing to do with accident reports and other traffic intelligence which police claimed to be the basis for breath testing operations.

Mr Swan further alleged police had withheld information last year when they issued to Parliament a statutory report on operations during the first nine months of breath testing.

A table accompanies that item listing suburbs like Richmond and West Croydon with 26 each, through to Burnside and Wattle Park, Kensington and West Lakes with none. I seek leave to incorporate the table, which is purely statistical, without my reading it.

Leave granted.

#### NUMBER OF R.B.T. OPERATIONS IN THE NINE MONTHS SINCE OCTOBER 1981

Richmond	26
West Croydon	26
Parkside	24
Hillcrest/Gilles Plains	20
Goodwood/Wayville	19
Nailsworth	18
Wingfield/Angle Park	16
St Peters	9
Warradale	9
Burnside/Wattle Park	0
Kensington	0
West Lakes	0

**The Hon. G.F. KENEALLY:** I was concerned when I saw the article in the media that reported a student of Flinders University saying that his research had led him to believe that the tests were often confined to working class areas, and that the police discriminated against working class areas in its operations. The Police Commissioner, Mr Hunt, has already responded to that allegation. I have had discussions with him, and it is clear that the tests in the metropolitan area are directed more towards the accident profile of the area than to the socio-economic status of the area.

It is logical that, on our major urban transport routes, the closer to the city the tests are set up the more people

would be tested, because motorists would be commuting to not only the inner suburbs but also to areas that fancy themselves as not being working class areas. Every motorist would pass an r.b.t. unit if they were established on major transport corridors. No discrimination has taken place against working-class areas. Nevertheless, it would be easy to read the statistics to prove that point, because they are established in inner suburban areas, for obvious reasons, and those inner suburban areas contain what have been traditionally called 'working class' areas.

The allegation that the report of the Police Commissioner to Parliament withheld relevant information is also not true. Some statistics provided to the Police Commissioner in the original report to him contained much back-up information that was not required to be given to Parliament under statutory requirements, whereas the data was provided. It was not necessary for the Police Commissioner to provide the actual details of the data. All the data is available for any researcher who wants to use it. The figures that the Police Department has relating to the tests are readily available, and they have been made available to groups such as the Office of Crime Statistics, the Alcohol and Drug Rehabilitation Board, and the University of Adelaide Road Accident Research Unit. That information is available, and has not been withheld from people with a need to know.

A Select Committee is now studying the operations of the r.b.t. legislation in South Australia and, if members of that select committee are (and I imagine they will be) interested in the story that appeared yesterday and the research of Mr Swan, and show their interest by requiring the Police Department to give evidence to it, the Department would be delighted to do so in order to explain to the committee, and through the Select Committee to Parliament, exactly what procedures are carried out. The Police Department is in the process of reforming the procedures to see where the tests should be carried out in the metropolitan area, and that depends on the intelligence that they have been able to generate since the r.b.t. legislation has been operating.

To summarise, there has not been any intention to concentrate on working class areas. There has been an intention to concentrate on those areas with the highest accident profiles, and on roads that lead into what I call collision corners. If they are happening more often in the working class areas, then it is logical that the testing will be established there. On the other hand, the Select Committee required that the Police Department, in putting the random breath test legislation to work, was not to concentrate on any area in the city, and the department is still addressing that matter.

### NON-GOVERNMENT SCHOOLS

**Ms LENEHAN:** Can the Minister of Education say whether he was invited to attend a public meeting held in Adelaide last evening to discuss the Education Act Amendment Bill and, in particular, the reference in the Bill to the registration of non-government schools? It has been brought to my attention by some of my constituents that such a meeting was held in Adelaide last evening at which some assertions were made. I do not wish to comment on this matter, and I am quoting my constituents who said that there had been no consultation with the Minister. Indeed, much misinformation was discussed at that meeting. I am interested to know whether the Minister was invited, as he is the mover of the Bill in this House, to attend that public meeting.

**The Hon. LYNN ARNOLD:** I was not invited to the meeting last evening, and I understand that neither was the Shadow Minister invited. I am concerned about that because that was a meeting called to discuss an important Bill before

the Parliament that has a variety of community attitudes about it. I would have thought that if a public meeting had been called to debate the issue and to canvass all points of view on that issue, it would have been quite natural for the Minister of the day, and indeed, I would even suggest the shadow Minister of the day, to be invited to put the various points of view on this particular matter.

I am concerned that that did not take place. I am doubly concerned because reports I have heard about the meeting indicate that certain misinformation was shared at the meeting. I have had advice that some of the worst acrimony (that is what did take place at the meeting) was directed towards amendments that were recommended by the Non-Government Schools Registration Board. I wish that group had done its homework on this matter.

Those who were making those comments last evening ought to have taken the trouble to analyse all the amendments to find out which were amendments recommended by the board and which were added by the Government. Another point that was made (and I am not suggesting that the member for Bragg had any part in this at all), was the suggestion made at the meeting that apparently there was no consultation. I totally reject that suggestion. Consultation in the formal sense took place on 26 July 1983 and in an informal sense it goes back to when the Bill was first introduced in 1980 and 1981.

I hope that all those who did attend that meeting last evening will take the trouble to do some further homework on this matter, and make contact with the board, the Department or the Government to find out the answers to the questions they obviously have on this issue. We are convinced that, when they are able to sit down and talk rationally about this subject, they will find that many of the assertions that were being bandied around at that meeting are absolutely inaccurate. The assertions made by some people at that meeting that these are heavy-handed tactics by the Government do not bear substantiation.

#### PERSONAL EXPLANATION: NON-GOVERNMENT SCHOOLS REGISTRATION BOARD

**Mr INGERSON (Bragg):** I seek leave to make a personal explanation.

Leave granted.

**Mr INGERSON:** I point out that I did not attend the meeting last night, nor did I have any input at all into that area.

*Members interjecting:*

**The SPEAKER:** Order! Leave has been granted.

**Mr INGERSON:** I wanted to make absolutely clear that that was the case: I was not there.

*Mr Mathwin interjecting:*

**The SPEAKER:** Order! I ask the honourable member for Glenelg to deflate his blood pressure.

#### PERSONAL EXPLANATION: MEMBER'S REMARKS

**Mr GREGORY (Florey):** I seek leave to make a personal explanation.

Leave granted.

**Mr GREGORY:** During the Committee stages of the Maralinga Tjarutja Land Rights Bill, late on Wednesday 30 November, the member for Mount Gambier said:

The member for Florey, however self-satisfied he could have been by way of his explanation and interjection upon the member for Eyre when he said 'What about Russia?' ...

I advise the House that, while I did interject, I did not make any comments about Russia. Whilst *Hansard* does not record an interjection by me, I recall interjecting when the member for Eyre was making the following comment:

... realise that nowhere else in the world would any country set aside 18 per cent of its land and say that one has to have special arrangements to carry out mining operations.

My interjection was repeated several times and it was 'America', 'What about America?'

**The Hon. H. Allison:** U.S.A., not—

**The SPEAKER:** Order!

*Members interjecting:*

**The SPEAKER:** Order!

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

#### SOUTH AUSTRALIAN ETHNIC AFFAIRS COMMISSION ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

**The Hon. G.J. CRAFTER (Minister of Community Welfare):** I move:

*That this Bill be now read a second time.*

The Bill proposes amendments to the South Australian Ethnic Affairs Commission Act arising from the recommendations of the review of the Commission, which reported in September 1983, and from this Government's ethnic affairs policy presented at the last State election. In reporting on the structure, functions and powers of the Ethnic Affairs Commission the review recommended an expansion in the Commission's statutory objects and functions to emphasise the Commission's role in the promotion of the rights of members of ethnic groups in the social, economic and cultural life of the community.

The Bill seeks to strengthen the Commission's role in influencing Government agencies in the appropriate design and delivery of services which serve the needs of all ethnic groups. This includes the need to consult with both the public authorities responsible for the services and the ethnic groups which are the recipients of those services.

In accordance with the Labor Party's undertaking before the election last year, the Bill contains an obligation for each Government department to develop an ethnic affairs policy. The review's proposal that the Commission's existing powers to request information from Government agencies be strengthened is reflected in a more specific statutory obligation upon public authorities to provide information requested by the Commission within a period stipulated in the request. The review found widespread dissatisfaction concerning the composition of the Commission. While acknowledging that the Minister must retain the responsibility for recommending final nominations to the Commission, the review argued for greater public involvement in determining a field of prospective nominees and for an expansion in the size of the Commission to increase the breadth of experience and enable a greater cross-section of members to be nominated. The Bill proposes amendments to provide that the membership of the Commission be expanded, that it should reflect a diversity of ethnic and occupational backgrounds, and that, likewise, the various ethnic groups are as far as practicable represented on the Commission's advisory committees.

Provision is made to enable the appointment of a full-time Deputy Chairman to complement the Chairman's role in the internal management of the Commission. Although

the present Act allows for a Deputy Chairman who may be from the Commission's staff, formal provision is only made for such a person to attend Commission meetings when deputising in the Chairman's absence. (In accordance with express Government policy on ethnic affairs in particular, and Government policy generally, the Bill provides for a nominee of the Trades and Labor Council, and for two members of the Commission to be women.) 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 for the insertion of new definitions of 'Government department' and 'public authority'. Clause 3 repeals sections 6 and 7 and substitutes new sections. New section 6 provides that the Commission is to consist of the Chairman, the Deputy Chairman, a representative of the U.T.L.C. and up to nine other members. The Chairman and Deputy are to be appointed for a term of up to five years and the other members for a term of up to three years. The Deputy Chairman may be appointed from amongst the officers of the Commission. New section 7 provides for payment of allowances and expenses to the members of the Commission and for payment of a salary to the Chairman and the Deputy Chairman.

Clause 4 amends section 9 of the principal Act. The amendment is consequential upon the repeal and substitution of sections 6 and 7. Clause 5 amends section 12 of the principal Act. The amendment emphasises the Commission's role in fostering recognition of the rights of members of ethnic communities to full participation in the social, economic and cultural life of the community.

Clause 6 inserts new paragraphs in section 13 of the principal Act, which sets out the functions of the Commission. New paragraph (b) describes the Commission's role in the formulation and development of policies by public authorities and in monitoring those policies. New paragraph (ba) provides that the Commission should act to ensure that services provided by public authorities are properly adapted to the needs of ethnic communities. New paragraph (bb) provides that the Commission is to keep the various ethnic communities properly informed of its work and is to consult with them in relation to the development and implementation of policy. Clause 7 amends section 15 to ensure, as far as practicable, that the various ethnic groups are fairly represented on the advisory committees established under the Act. Clause 8 repeals and re-enacts section 22. The present provision is made rather more specific in relation to the provision of information by public authorities. In addition Government departments are required to formulate and to review as necessary policies governing their relationships with the various ethnic groups in the community and the members of those groups.

The Hon. D.C. WOTTON secured the adjournment of the debate.

#### ADELAIDE FESTIVAL CENTRE TRUST ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

#### CLASSIFICATION OF PUBLICATIONS ACT AMENDMENT BILL (No. 1)

Second reading.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I move:

*That this Bill be now read a second time.*

1. This Bill comprises part of a Classification of Publications Act Amendment Bill, 1983, which was split in another place. Together with two other Bills the original Bill formed part of the recent Australia-wide agreement of Ministers administering classification and censorship laws to implement uniformity of procedures and similar standards but it also contained measures to close important loopholes in the law relating to videotapes. It is the latter provisions which form this Classification of Publications Act Amendment Bill (No. 1), 1983. I seek leave to have the remainder of the explanation inserted in *Hansard* without my reading it.

Leave granted.

#### Remainder of Explanation

2. The current Act prevents the Classification of Publications Board from classifying films or videotapes which have already been classified for public exhibition under the Film Classification Act. Thus, a film such as *Emanuelle*, classified under the latter Act as being suitable for restricted exhibition, cannot have restrictions on methods of sale or hire imposed by the board on *Emanuelle* videotapes under the Classification of Publications Act. The board wishes to put such films in the Restricted Publications—Category 1 class and the deletion of the exception of films classified under the Film Classification Act in the definition of 'publication' will enable this to be done. This is a most important step as otherwise all R films classified in the last decade could continue to be sold or hired in an unrestricted fashion to minors.

3. There has been much disquiet in the community about the way in which explicit videotapes are being handled in hiring outlets, but, since the definitions in the Act did not cover hiring, any restrictions imposed did not cover these circumstances. The definition of sale is to be extended to include letting by hire and the problem will thus be cured.

4. It is made clear in the Bill that nothing in the Classification of Publications Act will derogate from the right to exhibit films which have been classified for public exhibition under the Film Classification Act, which is now to be retitled the Classification of Films for Public Exhibition Act.

5. Until now the board has had jurisdiction to classify publications (including films and videotapes) which dealt with matters of sex, drug misuse or addiction, crime, cruelty, violence or revolting or abhorrent phenomena. Because of concern about the range of material now depicted, this is to be extended to matters of sex; violence or cruelty; the manufacture, acquisition, supply or use of instruments of violence or cruelty; the manufacture, acquisition, supply, administration or use of drugs; instruction in crime or revolting or abhorrent phenomena. In conjunction with the Bill to provide a wider section 33 in the Police Offences Act, which will now cover videotapes, these measures will eliminate most of the problems which have arisen in the videotape trade.

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 4, the interpretation section. The clause inserts a new definition of 'display' that limits the term to display for sale (whether or not sale of the publication displayed), this being a limitation that is implicit but not properly spelt out in the Act in its present form. The clause amends the definition of 'publication' by removing words that exclude films classified under the Film Classification Act. This amendment will enable the Act to operate so as to regulate the sale, delivery and display of videotapes that have been classified as R films under the Film Classification Act. The clause also amends the definition of 'sell' so that it is limited to sale by retail but includes letting on hire.

Clause 4 inserts a new section 4a providing that nothing in the Act prevents the exhibition of a film in accordance with the provisions of the Classification of Films for Public Exhibition Act (the proposed new title of the present Films Classification Act). This clause is consequential upon the amendment proposed by clause 3 to the definition of 'publication'.

Clause 5 amends section 13 of the principal Act which provides for the process of classification of publications. The clause substitutes for the present statement of criteria for classification the words adopted in the new section 33 of the Police Offences Act proposed by the Statutes Amendment (Criminal Law Consolidation and Police Offences) Bill. The effect of the amendment is to extend and clarify the matters that may justify assigning a restricted classification to a publication. In particular, the clause makes it clear that a publication may be assigned a restricted classification if it deals with the manufacture, acquisition or supply of drugs (in addition to misuse of drugs) in a way that is likely to cause offence to reasonable adult persons, or if it deals with the manufacture, acquisition, supply or use of instruments of violence or cruelty or instruction in crime in a way likely to cause offence to reasonable adult persons. In general terms, the clause is designed to cater for the 'manuals' or 'guides' that have recently appeared dealing with matters related to terrorism, crime or harmful drugs.

**The Hon. H. ALLISON** secured the adjournment of the debate.

#### STATUTES AMENDMENT (CRIMINAL LAW CONSOLIDATION AND POLICE OFFENCES) BILL

Second reading.

**The Hon. G.J. CRAFTER (Minister of Community Welfare):** I move:

*That this Bill be now read a second time.*

It repeals section 33 of the Police Offences Act relating to the publication of indecent matter and also the child pornography subsections from section 58 of the Criminal Law Consolidation Act. It enacts a new section 33 of the Police Offences Act with somewhat wider provisions than the repealed legislation. I seek leave to have the remainder of the explanation inserted in *Hansard* without my reading it.

Leave granted.

#### Remainder of Explanation

The provisions in section 58 of the Criminal Law Consolidation Act relating to the taking, distributing, possession or publishing of pornographic photographs of children are repealed and pornographic photography of children is now covered by the new section 33. The Criminal Law Consolidation Act provisions applied only to photographs of children engaged in acts of gross indecency. The new provisions apply to photographs of children which are of an indecent, immoral or obscene nature. These new provisions together with the new section 58a in the Criminal Law Consolidation Act Amendment Bill (No. 3) ensure that children cannot be photographed for sexual gratification. The new section 58a prohibits the taking of photographs which, while there may be nothing objectionable about them *per se*, the circumstances and reasons for taking the photographs may be objectionable. Section 33 applies to photographs which are inherently objectionable.

The present section 33 of the Police Offences Act has been amended a number of times yet legal opinion has been that it does not cover some of the material which the

Classification of Publications Board wishes to refuse to classify. In particular, it has not extended clearly to magazines containing detailed descriptions of methods of manufacturing and using terrorist type weapons and devices. Neither has it specifically covered videotapes of an offensive nature. Recently a court decision in Victoria ruled that the electronic charges of a videotape did not constitute indecent matter in themselves—the images produced through an exhibition device might be indecent but a prosecution of a dealer in videotapes for selling indecent material must fail. That decision has hampered police and the Classification of Publications Board in this State where our legal position is similar.

This Bill now ties in the definition of 'offensive material' with the proposed provisions of the Classification of Publications Act and gathers up videotapes, video-discs and any similar methods of reproducing images. With the advent of widespread hiring of videotapes, the definition of sell has been extended to include 'let on hire'. That too overcomes a current impediment to prosecution of persons who hire out offensive tapes. A new provision is the creation of an offence if a person deposits indecent or offensive material in a public place or, except with permission of the occupier, in or on private premises. This practice has been the subject of complaint in relation to both public parks and also in regard to catalogues left at the residences of unwilling recipients.

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 58 of the Criminal Law Consolidation Act by deleting subsections (3), (4), (5) and (6), these being the present provisions directed against child pornography. Clause 4 substitutes for existing section 33 of the Police Offences Act a new section prohibiting indecent or offensive material. 'Indecent material' is, under the new provision, material of which the subject-matter is, in whole or in part, indecent, immoral or obscene. 'Offensive material' is defined as being material of which the subject-matter is or includes violence or cruelty, the manufacture, acquisition, supply or use of instruments of violence or cruelty, the manufacture, acquisition, supply, administration or use of drugs, instruction in crime, or revolting or abhorrent phenomena, and, in any case, being material that would, if generally disseminated, cause serious and general offence to reasonable adult members of the community. 'Material' is defined in the new provision so that it clearly includes films, videotapes, and other objects from which images may be reproduced. Subclause (2) provides that it shall be an offence if a person produces or takes any step in the production of indecent or offensive material for the purpose of sale, sells such material, exhibits it in a public place or so as to be visible from a public place, deposits it in a public place or, except with the permission of the owner, in or on private premises, exhibits it to a person so as to offend or insult the person, delivers or exhibits it to a minor of whom the person is not a parent or guardian, being the parent or guardian of a minor, causes or permits the minor to deliver or exhibit it to another person, or causes or permits another person to do any of the acts previously outlined.

The new section provides that, where a child (that is, a person under, or apparently under the age of 16 years) was physically involved as the subject, or one of the subjects, of the indecent or offensive aspects of the material, the offence shall be a minor indictable offence punishable, in the case of a first offence, by imprisonment for a term not exceeding three years, or, in the case of a subsequent offence, by imprisonment for a term not exceeding five years. In any other case, the offence is to be a summary offence punishable by a fine not exceeding \$10 000 or by impris-

onment for a term not exceeding six months. Subclause (4) provides that the circumstances of the production, sale, exhibition or delivery of the material are irrelevant to the question whether or not the material is indecent or offensive material. Subclause (5) provides that no offence is committed where material is produced, sold, exhibited or delivered in good faith and for the advancement or dissemination of legal, medical or scientific knowledge, or where the material forms part of, or constitutes, work of artistic merit if, having regard to the artistic nature and purposes of the work as a whole, there is no undue emphasis on its indecent or offensive aspects.

The new section provides that proceedings for an offence may only be commenced with the consent of the Minister, who, in deciding whether or not to consent, is to have regard to any relevant decision of the Classification of Publications Board. Provision is made for the forfeiture of indecent or offensive material where a person is found guilty of an offence relating to the material. Finally, the new section provides that it does not derogate from the provisions of the Classification of Publications Act or the Film Classification Act now proposed to be retitled the 'Classification of Films for Public Exhibition Act.' Clause 4 also makes an amendment to section 84 of the Police Offences Act that is consequential upon the new proposed provision for a minor indictable offence in relation to child pornography.

**The Hon. H. ALLISON** secured the adjournment of the debate.

#### FILM CLASSIFICATION ACT AMENDMENT BILL

Second reading.

**The Hon. G.J. CRAFTER (Minister of Community Welfare):** I move:

*That this Bill be now read a second time.*

There have been representations from the cinema industry for many years seeking to substitute a different name for the 'not recommended for children' (NRC) classification. They have favoured 'parental guidance' (PG) or 'Parental guidance recommended' (PGR) after the style used in the United Kingdom and the United States of America and in television classifications. The recent meeting of censorship Ministers agreed to consider a change and subsequently 'parental guidance' (PG) has been accepted unanimously. This Bill contains a suitable amendment in conformity with the Commonwealth, States' and Territories' intentions and will be proclaimed to come into force on a date suitable to all. Where obtained, the classification will carry over as an advisory marking in the 'unrestricted' class of videotapes for sale or hire. In order to eliminate confusion with the classification of Publications Act, the title of the Film Classifications Act is to be changed to 'Classification of Films for Public Exhibition Act'. 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 is to come into operation on a day to be fixed by proclamation. Clause 3 changes the short title of the principal Act from the 'Film Classification Act' to the 'Classification of Films for Public Exhibition Act'. Clause 4 amends section 4 of the principal Act which provides that a film shall not be exhibited in a theatre unless one of certain specified classifications has been assigned to the film. The clause amends

the section by substituting for the classification 'not recommended for children' the classification 'parental guidance recommended'.

**The Hon. H. ALLISON** secured the adjournment of the debate.

#### REAL PROPERTY ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.  
Continued from 29 November. Page 2055.)

**The Hon. H. ALLISON (Mount Gambier):** The Opposition supports this legislation, which in the main seeks to correct an anomaly which has existed ever since the amendments to the Planning Act were introduced in 1982 and came into operation on 4 November 1982. That Act brought in substantial amendments, and during that debate it was noted by members of Parliament that, following amendments to the land division rates, there were also substantial amendments to the strata titling contribution provisions.

These were altered so as to make them quite consistent with the new land division provisions. Before the 1982 amendments to the Real Property Act, people whose strata titles had been in existence prior to the 1967 amendments were exempted from making such contributions. The obvious reason for this exemption lay simply in the fact that, if these people had been living in strata title subdivisions which existed prior to 1967, any subsequent lodgement of the plan would not in fact increase the number of people who were residing in a particular area. Therefore, the need for them to have to provide additional recreational spaces and the like was obviated by their former exemption.

However, with the passing of those amendments to the Real Property Act in 1982, new applicants for strata titling and the strata title occupants and owners who had been in occupancy or ownership prior to 1967, were also included. This has resulted in a number of fees having been collected over the past 18 months, and this Bill, with its unusual retrospective clause, makes it possible for the Government to reimburse those people who have paid fees from which they otherwise would have been exempt under the previous legislation. That is the first of the two major amendments in the Bill.

The second one deals with something which previously has not been provided for because both under the new and the old legislation, if an owner wished to add an extra room in an existing strata title or to extend either an external or internal boundary to his strata title unit or just wished to make some amendment, if he was not making any increase in the number of units or dwellings, nevertheless, he still had to put in a new submission and pay charges for that application to the Government.

Since such an activity is really a relatively minor amendment and does not increase the number of units in a strata title block, the present legislation simply exempts that person from having to make any contribution to the Government if he undertakes such alteration or renovation, to either an internal or external boundary of his unit. The essence of this is that people who were in occupancy of strata title units or owned strata title units prior to 1967 are still exempted from making any provision for recreational space, and anyone who is making an amendment to a unit at present but who does not create an additional unit is also exempted from paying any charges and having to make a fresh application to the Government for that change.

We support the legislation. However, there is one question which I would ask the Minister, and perhaps he can refer to it in the clauses when we are in Committee. Is any special

provision intended on the part of the Government to make it necessary for renegotiation of contributions by a person who makes a substantial alteration to his unit so that the scheme of arrangements between the owner and the board of management of the block of units is changed? I assume that the onus would be entirely upon the person who makes the change, and it would seem highly likely also that no plan possibly could be lodged with the State Planning Office without the consent of the board of management of that block of strata title units. However, I would like the Minister to clear that up for us.

**The Hon. D.J. HOPGOOD (Minister for Environment and Planning):** I thank the honourable member for the support given to this measure. Of course, it is important that we get it through the Parliament if at all possible this week so that the necessary refunds can be made in respect to those funds which have been lodged and where people are holding off making an application because they are aware of our intention to amend the Act, so that they can come forward. In relation to the specific matter that the honourable member raises, his contentions there, so far as I am aware, are entirely correct. I will doubly check with my officers but, as I understand it, his reading of the position is correct and I would not anticipate any real problems. I will not report back to this Committee because I do not see any point in our reporting progress, but I will undertake to doubly check the administrative arrangements.

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

#### SHOP TRADING HOURS ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 1 December. (Paper No. 2276).)

**The Hon. TED CHAPMAN (Alexandra):** The Liberal Party is noted for its attention to Bills that come before this House and, indeed, in relation to Bill No. 73 we intend later to demonstrate by way of specific amendment our attitude to its content, a matter with which I shall deal later. However, in the meantime, I take this opportunity on behalf of the Party to explain why we cannot support the amendments to the Shop Trading Hours Act, 1977, as presented to this House after preparation and debate in another place. I think that, before dealing with the details of our attitude in this instance, it is important to cite one or two matters in that Bill which to the community at large are confusing, and to give to the consumers of red meat the basis for the subject of this Bill, for the retailers of that product and indeed from the viewpoint of the primary producers of that product, details of why we cannot support this Bill.

What the Hon. Mr Gilfillan, along with the Labor Party, have proposed in this Bill is indeed a situation where a butcher trading in red meat, who currently by his own business structure and his own decision has chosen to trade on Saturday mornings, if he wishes to retain that Saturday morning trading practice, is denied the opportunity under the amended Shop Trading Hours Act from trading in the city on a Friday night or in the suburbs and/or country districts on a Thursday night as well. Accordingly, a butcher who has set up a practice and who has been exercising his rights in that regard is locked into either continuing to trade on a Saturday morning only or being denied the opportunity to do so, if he chooses to follow the trade, on a Friday night in the city or a Thursday night in the country, as already mentioned.

While the Bill allows a degree of flexibility to occur and a choice to be made during its first month of operation, retail traders cannot subsequently change their mind or exercise any degree of flexibility with respect to changing trading hours under a six-month period. We believe that that is quite unreasonable and unrealistic. We have evidence to support the fact that retail traders are disturbed about this sort of restrictive trading practice. We are concerned that it will only lead to further confusion in the retail sale community and, indeed, in the process those very small butchers who understandably are seeking support from this Parliament may be swamped and overrun by the big supermarkets, as has been alleged. Before we pursue that matter much further it would be appropriate, now that the Bill has ultimately surfaced in this place, that we explain the objectives and some other details associated with the Shop Trading Hours Act as it presently applies.

Shop trading hours are governed by the Shop Trading Hours Act which prescribes that shop closing hours in the central shopping district, or any other district where the necessary proclamation is made, shall be 6 p.m. on week days except Fridays, 9 p.m. on Fridays and 12.30 p.m. on Saturdays. In other areas, most commonly the suburbs and some country areas, closing hours will be 6 p.m. on week days except Thursdays, 9 p.m. on Thursdays and 12.30 p.m. on Saturdays. Normally, most shops close at 5.30 p.m., which has been a long-standing practice within the butcher industry, to enable those business operators to clean up, etc., at the end of each working day. Within these time frames all but one commodity can be sold at all times, the exception being fresh red meat. I do not propose on this occasion to canvass the arguments that have been put forward by primary producers.

It is well known, as a result of questions and explanations to questions raised in this House from time to time and on other occasions when canvassing the plight of primary producers, that they have a legitimate case. Indeed, it can be well demonstrated that discrimination has occurred over the years and that gradually—the sooner the better—that degree of discrimination can be minimised and hopefully eliminated. Fresh red meat has been singled out for extra regulation within our already regulated shopping hours. There are those who say that there should be no regulations at all, and that debate is for another time. However, if we are to have some regulation of shopping hours, such regulation should at least be fair and consistent. No one commodity should be singled out for extra control or extraordinary regulation as, indeed, is the case with red meat at this time.

It is incongruous that fresh red meat cannot be sold between 5.30 and 9 p.m. on Thursday nights, or alternatively on Friday nights, while all of its competitors can be sold during these hours. Vendors of fish, chicken, pork and processed meats do not suffer the restriction suffered by those selling fresh red meat. Little wonder that consumption and sales of fresh red meat have fallen substantially in the past decade whilst sales and consumption of competitive products have risen. There is an enormous amount of evidence to graphically demonstrate the loss of sales of red meat since shopping hours have restricted its sale through retail outlets in South Australia when all other meat and meat content products are readily available to the community.

I refer to a position paper produced by the U.F. and S.—identified as paper No. 2 of 1983—in relation to its attitude toward shop trading hours and the restrictions that apply, as well as its expressed desire for a change in the legislation. It states:

The trend in extension of trading hours is growing throughout Australia. One food item, however, is not available for sale as regularly as it should be.

In other words, it is not available for sale during hours consistent with the availability of its competitors. The paper outlines the United Farmers and Stockowners concern at restrictions being placed on fresh red meats, the losers being the consumers, along with the producers and those unemployed who could service the extra demand likely to result from enlightened red meat trading hours. Under a subheading 'Discrimination', it states:

The United Farmers and Stockowners wants the South Australian Parliament to legislate and so enable fresh red meat to be sold on an unrestricted basis in this State. U.F. and S. believes butcher shop proprietors should have the option of opening either during a late night shopping period or Saturday morning—not compulsorily one or the other.

Current shop trading legislation is discriminatory against only one food item—fresh red meat. Amendments formulated in the Legislative Council which are for debate in the Assembly still single out fresh red meat and will not permit sales when other food items are presented and available for purchase.

The organisation goes on to state under a subheading 'Employment prospects':

If fresh red meat is not kept before the public and available at times when people shop, consumption will continue to decline to the detriment of those employed in the industry.

I add that, throughout the industry from the paddock to the plate, this product must be available during hours consistent with the availability of its competitors if we are to be fair and if we are to have reasonable regard for the production, processing, preparation, distribution and, indeed, consumption of this wholesome product. The paper continues:

For the first nine months of 1983 the per capita consumption for red meat was 57.7 kg which is 11.6 per cent below the corresponding period in 1982. An important South Australian product is being disadvantaged because it is not available to customers to the same degree as other goods.

That same paper goes on to state:

Contrary to the Australasian Meat Industry Employees Union suggestions to the Royal Commission into Shop Trading Hours in 1977, that there were no 'shop butchers' seeking employment (and in would be an impossibility to man shops with casual unskilled workers should butcher shops be open for additional hours), this is not the situation today.

During September 1983, the Commonwealth Employment Service advised there were at least 90 'shop butchers' registered for employment in the metropolitan area. These people could be almost immediately absorbed back into the work force, according to reliable industry advice.

Indeed, the reference to the field advice going to the U.F. and S. is consistent with advice that we as the Parliamentary Liberal Party have received in recent months in relation to this subject. Under the subheading 'A case for equal opportunity' the following comment is of interest:

It is important to note that farmers and stockowners have agreed to an additional levy (over and above the \$2.2 million currently collected in Australia) towards meat promotion and a production development campaign. Producers are doing all they can to ensure that the versatility and availability of meat is publicised.

This contribution plus the additional levy of \$1.5 million surely warrants a fair go for the primary sector regarding equal selling opportunities in the market place for this all important wholesome red meat product. On the national scene reference is made in the U.F. and S. paper to its concern for the irregularities that occur. A survey of meat trading hours in other States (not including recent New South Wales announcements) revealed that Tasmania, with restricted hours in 1977, has extended trading hours in 1983 and that New South Wales is still enjoying the benefits of extended trading hours, which occurred in 1977 as a result of the application of good sense. Western Australia, like Tasmania, had restricted trading hours in 1977, but that State has now seen the light, having been reasonable and rational in its approach to this whole subject, and has introduced extended shop trading hours. In Victoria, shop

trading hours were restricted in 1977, and they are still restricted, as indeed they are in South Australia. Queensland, the pace setter in so many different ways (which I will not expand on now), had restricted trading hours in 1977 but has now introduced legislation to allow for extended shop trading hours.

Therefore, only two States in Australia have stuck with this ridiculous situation where not only are trading hours for red meat restricted and controlled by special mention in an Act but at the same time the competitors of red meat producers and those associated with the red meat industry are disadvantaged because of the opportunity given for the sales of other types of products, such as white meat, processed meat, chicken and fish, etc., which can be sold at other times.

I am grateful to the U.F. and S. for having prepared this paper and particularly grateful for the fact that the organisation has done sufficient homework to be able to indicate consumer purchasing trends. It further states:

Consumers no longer solely depend on personalised service when buying goods. Statistics available to the industry show that in 1983 consumers are buying 49 per cent of their meat order from a butcher (in 1977, 75 per cent) and 49 per cent through a supermarket butcher. Consumers, producers and many butchers—the majority of the industry—want unrestricted shop trading hours. Employers have developed, over latter years, a degree of flexibility in working hours of butchers employed by them. A nine-day fortnight, roster systems, flexitime—

at this stage I do not want to refer particularly to the matter of flexitime, although it gets a mention in the paper—etc., can work and has proven successful for employees in retail and general industry.

In summary, the United Farmers and Stockowners group has canvassed the Act, having regard to the red meat product, which is a primary industry product, from the paddock to the consumer. Right down the line that organisation has applied its attention to this commodity. It has not singularly, parochially or unreasonably confined itself simply to considering the welfare of the primary producer: its consideration extends down the chain of marketing livestock, the processing procedures and distribution procedures; and last but not least it has had significant regard for the attitude and feelings of the consumer. By way of summary the U.F. and S. paper states:

The U.F. and S. urges State Parliament to accede to industry and consumer requests to amend the Shop Trading Hours Act Amendment Bill and allow fresh red meat to be traded at similar times afforded competitor products—that is, on an unrestricted basis during late night shopping and Saturday morning.

I would hope that, irrespective of the Minister's opinion of the Opposition's attitude to this subject, that summary and the paper as a whole will be seriously considered, and that in this instance the Minister will recognise the public demand, the deep concern and the justified interest on this subject for fair trading opportunities for all producers of products and for an opportunity for consumers in the community at large to have consistent access to the products of their desire.

I now refer to the degree to which sales of red meat have been affected by the unfair and irregular opportunity for its marketing, and also to one or two other matters. The Opposition recognises that earlier moves have been made to deregulate the sales of fresh meat. Those proposals did not ever come to a final vote. In our view they were too broad in one respect in that they would have changed the trading position to allow shops with an area of less than 200 square metres to sell red meat beyond normally accepted hours, thus swinging the pendulum too far the other way.

What the Opposition in this place, and particularly in the other place, has sought to achieve is a balance so that where trading hours regulations exist all commodities can at least be sold for the same minimum period. The arguments for



and against an extension of trading hours for fresh red meat have been canvassed both in the other place and by all manner of means in this place, in the industrial field and on other occasions at public forums and meetings where concerned parties have expressed their points of view.

I am proud to say in this place during this debate that in all of those several types mentioned the attitude has been consistent. Why do we have to have discrimination? Why do we select this particular product here in South Australia and say, 'It does not apply to you or those who are interested in producing it, processing it and consuming it. It must be dealt with separately and differently'?

I expect that, during this debate later today, or at some time at least in the near future, the Minister, along with his colleagues, would recognise the degree of discrimination that applies and has applied for a long time, indeed for too long, and that it would be of great credit to the Government to grasp the nettle this time and apply a fair and consistent approach to this subject. Primary producers and their organisations strongly support the deregulation of red meat sales that we now propose.

I have sighted the U.F. and S. official position paper on this subject. I will not delay the proceedings of the House to relay a message consistent with that that has flowed from other rural organisations, agricultural bureaux, and groups at other forums where people genuinely interested in this subject have been represented. The Opposition believes that, all things considered, the case for an extension of red meat selling hours in the way we propose is much stronger than any of the opposing arguments that have been raised. Many arguments support an extension of red meat selling hours. For a start, as has been indicated many times before, all other meats are available so why should red meat alone be restricted? Liberal philosophy, the philosophy on which we rest as a Party, supports the right of an individual to exercise freedom of choice.

This means that shoppers should be free to choose the products they buy within what we accept as normal trading hours. For meat retailers, this surely means being able to sell when they want to without Parliament supporting the already identified unfair and inconsistent protection. One may say at this point, 'Well, if the Liberal Party is so strong in this view, if its philosophy rests firmly on the basis of freedom of opportunity and rights to trade, then that consistent legislation should apply to all,' and all of the rest of the phrases that are associated with this subject, 'Why the hell hasn't it done something about it before?'

That is a good question. The subject has been raised many times since I have been a member of this place. Indeed, each time it has been with a view to changing the legislation for it to be fair for all. There have always been on or two members from the metropolitan area or from other areas of the State who have sought to express a point of view on behalf of their constituents: whether they be household groups, rural groups, or retail traders is irrelevant at this stage. Over the whole period now for some years there has always been, for us as a Party, those odd one or two who quite genuinely have been lobbied by a strong person, and it would have to be a strong person if it was only one, or a group, trying to draw to their attention the need to be cautious about applying consistency in shop trading and about any move that might lead to fair opportunities for the trading of red meat.

As a Party we have accepted those respective members' views, and acknowledged that in some cases those members of our Party who have raised the subject have been new members. In all fairness to those persons who were recently elected, they should have regard for the views of their constituents and be given an opportunity to weigh up the pros and cons of the subjects that are drawn to their attention.

Out of that reasonable and fair regard for their respective positions we, as a Party, have been floundering and flopping along in relation to this subject. We never really got to the point until late 1982 or early 1983 of preparing legislation, and setting out to grab the subject by the throat.

Our colleague in another place, the Hon. Mr Cameron, in fact did that. After an enormous amount of research and placating of various people, both within and without the system and the industry, he reached the point where he was ready to proceed with the Bill. At the final level of those discussions, at the time the decision was made by our Party to proceed with this legislation, within hours, strange and curious as it may seem, a member of the Democrats surfaced with a somewhat hastily prepared piece of legislation. I do not quite know how, but indeed obviously he got the message of intent by the Liberal Party, and away he went at a tangent.

We are faced here today, as indeed our colleagues in the Legislative Council were a few weeks ago, with a hotch-potch piece of legislation purporting to represent an amendment to the Shop Trading Hours Act. It does nothing; it gives us not one more hour of trading. It simply shifts the responsibility on to the butcher, the retail trader, to decide whether he will continue (if he is already in the practice of trading on Saturday morning), or whether he will drop Saturday morning trading and take up the option that is in this Bill of trading on Friday night if he is city based, or Thursday night if he is suburban or country based. So, it is neither your arm nor your elbow. We have not won a thing. There has been an enormous amount of historical research and a hell of a lot of tears, sweat, and relevant argument between the organisations and political Parties involved.

Out of that froth and bubble came the Democrats, for God's sake, with a piece of legislation that does us no good whatsoever—either side of Parliament, rural producers, the processors, retailers or consumers. What we propose to do, now that the legislation is finally before this House, is to introduce, at the appropriate time, amendments that will seek to bring back the original intent of the legislation and a degree of fairness that we think is long overdue. We will do so in a way that we believe will get the Government off the hook, because it is as obvious as a neon sign what happened in other corridors and places.

The Labor Party has hopped into bed with the Democrats yet again. Indeed, they had a deal and we can only presume at this point that they still have a deal with some arrangements or pay-out agreement. Perhaps it is something to do with the alleged agreement that the two groups entered into during the passage of the f.i.d. legislation when it was reported that they hopped into bed on one or two aspects of that. I do not know the basis for the cuddle-up between the Democrats and the A.L.P. in this instance, but it is obvious that there has been one. It will be interesting to see whether the Minister is prepared to participate and go down the track that far.

I hope that, now that the subject has been widely and appropriately canvassed, the Minister, as a member of this place and as a participant in industrial affairs over many years; as a Minister experienced with trade union movement attitudes; as a Minister who gives the impression of being genuinely interested in the unemployed; as a Minister who has set out deliberately many times to demonstrate to this House that he is a fair-minded person, that he is not inconsistent in style or in attitude, that he is straight down the line, that he will apply what is fair and reasonable in his application to the job of fixing legislation—I hope that his colleague does not distract his attention for too much longer so that he can at least know one or two of the points I am making across the Chamber, but, engrossed as he is for the time being, I will address the Chair and any members who

are interested; and some members are still interested in this subject I hope.

Finally, I refer to one or two matters that are relevant to this issue. I refer to correspondence between a senior member of our Party and a wide range of constituents following the recent debate on this subject in the Legislative Council. My colleague wrote to many South Australian constituents in the rural, processing, retail, and consumer fields of the red meat industry. In his letter the Hon. Mr Cameron said:

This week I introduced legislation to extend shop trading hours to allow red meat to be sold on Thursday nights in the suburbs and the country and on Friday nights in the city. I enclose a copy of my second reading speech which you may find of interest.

I have referred to several parts of that second reading speech in my address today and, given the time, I would be proud to have had it on our House of Assembly record in total, but I recognise that it is not appropriate to repeat matters that have been recorded in another place in the same session of the Parliament, and indeed I respect that tradition. The remainder of the speech to which I referred earlier, the content of the material produced by the Liberal Party generally in the Legislative Council, and that produced by the Hon. Martin Cameron in particular, was relevant and appropriate in relation to this subject.

The response to my colleague's circular letter and his distribution of his second reading explanation to constituents from boundary to boundary of this State was absolutely staggering. Obviously, I am not in possession of all the material that resulted from constituents reading that speech, but I put on the record a copy of a letter simply to signify that it is a fair sample of the favourable response that Mr Cameron received after his move in the other place. The letter states:

Thank you for forwarding a copy of your second reading speech on extending hours within which red meat can be sold. You are to be congratulated on this initiative. It is a reform long overdue. Unfortunately in my opinion the Bill does not go far enough. I believe there should be no restrictions on shopping hours at all. What is your opinion?

I understand that the New South Wales Liberal Party now proposes removing restrictions on shopping hours applying in that State. Certainly many of the statements in your second reading speech support removing all restrictions. Recently I visited Britain and it was enjoyable to be able to shop all day Saturday. It reminded me of when I was a child on Kangaroo Island and all day shopping was allowed at Kingscote.

Look, even a young fellow like me can remember all-day trading in places like Kingscote.

**The DEPUTY SPEAKER:** Order! When the honourable member looks at me, I hope he is not reflecting on my age.

**The Hon. TED CHAPMAN:** Not at all, Mr Deputy Speaker, I would have thought that you and I might be of the same vintage, and we both look young.

**Mr Trainer:** A vintage car is one from the turn of the century.

**The Hon. TED CHAPMAN:** Let me not be distracted by the jibing that appears to have entered this debate, which really is a serious matter. I will answer the crack from the Government Whip at an appropriate time when we finish in this place. In the meantime, even though we have only three Government members seated in the Chamber at present—

**The Hon. J.D. Wright:** Three very important members.

**The DEPUTY SPEAKER:** Order!

**The Hon. TED CHAPMAN:** —and one or two others flying around from time to time, it is an important issue. I am aware of the deep concern held about this subject that will undoubtedly be referred to by my colleagues supporting me in this debate. I place on record the several points made this afternoon for two purposes: first, because I am primarily responsible for the welfare of primary producers within our Liberal Party in South Australia and, secondly, because I

acknowledge that the legislation dictating the sale of our primary product is grossly unfair. I appreciate the arguments that have been put forward not only by those involved in the mechanical and processing side of the industry but also by those representing the consumers. A fairly important aspect of the subject that I hope does not go unnoticed in this whole issue and will ultimately be recognised by sufficient members on the Government side, is to have the Minister give a guide to fairer and more reasonable trading hours for all parties concerned and so eliminate the discrimination that has been allowed to persist in this instance. I wish to refer to other matters but it would be more appropriate for me to do so after I have moved the amendments I have foreshadowed.

**The Hon. E.R. GOLDSWORTHY (Kavel):** I will speak briefly to this Bill because there is not much point in traversing the same ground that has been traversed by the lead speaker of the Opposition. I will make one or two comments because this legislation affects the public of South Australia fairly markedly. Restrictions on the sale of red meat in South Australia are more restrictive than they are in all other States, with the possible exception of one. We are behind the times in relation to the availability of red meat to the consumer in South Australia *vis-a-vis* the rest of the nation. The people whom we should consider, along with the other groups, of course, are the consumers. This Bill, which has been taken up by the Government, is a real dog's breakfast. Butchers will be given the option of opening on either Thursday evenings or Saturday mornings. There will be a trial period when they can do what they like when they like, and I can see a state of utter confusion.

*Mr Lewis interjecting:*

**The Hon. E.R. GOLDSWORTHY:** Whatever one calls it, I think it is a dog's breakfast. There will be a state of utter confusion during this trial period when people will be swapping from one situation to the other to try and catch their part of the trade. Even when it settles down and the butchers have to decide when they will open, the people who will be disadvantaged most markedly will be the consumers. If a local butcher opts to open Thursday nights because he has to compete with the local supermarket, housewives in that area will not have an option to shop on Saturday mornings. In other areas the opposite will apply, with the inevitable result that there will be a great deal of confusion.

I have talked about the consumers and the South Australian public, in the Australian scene, is being discriminated against in terms of the availability of hours in which to shop for red meat. The second group I wish to talk about is the butchers, and from what I can gather, this is the least acceptable of the options to them. There will be a period of total confusion during the trial period.

Of course, the other area dearest and closest to the present Labor Government is the attitude of the unions. The ready acceptance of this Bill by the Government and the statements by the unions in recent days indicate clearly what this Bill is all about: it is to give effect to the union policy and that is to close shops on Saturday mornings. The unions have said all along 'You can have one or the other but you cannot have both. You cannot have shops open on Thursday night and Saturday morning' and, if anyone cannot see that this is a halfway house to that, I do not believe that they are in touch with reality.

The move by members of the Liberal Party in the Upper House to liberalise, in a modest way, shopping hours in South Australia was in keeping with general movements interstate. Even Mr Wran, the President of the Labor Party, the doyen of the Labor Party in this nation (even though he is hard pressed at the moment and one could go as far

to say that he is on the skids), has commissioned a report, and he has acted with some alacrity on the basis of that report to liberalise shopping hours in respect to Saturday afternoon trading. Obviously he has more pull with the unions in New South Wales than the present Administration has here in South Australia. So, across this nation there is a general move towards liberalising shopping hours but there is no way in the world, with this union-dominated Government in South Australia, that we will see that here.

The third group whose views one must consider is the butchers and the unions. The unions are delighted with this Bill, because it is a halfway house to what they want, and that is to close butcher shops on Saturday mornings. I do not intend to say any more because it would be repetitious but, in concluding my remarks, I say that this Government has embraced this Bill with enthusiasm because it is a union Bill, nothing more or less. The people who have been concerned that this is the least attractive option, the butchers and the consumers, will be grossly disadvantaged. I oppose this Bill.

**Mr ASHENDEN (Todd):** I oppose the Bill. I am absolutely staggered that the Labor Government could support a Bill which is probably the most illogical and stupid piece of legislation that I have seen come before this House. This is a Bill that the Australian Democrats prepared, and one which the Labor Government is supporting and, as I have said, a more illogical piece of legislation I do not think could have been dreamed of. I realise that the Australian Democrats have earned themselves, well deservedly I might say, a reputation for causing considerable concern in the two Houses of Parliament in this State. This debacle that they have now forwarded to this House for its consideration is probably the worst piece of prepared legislation that we have ever had to consider.

**The Hon. H. Allison:** Certainly doesn't make both ends meet, does it?

**Mr ASHENDEN:** I can understand the member for Mount Gambier treating this legislation with disdain because I think that is the only way that we can consider this Bill. Some months ago we were told that legislation was to be prepared that would extend the trading hours for the sale of red meat. At that time, the legislation being mooted would have allowed trading on both Thursday evenings and Saturday mornings. I believe that, for purely political purposes, because I can certainly see no other sense in this Bill, a compromise has been reached between the Labor Government and the Australian Democrats. The public of South Australia will have foisted upon it something that I think will become a laughing stock piece of legislation throughout the country.

Small butchers and their wishes have been totally ignored, and the people who buy from those butchers, the paying customer, have also had their wishes totally ignored. When it was first mooted that trading hours were to be extended, I was approached by almost all of the small businessmen operating butcher shops within my electorate who expressed to me their real concern that, if there was to be any extension of trading hours, they would find it difficult to continue in business. They pointed out that such a change would provide considerable advantage to the major chains, such as Coles and Woolworths, which would prepare meat that they would sell on either Thursday evening or Saturday morning, and that they would have few staff involved at either of those times in the sale of that meat. The cuts would be prepared, weighed, packaged, and placed for sale, and most of the staff would not be required to stay on.

However, the small butcher would not be able to do that. It was pointed out that, with extended hours, local butchers will be placed at a severe disadvantage because they believe

that they will sell no more meat over those extended hours than under the present situation. To support their contention, I was presented with several petitions containing hundreds of signatures by housewives who supported their butchers and they supported them because—

**Mr Becker:** The consumers.

**Mr ASHENDEN:** That is right, the consumers, because they said they would prefer to buy from the smaller butcher who does not prepack his meat in the way that supermarkets do. That point was made to me by many constituents in my electorate that they much prefer to deal with the butcher, the small businessman, than with the big supermarket chains. They expressed their support for the small butchers in my electorate in the small butchers approach to me seeking my support in having no change made to the present trading hours. I was pleased to advise, both constituents and butchers, that I was only too happy to provide the support that they were seeking.

However, we now find that the Bill before the House is not the one which was originally intended. No longer does the Bill before this House extend trading hours to enable the sale of red meat on both Thursday evenings and Saturday mornings; we find that butchers will be placed in the invidious position of having to choose to trade on either Thursday night or Saturday morning. Let me tell members of a telephone call that I received last night from a butcher in my electorate. He has approached me on a number of occasions pointing out the difficulties that he experiences by having a business adjacent to a major supermarket which sells meat.

A number of times the manager of the supermarket has approached my constituent and told him, when he has been selling a line of meat at a price below that at which the supermarket was selling it (in other words, he was undercutting the supermarket slightly in perhaps one or two lines) that, if that situation was to continue, he would find that the supermarket would be undercutting him in virtually every range of meat. In other words, a veiled threat, the meaning of which could not be concealed was put to him that made it quite clear to him that he had either better come into line with the prices of the supermarket or he may be forced out of business.

This constituent contacted me last night and told me that he has now been approached by the manager of a supermarket close to him and told virtually when he will be able to trade and that he will open on the same night as the supermarket sells its red meat, because if he chooses to trade either on a Saturday morning if the supermarket chain decides to trade on a Thursday night or *vice versa*, he will be subjected again to a price war and, let us face it, I have heard members opposite say, 'Go to the Trade Practices Commission.' There is nothing in the Trade Practices Commission that prevents discounting on the sale of products. However, if a supermarket chain which, as we all know, has far more money behind it to survive in any price war says, 'We will sell meat more cheaply and under-cut you on and on, unless you agree to sell your meat at the same price as I do or around my price, and unless you agree to trade on the same Thursday night or Saturday morning that I do, you will be subjected to a price war,' what is my constituent to do?

Of course, he will have to trade at the same time as does the supermarket because he does not have the financial backing to be able to survive any major price war. That is the sort of thing that will occur. Once again, we find legislation coming before this House which, if enacted, will cripple the small business man. Make no mistake about it: that is what this legislation will do. It will force the small business man into a situation which is just not of his choosing. The butchers who have premises within my elec-

torate and who have spoken to me about the situation have indicated to me that, of the three choices, the one presently before the House is the one that they like least. Those small business men have made quite clear to me that they would prefer to have the *status quo* remain; in other words, for there to be no extension to the hours in which red meat is sold. That is their first choice.

However, they have acknowledged that it is unlikely that that will be able to continue and have said, 'Okay; as much as we would like that to continue, it looks as though we have not got a hope' and, therefore, because of the situation that is presently arising, they have said, 'Our second choice would be to accept the inevitable. Although it will cost us money, although it will possibly mean that we have to put off some of our staff, and although it will make life even more difficult, our second choice is for equal trading for all people on both Thursday nights and Saturday mornings.' It has been made quite clear to me that that is their second choice. The butchers to whom I have spoken in my district are unanimous in their condemnation of the present ludicrous legislation that has been put before this House and passed by the Legislative Council through the support of this Government and the Australian Democrats.

The other thing is that my constituents who purchase red meat and who have spoken to me about this legislation have also indicated that it is the most ludicrous situation that they can think of. When they go to do their shopping, some of those who do their shopping on Thursday nights and who expect to be able to buy red meat will find that the butcher shop is closed because it will open on Saturday morning. Others will go on Saturday morning, as they have been doing for years, to purchase their red meat, and what will they find? They have every chance of finding that the butcher to whom they have turned to buy their meat will not be open. Therefore, we have occurring a situation which not only does not improve the present position but makes it far worse. Small butchers certainly do not want it; the consumer does not want it, so we have to ask ourselves, 'Who on earth does want it besides the Labor Government and the Democrats in the Legislative Council?' The only answer that we can come up with (as my Deputy Leader put forward 10 minutes ago) is that, of course, the unions see this as the thin edge of the wedge for stopping all Saturday trading. Then Australia becomes an even larger laughing stock overseas than it is now because—

**Mr Mathwin:** South Australia.

**Mr ASHENDEN:** And, for that matter quite a few other States, but certainly South Australia. Because of my previous employment, I still have and still entertain visitors from overseas, particularly from the United States. They just cannot comprehend how on earth a civilised country has got itself into a situation where, for a day and a half a week, one cannot buy goods and services. Although that is not true either, because one can buy hardware on a Sunday and some of these things—

**Mr Mathwin:** You can buy a pot plant.

**Mr ASHENDEN:** One can buy a pot plant, but many other things cannot be bought. This situation is only perpetuating what is a totally ridiculous situation. It will make the situation worse. As I have said, it is a situation at which I think we would all laugh if we read it in a comic and find tremendously amusing, because I did not think that anyone would be stupid enough to introduce a Bill like this, where butcher shops have to choose between trading on a Thursday night or a Saturday morning. As I have said, I can use no stronger term than that it is absolutely ludicrous.

I believe that the Democrats have been completely 'conned' by the Government into giving their support and have not been able to see that the Government views this as a way of stopping trading on weekends. We have before us a Bill

which is the height of stupidity and which, as I have said, is not supported by the small business man (the butcher) himself. It is not supported by the people who purchase red meat supplies. It is an absolute farce, and I will have no hesitation in opposing it at the second reading. Again, I make the point (and I think that it is absolutely imperative that I do) that the choice presently before the House is ranked third out of three choices by all the butchers who have approached me and to whom I have spoken in my electorate. They do not want it and the consumers do not want it, yet this Government, with the support of the Democrats, will foist it upon the people of South Australia.

**Mr MATHWIN (Glenelg):** I cannot support this silly Bill which the Government has, of course, adopted from the Democrats. It has left the Democrats to be the pathfinders in the situation.

**Mr Ashenden:** Talk about the blind leading the blind!

**Mr MATHWIN:** Strange bedfellows indeed, the Government and the Democrats. This situation will allow trading on Thursday nights or Saturday mornings, but not both. That is crazy. Butchers can pick their day, whether it is going to be Thursday night or Saturday morning. They can change their minds, if they wish, every six months or so. That is a dicey situation. They could be open on Thursday night for six months and on Saturday morning for a further six months. No-one will know where they are. There will be little notes pinned on the door, 'Closed today, open next Thursday' or, 'Closed tonight, open Saturday morning'. That is all right if one is running around trying to buy a pound of liver for the dog. It is a silly Bill.

I am surprised that the Government has taken into consideration the fact that the main benefactors will be the big chain supermarkets which have more than one butcher. There are often two butchers under the same firm in supermarkets. The shop at the north end of the mall can open on Thursday nights and the one at the other end can be open on Saturday morning. That is how it will tie up. It will wipe out the small business man the local butcher. The chains will have a monopoly on the red meat situation, particularly in the supermarket area. I would have thought that the Minister of Labour would be aware of that danger. I thought that his arch enemies were the big chain operators in this world. However, it appears that they are not. I speak on behalf of the small local butcher who will suffer most from this legislation. The family business will be pushed against the wall by this legislation.

**Mr Groom:** Which system would you prefer?

**Mr MATHWIN:** My learned friend, the member for Hartley, well knows it. I am disappointed he is pretending not to see the point. He knows full well that this could be the end of the local family butcher from whom his wife would buy with the full confidence that she will get good meat. In fact, it has been said that butchers, doctors and lawyers get all the information from the fairer sex. Women take butchers into their confidence and tell them what has happened during the day. It is a family situation. The member for Hartley would know that the local family butcher is very close to his customers. No extra red meat will be sold under this silly Bill.

**Mr Becker:** No-one will eat any more.

**Mr MATHWIN:** No, that is right. The competition with white meat will be considerable, as it is now. No more meat will be sold because of the operation of the so-called legislation—not on your life! The important problem in relation to the selling of red meat is the cost. This Bill will make it more costly because, once the monopolies have the situation in hand with supermarkets with two butchers owned by the same person, they will be able to fix the whole situation.

The important factor is the cost. My concern is for the small business—the local butcher whose main theme—

*Mr Ashenden interjecting:*

**Mr MATHWIN:** Indeed, the backbone of the economy of South Australia is small business, and part of that small business sector is the local butchers whose main theme and joy of life is to supply their customers with good service and good meat. It is all about value for the dollar. However, this Bill will spoil that. The butcher is very close to his customers, generally speaking. My colleague, friend and near neighbour, the member for Todd and I desire the situation to remain as it now stands. We are happy with the current situation. Any extension of that will add to the cost, such cost invariably being passed on to the consumer. The last thing the small local butcher wants is the adoption of this Bill. Its defeat is very important to local traders and small business people. Therefore, I oppose the Bill.

**The Hon. D.C. BROWN (Davenport):** This issue has been raised in the House on numerous occasions and is familiar to all members in this place. As shadow Minister of Industrial Affairs and as Minister of Industrial Affairs I can recall the issue being raised and debated often during Question Time. I wish briefly to put on record my personal views on this matter as well as the views of the Liberal Government between 1979 and 1982, whilst highlighting the effect of the present Bill.

Let us be clear from the outset: the present Bill supported by the Government is, in effect, a Government Bill which it is been prepared to embrace with enthusiasm. It is the worst possible option that anyone could put forward out of what I see as three major options. The three major options include, open trading on both Thursday nights and Saturday mornings with no restriction; to have trading only on Thursday nights; or to have trading only on Saturday mornings. The present position is that there should be trading only on Saturday mornings—a position supported by the previous Government. I will come to the reasons behind that decision shortly.

The other two options are to have either Thursday night trading or to allow this new measure giving butchers an option between Thursday night and Saturday morning. The important matter is not the specific proposal but rather the effect of that proposal on the industry and on consumers. The effect (and let us be clear about it) is that this proposed amendment without doubt will destroy the competitive position of the specialist butcher shop. The market will be dictated by the large supermarkets with their large and substantial meat outlets, run mainly after hours using non-tradesmen and using people to carry the meat out, put it in a display case, and then back into a refrigerator or cooler for the next day of trading.

However, the amendment proposed will increase enormously the power, the position and the ability of those supermarkets to dictate terms and conditions. Therefore, we would be placing in jeopardy the position of the specialist butcher, because we would be providing that he would have to meet competition from supermarkets at times not when he wants to trade or not at times when his customers require his service. So, although a considerable number of his customers would perhaps prefer him to trade on a Saturday morning, whether he likes it or not the competitor that he will have to beat will be the supermarket located possibly adjacent to his shop.

I want to refer briefly to the structure and the change in that structure in regard to the butcher retailing industry in South Australia. As I indicated earlier, I have taken an interest in this matter over the years. Some years ago retail meat sales were almost completely controlled by small specialist butcher shops. Many of them one or two-man shops.

One could perhaps argue that there were too many of them, but each built up a specialist relationship as between the local butcher and the customer. If a customer did not like a certain butcher, his meat, or his behaviour as a butcher, then very quickly that person would go off and pick another butcher shop.

With the advent of large regional shopping centres and the opening of large supermarkets, which also traded in red meat, the position began to change. Larger butcher shops (although still specialist butchers) set up in regional shopping centres, invariably in close proximity to a supermarket. I can think of instances of this at the Mitcham regional shopping centre and the shopping centre at the junction of Fullarton Road and Glen Osmond Road, and others, where the specialist butcher shop is a fairly substantial shop, generally under cover and within two doors of a supermarket. After people have bought general goods from the supermarket they immediately come out and buy their meat from the specialist butcher (that is, if they have not bought their meat in the supermarket).

Therefore, specialist butcher shops, whether they like it or not, have become linked with and part of the retailing hours of large supermarkets. As part of that change a dramatic reduction in the number of very small retail butcher shops has occurred. In fact, when I was Minister I think I referred to the fact that up to 180 or 200 small butcher shops in the metropolitan area were currently up for sale, and a number had already been sold or had closed. At least three butcher shops in the Burnside shopping centre have closed. The industry is becoming more and more specialised in regard to either large specialist butcher shops or sales through supermarkets.

The proposal being put forward has, I think, been thrust upon the Government by the Australian Democrats, who really have not thought through the consequences. The Minister has embraced the proposal, thinking that it might get him out of the inevitable argument about whether there should be some relaxation in the trading of red meat. In embracing these proposals the Minister I think has gone for the worst of the three options. There will be a further inevitable consequence as a result of this measure, namely, that more fundamental changes will be needed within 12 months because the Government's proposal will simply not work as far as the specialist butcher shops are concerned. If ever moves have been made to largely annihilate the small specialist butchers operating in the regional shopping centres, it is this move being promulgated by the Government. The Minister should clearly understand that the large reduction in the number of specialist butcher shops which inevitably will result from this measure is on the Minister's head, because it is he who has moved in this House this proposal and who has given Government blessing for this quite inept proposal to proceed through the House of Assembly.

I would like to refer briefly to the position that applied during the previous Liberal Government's term in office. Late in 1980 I introduced fairly substantial amendments to the Shopping Hours Act. The main consequence of those was to completely relax weekend trading so that any shop with less than 200 square metres of trading area could sell any item it liked (with the exception of petrol and red meat). There is no doubt that the community has embraced those amendments very enthusiastically since late 1980. It is interesting to note trading predictions at that time. Despite forecasts from some sectors of the retail industry, trade has reached an equilibrium where I believe customers now can get what they want in the community. The only area where dissatisfaction now occurs concerns red meat.

A person can now go to areas of Burnside, for example, and find a large number of different craft, art and other

small shops open. The move was designed to assist small business, and it has obviously done that very effectively. It is also interesting to see the level of satisfaction in regard to purchase of hardware and hardware-related items. Before these amendments were made by the former Liberal Government every sort of inequality, injustice and stupidity occurred with the law, where one could go and buy a certain item but not a related item. For example, I think one was able to buy a dog chain but not a dog; one could buy bird seed but not a bird.

**The Hon. Jennifer Adamson:** And you could buy the bird-cage, too.

**The Hon. D.C. BROWN:** Yes. Then certain changes were made by the present Minister, but weekend trading still was not really opened up. It is interesting to note that the former shadow Minister of Industrial Affairs opposed the Liberal Government's legislation but that now, as Minister of Labour, he has not made any attempt to repeal it, because he knows that the provisions are working extremely well and are accepted as part of life in South Australia.

**The Hon. Michael Wilson:** Didn't the Minister want to refer the matter to the Industrial Court?

**The Hon. D.C. BROWN:** Since 1976, I think, the present Minister's policy in regard to political problems that he as Minister does not want to handle, because they involve making some hard decisions which might be against the wishes of the trade union movement, has been to say, 'Let's abrogate our responsibility as a Parliament and throw matters across to the Industrial Court.'

*The Hon. J.D. Wright interjecting:*

**The Hon. D.C. BROWN:** I understand that the Minister is still talking about this proposal of giving responsibility to the Industrial Commission, even though that has been tried unsuccessfully in Queensland. The Government there has acknowledged that the handing of such responsibility to the Industrial Commission was a mistake. However, here in South Australia the Minister still has that fascination and desire to do so.

**The Hon. Michael Wilson:** He is worried about Price.

*The Hon. J.D. Wright interjecting:*

**The Hon. D.C. BROWN:** I am talking generally of the 1980 amendments. We will not accuse the Minister of having a yellow streak down his back, but we know that he will not take on any fight that he cannot win, and that is why he is looking elsewhere—and furtively, too.

**The Hon. J.D. Wright:** I've heard a few stories about yours.

**The Hon. D.C. BROWN:** I think mine might be resolved sooner than the Deputy Premier's. The Deputy Premier has to wait until May or June next year.

*Members interjecting:*

**The ACTING SPEAKER (Mr Whitten):** Order! I ask the honourable member to come back to the matter before the House.

**The Hon. D.C. BROWN:** I am sorry, Sir. I was not in any way reflecting on your seat. I challenge the Minister of Labour to now tell us that he was wrong in 1980 in opposing all of the amendments to the Shop Trading Hours Act. I hope that he is listening because in 1980 he opposed them all. I challenge the Minister to tell us now that he was wrong in opposing those amendments, and if that is why he has attempted to repeal those amendments that were successful. I would be interested to know if he was not wrong in opposing them, whether he now plans to repeal those 1980 amendments or whether he now agrees—

**The Hon. J.D. Wright:** What are you talking about?

**The Hon. D.C. BROWN:** We are talking about the Shop Trading Hours Act, and I ask the Minister not to try to dodge the issue. I ask whether or not he has now changed his mind and agrees with the amendments passed in 1980.

**The Hon. J.D. Wright:** This is the red meat Bill.

**The Hon. D.C. BROWN:** It is not the red meat Bill; it is the Shop Trading Hours Bill, and I am surprised that the Minister responsible for the Bill does not appreciate that. I come back to the stand of the previous Government on red meat trading. I acknowledged in 1980 that it would have been desirable to have red meat trading.

**The Hon. J.D. Wright:** You never had the chance to do it.

**The Hon. D.C. BROWN:** If the Minister would listen one moment; I acknowledge that it would be desirable to have red meat trading during Thursday night trading as well as on Saturday mornings. I further acknowledge that at the time the retail meat industry, particularly in metropolitan Adelaide, was undergoing a fundamental structural change (and I acknowledged at the time, there were some 200 butcher shops on the market for sale or transfer and likely to be closed) and that any change to the hours of trading for red meat at that time would cause considerable disruption and hasten what I thought was a considerable disaster that could have occurred if that change suddenly took place.

However, I argued quite openly that such changes as proposed by the Liberal Party now were desirable. I went down and put my case to the United Farmers and Graziers who also questioned the Government's policy. I think, whilst having a different point of view, they at least understood my point of view. I also clearly indicate to the House that I believe red meat should be sold now on Thursday nights as well as on Saturday mornings, and that any retail outlet should not have the option of either/or, but should be allowed to open on both occasions. In other words, red meat should be sold for the hours in which general trading is allowed to apply, and there should be no restriction whatsoever on that.

Since 1980 there has been tremendous rationalisation amongst the butcher shops in Adelaide. Because that rationalisation, which went on for about four or five years (it started in about 1976 or 1977) is now largely complete, and as I said earlier, the structure of the retail meat industry is either through supermarkets or large specialised butcher shops in regional shopping centres (invariably just outside the entrance to the supermarket). I fully support the proposed amendment to this Bill, that will allow sale of red meat on Thursday nights and/or Friday nights in the city and on Saturday mornings throughout the city, the metropolitan area, and the rest of South Australia.

I vehemently oppose what I think is a ridiculous amendment now being supported and backed by the Government that provides only an option of 'either/or' because it is doing exactly what the union wants and what it argued for when I was Minister. Perhaps I should reveal to the House that several times the union put forward the argument that there should only be retail trading of meat on Thursday nights and no retail trading of meat on Saturday mornings. I challenge the Minister to deny that this is exactly what the union wants. He is doing nothing but simply bowing to the pressure of the union which, I suppose, was particularly astute in convincing the Australian Democrats, who invariably are rather fuzzy in their thinking, that this is what they should adopt. I oppose the Bill and support the amendments, which will open up the trading of red meat.

**Mr MEIER (Goyder):** I am pleased to be able to speak to this Bill. As has just been summarised by the member for Davenport, it is presented in a hotch potch manner. I, too, will speak mainly with respect to the amended Bill, which I would support. However, I will refer to elements of the Bill as it now stands. It was interesting to see an article published in the *Advertiser* on 10 August 1983, written by Des Colquhoun. In his usual style he highlighted aspects



of a typical corner butcher shop that he remembered from earlier days. I quote extracts from the article:

When I used to ask for a pound of lean lamb chops or a forequarter they used to ask me 'Is it for cooking or eating, Des?' and I guess I was 20 before I was sure they were only kidding.

Those of us who are not quite so young any more probably remember the local butcher shop that existed perhaps much more in earlier days when quips across the counter often took place. Certainly, I appreciate today that even in country butcher shops my sons are given a piece of fritz from such a personalised service. No doubt, we want that type of personal service to continue into the future, and there is no way that I would want to see that type of thing disappear. These sentiments are brought out rather well in certain aspects of the article that I will not read. However, the article later states:

We in Adelaide really do have the most extraordinary hang-ups about trading hours. For years we squabbled over the terrible things that would happen to our society if we were allowed to buy petrol at weekends.

Again, if one reflects on that it does seem as though things have gone completely berserk and out of context. For instance, petrol can now be sold at weekends. That has stopped long queues at petrol stations serving after hours petrol. The article continues:

For just as long we were warned that our city would die if we turned Rundle Street into a mall. What a fuss there was about handyman and building supplies being available at weekends when we all wanted them. Well, we do have shops open on Thursday and Friday nights now, and good fun it is. But, unbelievably, they are not allowed to sell red meat. They can sell blue books and pink panties and orange oranges and green ginger wine, but they cannot legally sell red meat.

They can sell white meat, so that chickens remain smugly and conveniently exposed, innocent as goose-pimpled eggs. But, as the sun sets, the supermarkets must cover the red meat as though it were some obscene harbinger of the Black Death.

Heavens, in the United States you can buy everything from booze to bowsprits 24 hours a day, seven days a week.

Des Colquhoun summarised, by saying:

The community clearly wants red meat available at supermarkets at night.

Other interesting extracts appear in that article. There is no doubt that red meat has been singled out for extra regulations within our already regulated shopping hours. It seems incongruous that fresh red meat cannot be sold between 5.30 p.m. and 9 p.m. on Thursday nights in the suburbs or, alternatively, on Friday nights in the city. Yet, as the article clearly pointed out, its competitors are freely available.

Probably what I want to emphasise most of all is the fact that the primary producers and primary producer organisations strongly support the deregulation of red meat sales. We have heard most of the relevant points from the first speaker when he referred to the U.F. and S. position paper. I do not intend to repeat the points contained in that paper but I simply refer any interested member to the speech of the member for Alexandra. I think the points put forward by the U.F. and S. are salient.

There is no doubt that one should have freedom of choice. I say quite categorically that Liberal philosophy supports the right of the individual to exercise freedom of choice, and it is not hard to apply that to the red meat situation. Shoppers should be free to choose the products they want to buy during what we accept as being normal trading hours.

Probably the people who recognise most the declining red meat sales are the primary producers, the decline being caused by a decrease in consumption. Obviously, every step has to be taken for the sake of primary producers to endeavour to increase the consumption of red meat through increasing the sales of that product. It follows, therefore, that an increase in the availability of red meat through extended shopping hours will improve this situation. Our

society has changed significantly over the past few decades. It is now almost common for both a husband and wife to be working, so late night trading gives them an opportunity to shop together. If they do not have the right to purchase red meat, its sales will slump as a consequence. A recent opinion poll indicated that nearly 70 per cent of the people questioned supported the sale of red meat during late shopping nights. That in itself is interesting.

I know that some butchers are opposed to the extension of trading hours. The arguments for this are valid but it seems that most of those arguments are based on hearsay and cannot necessarily be substantiated. The member for Alexandra has explained how the sale of red meat is permitted during extended trading hours in other States and it does not seem to have had a detrimental effect on the jobs of butchers. The argument has been put forward that the retail price of meat would rise as a result of overtime payments. I do not think there is much argument to indicate that prices of other products have risen significantly since the introduction of late night shopping and therefore one would question whether the price of red meat would increase significantly.

Flexibility of the working hours of butchers will be another important aspect of extended trading hours. That flexibility exists in many other areas, and the extension to the red meat area could be possible with a limited amount of obstruction or disadvantage to the people concerned. Again, it is claimed that employment in the meat industry will be reduced. The industry producers, wholesalers and retailers will be far more seriously affected, I believe, if red meat sales continue to decline as they have been declining. The extension of trading hours, therefore, should have the opposite effect of employment reductions.

The argument has also been put forward that the family life of meat industry employees will be disrupted. I have already stated that the possibility of flexible working hours could be applied to this area. Let us be realistic: if all legislation brought forward by this House were based on whether it affected the lifestyle of the families involved in that particular industry, we would probably—

**The Hon. Jennifer Adamson:** We wouldn't be here.

**Mr MEIER:** That is true, what with the late night sittings, but more importantly we would not have innovative measures coming forward at all because people would want to retain the *status quo* at all times. In general, I acknowledge that there are some arguments against increasing the hours. I believe, however, that the red meat industry must be placed in the same position as the rest of the meat industry is in, and I therefore strongly advocate that the hours be changed.

I believe that the Bill is difficult to understand. I could well imagine that a court of law might not even uphold a case against a butcher who had been opening at the wrong time because he could argue that he was not aware of the times he could open. The proposed amendments are straightforward and would bring the sale of red meats into line with what is happening in the other States. It simply means that butchers will be able to open on late shopping nights, and there will also be an opportunity for them to open Saturday mornings.

In summary, I know there is widespread demand for the sale of red meats on late trading nights. I therefore believe that this Bill should be passed. It is an increasingly important part of our way of life and butchers have to recognise realities: they are going to have to accept extended trading hours. I believe that the red meat producers in this State will benefit and if they do (we are seeing this currently with the increase in farmers' incomes) the rest of our society will benefit because more money will be in the economy and



we will be able to buy more products. I support the amendments contained in this Bill.

**The Hon. JENNIFER ADAMSON (Coles):** I oppose the Bill. I describe this Bill in the same terms as I described the original legislation which permitted Thursday night trading for white meat and frozen red meat but not for fresh red meat, namely, as a farrago of bureaucratic nonsense. On 23 November 1977, when I was speaking on the Government's intentions regarding late night shopping and the exclusion of fresh red meat from the available products I pointed out the inconsistency and the lack of logic in what the Government was then proposing to do. I also said earlier in that debate, on 22 November 1977, that I believed that the legislation that was then being enacted would result in a distortion of eating habits in this State. I said that we would see the consumption of red meat decline, and the diet of South Australians would be affected by this provision. At that time the then member for Mitcham interjected by saying, 'You're exaggerating', to which I replied:

That is not an exaggeration. If people can shop at night and buy fish and poultry, but cannot buy the flesh of red meat, they will buy what is available, and the consumption of red meat will decline.

That is, of course, precisely what has happened. What we have before us now is a proposal that defies logic, and I venture to suggest that, if the present Bill were incorporated as part of a *Goon* show script, it would raise a lot of laughs. Unfortunately, in South Australia people will not be laughing, neither butchers nor consumers, and I can assure the Minister who is smiling on the front bench that angry housewives who front up to their local butcher, either on Thursday night or Saturday morning, and find this week, this month or this six months that he is closed, and that they should have done their shopping some other time during the week, will have some political effect.

My colleague the member for Goyder quoted from an August column by Des Colquhoun, who was examining the nonsensical nature of the proposals. The same columnist presented a very good analysis of the situation in his column on 2 December this year entitled, 'Who's the meat in the sandwich?' Des Colquhoun introduced his column by saying:

Time passes, as it tends to, and our legislators have been busy. In fact, they have got quite carried away with their cleverness in passing a Bill in the Legislative Council on Wednesday to allow butcher shops to open and sell red meat until 9 p.m. on one night a week—the night depending whether they're in the city or suburbs—or until 12.30 p.m. on Saturdays.

He goes on to canvass the possibility of other legislation which would be quite consistent with that which we are now considering. He examines the situation of an interstate visitor who comes to South Australia, and who is looking for meat for a barbecue, and it is explained to him that he cannot get it because the day of the week is wrong, and then he says:

'Then we'll just have to have a sandwich or a pie in the car.'  
'Oh, you can get a sandwich,' says I, 'but pies have red meat in them and can't be sold in the city before 6 p.m. on Fridays.'

The Minister laughs, but this is absolutely parallel with the nonsense that is in the Bill before us. The article continues:

'Can I get a ham sandwich?' he says. 'I think that is red meat, so you can only get that in the suburbs before noon on the even days of the week,' I tell him. 'But they allow the sale of cheese and lettuce up to 1 p.m. on Fridays in the suburbs.'

That is no more nonsensical than allowing the sale of fresh and frozen chicken and fresh and frozen fish on Thursday nights and Saturday mornings, but only allowing frozen red meat to be sold on Thursday night and not fresh red meat. That is the situation now, and it is no more nonsensical than saying, 'You can only buy cheese and lettuce up to 1 p.m. on Fridays in the suburbs.' The column continues:

He looks at his watch. 'Goodness,' he says. 'I'll have to hurry, I'd better get the kids a drink, too.' That makes me look at my watch. 'Well,' I say, 'I hope they like green or brown drinks. The shops aren't allowed to sell red or orange drinks before 6 p.m. on Fridays in the suburbs or after 1 p.m. in the city. Or in February and November in the country.' 'Cripes,' he says, 'I think I'm the one who needs a drink. Where can I buy some of your famous South Australian wine?' 'Ah, well, that depends on whether you want red or white,' I say. 'Oh, God,' he says. 'What if I want white?' 'You'll have to wait until tomorrow,' says I. 'What about red?' he says. 'Oh no,' says I. 'Not on Fridays—unless you go to a tourist hotel in Victor Harbor or the Flinders Ranges.'

It is all very lighthearted nonsense, but in fact that satirical column is not really a send-up but a reflection of the real-life proposal that the Government and the Democrats are putting before this House in the form of the present Bill. Over the years I have gone on record expressing the view that, as a general principle, retailers should be able to trade during the hours which are mutually convenient to them and their customers, and over the years those hours have changed. Other members have spoken from the point of view of the retailer (the butcher) and the point of view of the red meat producer, but I would like to put in a word for the consumer and for the housewife who still, despite changing trends, is the principal person who buys the family food supplies.

Statistics on women in the Australian labour force demonstrate that, as a proportion of all women, in August 1980 there were 44.7 per cent in the labour force. In August 1981 that fluctuated slightly to 44.3 per cent; August 1982, 43.9 per cent; November 1982, 44.6 per cent; and February 1983, 44.9 per cent. That is a dramatic contrast to the situation 20 years ago. If one looks at the percentage of married women in the labour force, as a percentage of all married women, we find that the February 1983 figure demonstrates that 42.5 per cent of married women in Australia were in the labour force. I do not have the figure in front of me but my recollection is that in 1969 only 26 per cent of married women in Australia were in the labour force. So, in the space of less than two decades, there has been a quite dramatic change in terms of the participation of married women in the labour force.

The great percentage of those married women are also the mothers of dependent children. In other words, they have a triple responsibility: they are participating in the labour force; they have a household to manage in terms of domestic responsibility and they are also the mothers of children. That tends to make life complicated for many women, and I can speak from my own personal experience in saying that the more complicated my life becomes the more I look for simple solutions and easy access to goods and services which will help make my family life of a smooth and regulated order. We shall not be inconvenienced through lack of access to goods and services, nor will I, as the housewife, be put under immense pressure to buy the family's food supplies within the very limited amount of time available to me as a woman in paid employment.

It is not good enough for the proponents of this Bill to say, 'We are giving flexibility, we are allowing the option between Thursday night and Saturday morning trading for red meat,' nor is it good enough to say that many of those married women in the work force are in fact part-time employees, and that few of them would work later than 4 o'clock in the afternoon. The reality is that most of those women—those consumers, those buyers of family food supplies, including red meat—would want to remain at home with their children after school hours, and that means from 4 o'clock onwards in the afternoon. Therefore, their chosen times for shopping are in the evening when their husband or some other family member can mind the children, or on Saturday morning. They do not necessarily want to have to keep it to one particular night of the week. There may be

plenty of occasions when meetings or social functions on a Thursday night mean that they would sooner shop on a Saturday morning, or vice versa.

So, the world-wide trend is for greater flexibility of shopping hours, and greater access by the consumer to shopping after what we have come to know as regular shopping hours: that is, 9 a.m. to 5.30 p.m. Monday to Friday, and possibly Saturday mornings. The winter 1983 *Institute of Public Affairs Review* addresses this subject in an article called 'Shopping hours regulation for the many or the few,' and it deals with many issues. It deals with the question of the family, to which the member for Goyder referred, and to the fact that people who have to provide these goods and services after hours can have their family life threatened. The author of the *Institute of Public Affairs Review* asks in an article:

Why is family unity threatened by engaging in the sale of nails at week-ends, but not garden fertilizers?

Why is the family life of butchers to be threatened by their engaging in the sale of fresh red meat on one night or one morning and not on another? Why, indeed, cannot a butcher be allowed to respond to the needs and wishes of his customers? The article also makes the very sound point that it is not the business of a Government to determine when people should shop any more than it is its business to determine when they should buy a meal. It is more than time that we got some logic, consistency and plain commonsense into this business of shopping hours for red meat.

I refer to the Minister's second reading explanation which, to me, was a classic example of a double speech. He said:

... the only option which appeared to overcome the problem of a long working week for the employees—

that is, employees of the meat retailing industry—

but which would allow red meat to be sold in competition with other substitute products was to allow individual butcher shops to decide whether they would trade on a Saturday or a late shopping night (but not both).

What nonsense! That was not the only option available to the Government, and the Bill introduced into the other place by my colleague the Hon. Martin Cameron demonstrated that that was certainly not the case. His proposal would have enabled butchers to open on both occasions if they wanted to, or on neither. In his second reading explanation, the Minister made the following point:

Consumers would have to shop around for their red meat but it would mean they could purchase red meat at any time the substitute products were available.

'Shop around' would be the understatement of the year. People will have to gallop from suburb to suburb trying to find a meat retailing outlet which is open if, indeed, they choose, as many people (myself included) do choose, to shop at a specialist butcher rather than at a supermarket. My colleagues have canvassed adequately the very great benefits that the specialist butcher provides to his customer: a degree of personalised service which cannot be matched by a supermarket; a friendly neighbourhood meeting place which has an important role to play in the general glue that holds people together in their local neighbourhoods; and, very often, value, quality and specific services (I hasten to add, including the provision of advice about certain cuts of meat) that are not available in supermarkets. In his explanation of the clauses, the Minister stated:

Clause 3 inserts six subsections into section 13 of the principal Act. New subsection (4) prescribes alternative closing times for butcher shops. The effect of the alternatives is that a shopkeeper will have to choose between remaining open after 5.30 p.m. on one week night or opening on Saturday mornings.

In his reference to the threats of the local supermarket to the local butcher, the member for Todd clearly indicated that the butcher really has got Hobson's choice. He has no choice at all and will be forced to do what his monopolistic

competitors determine. He really will not have a free choice; nor will he have a choice which enables him to respond properly to his customers. The Bill almost defies any rational analysis because it is so irrational, so illogical, so bureaucratic and so twisted in its attempt to come to grips with what is a comparatively simple problem. It is hard to understand why the Government is engaging in such convolutions until one realises that it is operating at the behest of the United Trades and Labor Council. That brings me back again to a comment that I made on 23 November 1977, when I said:

I also believe that it is time members of this Parliament—

that is, the then Government members and the present Government members of this Parliament—

particularly those on the Government benches, got out of Trades Hall and in behind the counters of shops to get the consumers' point of view and to learn what it is like to have one product denied and another substituted in rock-like frozen form, because that is what will happen to the housewives of South Australia.

This Bill will not overcome that problem. It will simply exacerbate existing problems and create a whole lot of new ones. I would certainly like to be able to stand the Deputy Premier, who is the Minister in charge of this Bill, outside a suburban butcher shop on a Thursday night or Saturday morning when angry housewives go there in the belief that they can now buy fresh red meat at both of those times and find that they cannot. I believe that he will then discover the wisdom of what the Opposition has been saying about this Bill, and I hope that it will cause him to think again.

**Mr BLACKER (Flinders):** In rising to speak to this Bill, my initial reaction is to oppose it outright because I believe that it is nothing more than a conglomeration of half attempts to appease certain people in the community without really taking to task the problem involved. However, the reason I support the second reading is in anticipation that some rather radical amendments may be considered by the Government to make this measure acceptable to all. I think that my support for the red meat industry having equal access to the market place is extremely widely known. It first became Party policy in 1980, at which time we received no support whatsoever for that policy.

However, because it was then a new policy (even though it had been debated in 1977 and dismissed at that time), it was a new challenge that received some publicity. I can recall a rather heated telephone conversation with a certain gentleman in the producers' section, who said at the time that I was barking up the wrong tree. However, within about four weeks of that telephone call the producer organisation (the United Farmers and Stockowners, as it is now known) adopted almost the identical policy to which we as a Party had accepted; that is, equal access to the market place for red meat commodities.

The fact that red meats have not had equal access to the market place is taking its toll in very many areas. It was outlined to the House this afternoon that the consumption of red meats has declined by 11 per cent over that intervening period and, of course, every time there is even the slightest drop in consumption of meats it is another job on the line for the employees in the red meat industry. Being a red meat producer as well as a white meat producer, I can see the implications of both courses of action. I believe that the main reason that the Government has been quite adamant in opposing the lengthening of the hours for the sale of red meat is the pressure coming from within some of the employees' representative groups.

I fail to see the logic in that. Their interest is obviously short term. However, surely they can now look back and see that their short-sightedness has in fact cost them jobs, and a lot of jobs, because if the volume of meat is not turned over there are not the same work opportunities for

the employees to process it—it is as simple as that. Obviously, from the producers' point of view, if the volume of meat is not being consumed on the local market the price of the commodity goes down, as do the number of opportunities for producers to make a living.

The whole crux of the situation regarding red meat is to get maximum exposure to a consumer market so that producers, employees who process the commodity, and everyone else along the chain can have a better opportunity on the general market. The red meat industry has suffered at the hands of the other meat industries, which have become highly regulated, very well organised, which are marketing their commodity, and which have had a longer and greater access to the consumer market. Whilst that situation exists, obviously, red meat will remain the poor relation. If it is not allowed to have equal access to the market, then it cannot generate consumer support and attention in the market place.

*Mr Becker interjecting:*

**Mr BLACKER:** The member for Hanson talks about stabilising prices. I wish he would get a copy of the meat exporter booklet and would look at the stability of prices over the past three years. They have been very stable. To quote figures off the top off my head, pork and bacon prices are now 45 to 50 cents a kilogram less than they were 12 months ago. That has been the average over the past 12 months. If the consumer is not getting pork and bacon commodities or pig meats at 40 cents to 50 cents a kilogram less then we must start asking why. The price that the consumer pays for meat is basically absorbed within the production and handling costs of that commodity. It is not the price received by the producer that has any marked influence on the price to the consumer—in fact, it is a very small percentage of that amount. That is an issue that needs to be taken into account when looking at this matter.

The argument of whether butcher shops should open for extended hours, be they on a Thursday night in the metropolitan area or a Friday night in the city and/or on a Saturday morning, is indeed a very vexed one. Many of the smaller butchers are saying that it is going to cost them too much and that they can possibly only work on a dollar per hour basis for the extra hours that they have to work. I challenge that statement because, if the extra hours we are talking about (the Thursday nights in the metropolitan areas and the Friday nights in the city) are able to expose red meat to a large consumer market, obviously a butcher's return per hour must be much greater. Surely butchers can take off Wednesday afternoon, Monday morning or some other time during the week when they do not have such a great turnover. Surely they can rationalise their operations to take advantage of better consumer access. Unless that occurs, we will see a continuing decline in the sale of red meat.

At this very moment there is in my area an abattoir that is battling to survive because it is not getting the necessary volume of throughput, first, from the producers and, secondly, from the consumer and market side of the business. When legislation such as we are debating now comes before the House and it is not able to recognise that fact, it concerns me greatly, because I do not believe that legislators and responsible persons understand or appreciate the vexed and complex side effects of this legislation. If the Samcor Port Lincoln works had an 11 per cent greater input and therefore recaptured the 11 per cent of the market lost, maybe we would not have the problem we have today. Common sense would tell anybody that, if they do not have access to the market place, they cannot expect to share in a reasonable portion of the sales of that commodity.

This Bill is neither one thing nor the other—it is a compromise and is most obscure in its interpretation. I do not

know how any person, either a butcher or a producer, can look at it and really assess how best to operate their affairs. I believe that this legislation is fraught with dangers, one being that supermarket chains could have a shop at one end of the store and another at the other end opening one on Thursday night and the other on Saturday morning. Those sorts of complexities could occur. A supermarket chain could acquire a small butcher shop within a few yards of its front door, have its own shop open on Thursday evening and the other shop open on Saturday mornings to enable it to get maximum exposure to the consumer market which, after all, is what business is all about.

What happens if a person decides to keep a butcher shop open on a Thursday evening and then happens to sell that shop? What if one of the contributing factors forcing the sale of that shop was the fact that the butcher involved did not have the right approach to the consumer market? Maybe he should have had access on the Saturday morning. Can the incoming purchaser of that store change trading hours in midstream? I do not think he can. What happens to a butcher shop in a tourist area when there is obviously a summer trade and where it is desirable to be open on a Saturday morning in some instances while in other instances it is desirable to be open on a Thursday evening? It would appear to be appropriate, in order to get maximum exposure to the consumer market, for that person to have the flexibility to nominate for certain months of the year on which day of the week he should operate.

So, we have a problem that might serve his interests satisfactorily for a few months but be very much to his detriment for the rest of the year. One does not know where to go. The total consumption of red meat per head of population has reduced by approximately 11 per cent. I believe that the main contributing factor to that decrease is in the beef area, which has reduced by 23 per cent per head. Consumption in the pork and white meat industries has increased by 6 per cent whilst the mutton industry has remained relatively stable with a slight increase of possibly 2 per cent in consumption. It is a vexed problem but the message is there that, without proper access to a consumer market, we are going to go down the drain. I do not propose to read into *Hansard* the U.F. and S. position paper as that has already been done by the member for Alexandra. However, it highlights a number of aspects of some concern.

*The Hon. Ted Chapman interjecting:*

**Mr BLACKER:** I will not go through it again although—

**The Hon. Ted Chapman:** You're not going crook about what I said?

**Mr BLACKER:** No, but I wish the honourable member had done that three years ago. The problem highlighted by the U.F. and S. position paper is that there are a number of employees who could be affected by this legislation.

**The Hon. Ted Chapman:** In your Party, with only one member, you would not appreciate the complexity of a Party with 20-odd members.

**The DEPUTY SPEAKER:** Order! the member for Alexandra has already spoken in this debate.

**Mr BLACKER:** The member for Alexandra highlighted the deficiency of the organisation in not having sufficient strength.

**The Hon. Ted Chapman:** No, it is facing a complex situation; it is not a deficiency at all.

**The DEPUTY SPEAKER:** Order!

**Mr BLACKER:** The Hon. member can attach whatever tag that he likes to the problem, but the real problem is that his country producers are not getting the maximum access to the consumer market that they should rightfully be getting.

*The Hon. Ted Chapman interjecting:*

**Mr BLACKER:** 'Ever ready Teddy' does not apply in this instance. If the honourable member had been able to apply that in the proper manner while he was a Minister, when he had the opportunity to do so, the situation would have been improved. I think the message is loud and clear: there is a very urgent need for maximum exposure of the consumer market to the red meat industry. Around the country butchers and abattoirs are facing financial difficulties. One of the abattoirs in my electorate is facing such difficulties at the moment because it is not getting the through-put that it should rightfully have. Because of the reduction of consumer demand, farmers are now in the position of having to decide whether they should breed for the red meat industry or whether they should go into wool production. This relates to a change in lifestyle and farming practices that has evolved over a period of time, and it is a matter that concerns me greatly.

The member for Coles referred to the side effects of this legislation. She referred to comments that she had made in 1977 when she forecast that there would be a change in the eating habits of many people as a result of legislation before the House at that time. I totally and wholeheartedly agree that there has been a significant change in the community in this regard. At the other end of the spectrum, we are finding that a change in farming management practices is occurring in regard to the type of commodity that farmers are breeding for the market. I would like to think that we can still convince the producers, particularly those on southern Eyre Peninsula, that, indeed, there is potential for a good red meat market industry.

**The Hon. Ted Chapman:** To keep that abattoir alive.

**Mr BLACKER:** Yes, to keep the local abattoir alive and to keep the whole area and the primary producers alive. Further, this relates to the well-being of the subsidiaries of the Samcor works, the fish factories, the by-products area, the Lincoln Bacon Specialists, the Matador company, the Freeze Pack works, and all the other people who are directly and indirectly associated with the industry as a whole. That industry has carried this State for many years but is now being denied reasonable access to the market place, which should not be the case.

**The Hon. Ted Chapman:** So, you will support our amendment.

**Mr BLACKER:** I support wholeheartedly the member for Alexandra's amendment, because I believe it would achieve its objective to at least give fair and equal (not preferential treatment) access to the consumer market. If the honourable member's amendment is carried, the legislation will be more meaningful and something worth while for all sections of the community. If the amendment does not succeed, I believe that I will have to oppose the Bill.

**Mr BAKER (Mitcham):** I oppose the Bill. It is a daft Bill rather than a draft Bill, conceived in madness and delivered in ignorance. The blame rests squarely with two Parties in this Parliament.

**The Hon. Ted Chapman:** Which Parties?

**Mr BAKER:** Obviously, the leading image of democratic responsibility in the Upper House, the Democrats, and the Australian Labor Party, which seems to have traded its soul for such a meagre piece of meat.

**Mrs Appleby:** You are in the wrong business; you should be writing poetry.

*The Hon. Ted Chapman interjecting:*

**Mr BAKER:** Yes, I understand that they did get into bed, although I am not sure whether they enjoyed the experience.

*The Hon. Ted Chapman interjecting:*

**The DEPUTY SPEAKER:** Order! The Chair does not intend to keep pulling up the member for Alexandra. If he keeps interjecting, the Chair will deal with him.

**Mr BAKER:** I want to briefly canvass the concerns of the four major parties involved in the sale of red meat and the shop trading hours debate. First, as most people will understand, the small butcher is struggling in the current economic environment and will continue to be in that position not only because of the economic situation prevalent in the State but also because of the decline in consumption of red meat. Whilst I do have some sympathy for the producers in this regard, they seem to fail to understand that the market for red meat in Australia is declining because of a number of influences outside their control. For instance, in recent years there has been a movement to bring to the public's attention the possible health problems involved in the over consumption of red meat. A change in lifestyle has occurred in the population which is now no longer sitting down to the evening meal and which is now more attuned to fast food consumption. Also, of course, there was a distinct change of preference for red meat when high prices pertained in the market place. A change in consumption patterns occurred with people preferring to buy chicken and other foods including those of the non-meat variety. To put it mildly, the market situation in regard to red meat has been quite bleak. It is my contention that very little will change that situation, even if red meat trading hours are extended.

**Mr Evans:** It is a health hazard.

**Mr BAKER:** I have already mentioned that certain doctors have expressed the view that excess consumption of red meat presents a health hazard. I am not a member of the medical fraternity so I cannot judge this myself. Certainly, though, the public has paid attention to some of that publicity and a decrease in the consumption of red meat has resulted from that. The principal component of the industry is the small butchers who are suffering from having to work for extremely long hours, most of whom work in excess of 60 hours a week. At one stage, of course, they received a decent return for their efforts. However, that is not the case today. More and more traders have had to make the decision to leave the industry because of insufficient return for their efforts.

Of course, what must be of concern is that the impost arising from additional trading, as proposed by this legislation, will further embarrass their situation. Alternatives to additional trading hours have been suggested. After all, we should all have a choice in such matters, and butchers also should have a choice in regard to when they trade. I believe that the meat delivery industry will undergo some radical changes within the next few years, arising from different shopping hours, and that butchers in the industry will be able to adjust to those and to get, if not more revenue, at least the same amount of revenue for a lot less effort. In fact, that will keep them viable. On the other hand, I have some sympathy for the union position on this matter, because as most people will be aware, the people working in the industry under various awards work exceptionally long hours, too. I understand that at the moment most apprentice butchers and qualified butchers who are working for employers are working some 46 hours a week. They are compensated, to a certain degree, by overtime payments, but it cannot necessarily assist them when they too would prefer some time off, which they cannot get now.

The third major group is the customers who have been disadvantaged by the existing legislation. As has been mentioned, Thursday night trading in the suburbs and Friday night in the city should be available for red meat sales. It seems incongruous to me that, whilst most other goods are sold, red meat sales are banned. Of course, the producers

believe that if additional hours for selling are provided, there will be an increased demand for their product. I do not believe that that is the case but, under this Bill and some proposed changes, they may find themselves in a situation which they would prefer not to happen. If small butchers are lost from the system and supermarket chains control the sale of red meat, one could guarantee that producers will have a lower return than they now get from a free and open market.

That does not seem to have been taken into account by the U.F. and S. or by the proponents of wider trading hours, because they rely on the corner butcher shop and those outlets to compete in an open market. I have spoken to people in the small business area who say that supermarkets trade unfairly because they demand from the manufacturer special trade benefits, remissions and advertising deals, so as to lower the real cost of their goods.

**Mr Evans:** They want an orderly market; they want a meat board.

**Mr BAKER:** Yes. If the supermarkets gain control of this industry, the producers will have a much lower return. They will then be subject to the wishes and whims of supermarket chains. I am sure that small businesses can inform the U.F. and S. and other producers that that would be totally detrimental to them. All this Bill does is to create conflict. My eloquent colleague, the member for Alexandra, made the point that no one will really know which hours they should trade because there will be a state of flux. Various attempts will be made to test the market. Once a trading time is nominated tremendous conflicts will be created within the industry if a shop is out of kilter with its direct competition. Also, the consumer would suffer.

Quite clearly, union membership will fall, because this Bill places the trading situation of butchers at risk, and if this happens employment in the industry will be at risk. Of course, if supermarkets increase their dominance in the market we will see rapid processing of red meat to the extent that the demand for employees (butchers) will decrease. So, the Minister is doing no real favour to union members whom he purports to support. Customers will not know when their butcher shops will be open.

**The Hon. Ted Chapman:** The change of hours—

**Mr BAKER:** Yes, indeed, the change of hours. As the member for Alexandra points out the uncertainty created in the industry will cause particular problems for customers and others.

**The Hon. Ted Chapman:** The penalty in the legislation is just a joke.

**Mr BAKER:** Yes, indeed, the penalty is a joke, because it will be very difficult to police something like this. It will be almost impossible, because people who have been competitive in the past with a supermarket or butcher shop down the street may change their minds about opening times. If their hours are not in tandem it will be difficult for the Minister to apply a penalty to a butcher who has to change his mind. The fourth area, which I have already canvassed, relates to producers who will be no better off if butchers are lost from the industry. It is a totally crass Bill, and I cannot understand the mentality of anyone introducing it. However, I can understand the mentality of the Australian Democrats who introduced it, because they do suffer some difficulties. But it is beyond my comprehension that the Government has accepted this Bill. I totally oppose it.

**Mr BECKER (Hanson):** I oppose the Bill, the most idiotic piece of legislation I have ever read in my life. Certainly, in 13 years here, it is the most disgracefully presented document and introductory speech I have had the opportunity to read. I honestly do not know who wrote the speech presented to the House because whoever it was must have

been struggling. If it came from Ian Gilfillan, that is what I would expect. The shadow Minister of Agriculture might be able to tell me who it was. They must be having language difficulties on Kangaroo Island, because obviously Ian Gilfillan does not really understand.

**The Hon. Ted Chapman:** Don't link him with Kangaroo Island. He is a recent import and a recent export.

**The SPEAKER:** Order! The honourable member for Alexandra must not have a private debate with a colleague.

**The Hon. Ted Chapman:** I apologise, Mr Speaker, but I was provoked into protecting residents of Kangaroo Island—

**The SPEAKER:** We do not want another second reading speech. I think the apology is enough. So far as the member for Hanson is concerned, if he is referring to the Hon. Mr Gilfillan, he should do so.

**Mr BECKER:** Thank you, Mr Speaker. The second reading explanation advised this Chamber that the Bill was to amend the present legislation relating to retail trading hours for red meat in order to allow red meat to be sold during late-night shopping, but at the same time without requiring employees in the industry to work extended hours. That is where the first conflict arises. How can one extend or change shopping hours (which I will come to later) when the legislation gives the impression that either Thursday night or Saturday morning is available for trading? One can trade at either time. One can change one's mind week by week or after a given period. All one has to do is to put a sign up in the window and indicate to clients when the shop will be open. Most butchers now inform us that they work at least 50 hours a week. Any union that would encourage its members to work more than 40 hours a week is very foolish; any union that would want its members to be disadvantaged by comparison with another section of the community would be foolish.

I have a long interest in shop trading hours for butchers, because I well remember when butcher shops closed on Saturday mornings. The union won a very successful campaign and was able to get employers to close their shops at that time. When they did, the banks followed suit. It was part of our campaign that, as butcher shops were closed on Saturday morning, it was not necessary for banks to trade. The community was able to accept that and live with that situation. It is probably only in the past 15 years that a number of butcher shops have opened on Saturday mornings because of competition and a new trading system.

*[Sitting suspended from 6 to 7.30 p.m.]*

**Mr BECKER:** The Minister, in his introductory speech, also mentioned that the only option which appeared to overcome the problem of a long working week for the employees, but which would allow red meat to be sold in competition with other substitute products, was to allow individual butcher shops to decide whether they would trade on a Saturday or a late shopping night, but not both. I cannot understand how the union would agree to this and I cannot understand why anybody would want to be advocating longer working hours for employees in order to accommodate the belief (really the myth) that longer trading hours means that more red meat will be sold. I honestly do not believe that there will be a marked increase in red meat sales. That is the real point of the problem. Probably, we could sum it up in two words: pure greed; I believe it is the greed of the supermarkets and it is the greed of the producers who want to sell, and this situation has occurred in this country in the last five to seven years. It has become a very greedy society.

I do not see why butchers have to be singled out by the supermarkets so that they can increase their turnover, or they believe they will increase their turnover. Supermarkets exist on one simple philosophy: they must increase their

turnover every year and, in increasing their turnover, they maintain their gross profit, which helps to improve their net profit. The net profit is a very, very small margin. The supermarkets are always looking for new fields. Supermarkets were first established a couple of decades ago, and sold mainly grocery lines. Little by little they went into dairy produce and now we find nursery lines, hardware and, of course, the original concept of Coles and Woolworths, which was haberdashery, has been extended to toys, paperbacks and records. Every year the supermarkets are looking for a new line.

I believe that butchers have been singled out and red meat sales have been singled out with the help of those who have a vested interest to promote red meat. They are not worried about the health of the consumers or what it does to the consumers, as long as they can increase the turnover. Although I am not amazed at the intelligence of the persons who promoted this legislation in the Legislative Council, members in this Chamber should be reminded that in 1980 many petitions were presented signed by some 52 475 persons and in 1983 some 4 388 signatures have been presented on petitions.

I think it is significant that in 1980, when this issue was raised, there was a concerted effort and campaign by the family butchers to fight for their survival. If any Government, Parliament or member is going to ignore the impact of those petitions and those 52 000-odd signatures, I think they are very foolish, because those 52 000 voters have families, friends and relatives, and they were concerned enough to sign the forms in the butchers shops to support the survival of their local butcher. On Tuesday 21 October 1980, I asked the following question of the then Minister of Labor and Industry (the member for Davenport):

Will the Minister of Industrial Affairs say whether the Government has refused the suggestion of late-night trading in fresh meat?

In explanation I said:

This afternoon, petitions bearing 46 518 signatures were presented to the House, following petitions with 263 signatures presented previously, giving a total of 46 781 signatures.

Of course, nearly 6 000 petitions came in after that. I continued:

As the instigator of the petition, I am pleased to receive the support of the small butchers throughout the State. Is the Minister aware of the feeling and the support of the butchers? Recently, I received a letter from Mr Denton, Secretary of the Meat and Allied Trades Federation of Australia, South Australian Division, which states in part:

On Thursday 16 October 1980, the Meat and Allied Trades Federation was contacted by the supermarket chain 'Action Price Stores Proprietary Limited' and asked to supply petitions opposing the extension of the existing trading hours of fresh meat. This chain of supermarkets is based in Western Australia and has had first-hand experience in late night trading of meat in that State.

Petitions were delivered on Friday 17 October, and when inspecting a store on Monday 20th, I found several large signs explaining the disadvantages of extending trading hours and a statement that any increase in trading hours will result in an increase in that supermarket's prices.

From this evidence, it appears that the very large supermarkets' only reason for extending trading hours is to gain control of the retail meat market. This will result in a cartel and cartels of this nature, particularly when the commodity is an essential part of the Australian diet, must be prevented so that free trade can survive.

I understand that, in America, the large combines are able to purchase stock on the hoof from farmers and graziers. By buying up before the meat reached the abattoirs, the large supermarket chains are able totally to capitalise on the market, thereby creating a monopoly, forcing out the small butchers and creating an inflationary situation of very high meat prices. Has the Minister considered the matter?

The then Minister of Industrial Affairs replied:

I have considered the matter. Unfortunately, I cannot indicate to the honourable member what the Bill will contain. I think it

would be most inappropriate for me to give any indication of that until the legislation is formally introduced. Certainly, the Government would take note of that sort of public opinion, and I can assure the honourable member that it will take into account, in considering suitable amendments to the legislation, the 46 000 signatures, which is a massive petition to be presented to the House. At least, the Clerks know now who is responsible for initiating the petition, and I am sure they will thank the honourable member for the opportunity they have to table the petitions.

I can make a few comments about that, but I will not; I will be fair. I think it is the role of the member of Parliament to represent his constituents and to serve his State in presenting petitions. I am not very happy with the way in which petitions are presented to Parliament, even at this present moment, but I believe people give consideration before signing such forms. The Minister then said:

In discussing the shopping hours legislation, I have had negotiations with many bodies, including the Meat and Allied Trades Federation, to which the member for Hanson referred. The federation put forward very strong arguments supporting the petitions tabled to date. The preparation of the legislation is running to schedule and, as I think I indicated to an honourable member opposite just recently, I expect the legislation to be before Parliament by about the middle of November.

That was 1980. The Minister then said:

On present indications that certainly will be the case.

When legislation was subsequently presented to Parliament it made no reference whatsoever to the shop trading hours for butchers or red meat sales, so that the then Government of the day, as the Minister now knows, was guided by the large number of signatures presented in petitions to the Parliament by most members, but, certainly, I believe all members were contacted by butchers in their district. That was in 1980 and the situation has not changed since then.

I wish to have recorded in *Hansard* a letter I received, dated 14 October 1980, from the Meat and Allied Trades Federation of Australia (South Australian Division), which stated:

The Meat and Allied Trades' Federation of Australia (S.A. Division) is an employer organisation representing 550 employer butchers in South Australia. At a duly constituted meeting of this federation on 8 November 1979 a unanimous decision was passed that this organisation oppose the extension of the existing hours for the sale of fresh meat.

As far as I know, the situation has not changed: that resolution still stands. The letter continues:

Our members believe that an extension to the existing trading hours will only further disadvantage consumers, by increasing the price they now pay for their weekly meat requirements.

It is worth while undertaking an exercise with the supermarkets on any product that one likes and, over a period of 12 months, I believe that one will find that the prices increase. The letter continues:

The Federal Meat Industry Interim Award is such that a butcher can not be rostered as part of his ordinary 40 hours beyond 5.30 p.m. on week nights; this combined with the nature of the meat industry that requires a butcher to commence work at approximately 6.30 a.m. to 7 a.m. to break up bodies of beef and prepare fresh window displays, would mean overtime payments of approximately \$40 extra per employee per week.

What responsible union or what responsible Labor Government would encourage legislation that will force permanent overtime for employees? The letter continues:

Of even more importance is our employees' safety, health and welfare.

We have heard much from the Minister of Labour in the 12 months that this Government has been in office on safety, health and welfare. This legislation will not contribute to that at all. It will make it more hazardous for those working in butcher shops because, if the butcher elects to open on Thursday nights, he will be working at least a 15 to 17-hour day. All members in this House know what it is like to work from 2 p.m. to 4 a.m. Many members get grumpy and want to go home and, of course, the situation



becomes worse when we get towards the end of the session, when Parliament sits much longer hours. So, why expect anyone else to put up with adverse working conditions? The letter continues:

A butcher's most common starting time on Thursday, Friday and Saturday is 6.30 a.m.—

and I have received letters from butchers in my electorate who start between 5 a.m. and 5.30 a.m. if they are to prepare their produce on Fridays—

and if he was required to work on Thursday or Friday until 9.30 p.m. and after cleaning he would not leave the shop until approximately 10 p.m. allowing two hours for driving to and from work, breakfast, shower and shaving, the employee has less than seven hours to sleep and this does not allow any time with his family.

No union agrees with that proposition, so why is there the change at the present moment? What is the reason for the change in attitude of the employees union, and of the Government? Fancy not allowing an employee at least an eight-hour break between shifts or, if one is not to introduce shift work, what will the cost be to the butcher? The letter continues:

The employees health will suffer, his family unit will be disrupted and will possibly become susceptible to industrial accidents. The Consumer Association of South Australia has surveyed butcher shop prices and compared these to the same quality meat in supermarkets with the result that butchers now have a small price advantage over the supermarket operators. An extension of trading hours would erode this small advantage and seriously disadvantage the lower income earners.

So much for what we hear from the Government in this State for the disadvantaged people, the 60 000 unemployed people we regrettably have in South Australia. Not one member in this House could justify such a large number of unemployed persons, single parents or those dependent on the pension. Yet, what are we doing to help them? What are we doing to them? We are forcing them, not to go around the corner to their local butcher, but to go to the giant monopoly supermarket where, over a period of time, they will be ripped off and buy inferior quality anyway. The letter continues:

The Consumer Association of South Australia has also reported on the American experience where a small group of supermarkets conspired together to keep retail prices high while paying farmers rock bottom prices for livestock.

The U.F. and S. have not mentioned anything about that; it probably does not even know where America is. The letter continues:

The small butchers unable to exert the same muscle brought at higher prices and were therefore less competitive. This question of trading hours for fresh meat was raised in Victoria in October 1979, where Mr Ramsay (Minister of Consumer Affairs) said that given the particular nature of retail meat the Government found there was no reason to extend the trading hours of fresh meat.

For the past few weeks our members have asked their customers to sign petitions against the extension of the existing trading hours for fresh meat. You as a member of the House of Assembly will no doubt have received some of these petitions.

Should the question of fresh meat trading hours be raised during this session of Parliament, I would ask you to give your support to this petition and oppose any move to extend the existing hours for the sale of fresh meat. A change of the existing trading hours would herald the demise of the family butcher.

I believe that most members of Parliament have received a copy of this letter, but not one of them has made any reference to that letter that they would have received in 1980. Let us get an update on that. On 20 May 1983, the Meat and Allied Trades Federation of Australia (South Australian Division) wrote to me again:

I wish to convey to you on behalf of this organisation representing 560 retail outlets in this state, our attitude to the Bill for an amendment to the Shop Trading Hours Act, seeking an extension of trading hours for the sale of red meat. We are opposed to an extension of trading hours as we believe it will:

Increase retail price of meat, due to overtime payments.

I defy anyone to dispute that statement. The second point is this:

It will reduce service to customers.

That is true. Go into a nice clean supermarket. There is no comparison between going to one's local family butcher shop, or Coles or Woolworths supermarket at Glenelg, or anywhere else.

**Mr LEWIS:** Well, stick with the butcher!

**Mr BECKER:** Stick with the butcher all right, but the honourable member will not let me; he does not want me to.

**The SPEAKER:** Order! The honourable member must not be harassed.

**Mr BECKER:** The third point is this:

Give supermarkets an unfair trading advantage. (At present consumers generally pay less at traditional outlets than at supermarkets).

That is quite true. This is the fourth point:

Reduce the number of apprentices that can be trained in accordance with the Federal Meat Industry Award.

One does not see supermarkets employing too many apprentices; in fact, I do not know of any. The next point is this:

Reduce employment in the meat industry.

That situation applies to the abattoirs at Port Lincoln which have had to be closed.

**An honourable member:** They have not got the volume of throughput.

**Mr BECKER:** They have not the volume of throughput. Does the honourable member want me to eat more meat, put on more weight, and die of a heart attack? Is that what he wants? Fair go! Red meat is not that good for anyone. The next point is:

Disrupt the family life of employees in the meat industry.

The Minister and his Government must be concerned for the health, welfare and safety of all workers in the State, and for the family life of workers in the meat industry. The seventh point is:

Disadvantage the majority of consumers that now complete their shopping before 5.30 p.m. by forcing them to pay higher prices for fresh meat.

Once the monopoly occurs, that is what will happen. The farmer will not receive any more, because the supermarkets, to survive, must increase their turnover. They do not care where they get it from or who they hurt to get it. The next point states:

Many leases require traders to open all trading hours i.e. as per State legislation, this means if a butcher finds it does not warrant opening for late shopping because of low sales he is compelled to do so under the terms of his lease, the extra costs could quite easily bankrupt him.

Look at this stupid Bill! The local butcher has to do one of two things: remain open Saturday morning or Thursday night. There are four butchers within a kilometre radius in one part of my district, and if a small supermarket decides to open they will all be forced to open on Thursday night. So the supermarkets admit taking a monopoly and dictating to the little people, and I would never have thought that the Labor Party in this State would ever support that policy. The letter goes on:

Late night trading experience in other States does not create more sales of red meat, it just transfers sales to other outlets or at other times. This causes a number of shops to close creating unemployment, also loss of trade to equipment suppliers.

I suggest that the people who advocate extended trading hours go to some of the cities in the United States and have a look at centres like the Rundle Mall. I imagine that one-third of those centres are closed down. That is what will happen if we extend trading hours generally in this State. Who is going to stand up in this House and say which 560 retail outlets will close, which 560 of the butchers will have



to go on unemployment benefits? Who is going to advocate that? Not I!

There is nothing wrong with the current situation at all. If the U.F. and S. is concerned at the decline in red meat sales it is time it got out and promoted the benefits of eating red meat. It will have to do a lot to convince me, because I have to lose about 12 kilograms. The letter continues:

Because of compulsory overtime outside an eight-hour day, the extra cost involved will increase the cost of all meat sold eight to ten cents a kilogram.

The farmer is not getting a fair go. He has not had a fair go in this area for many years, as the member for Flinders well knows. I have a friend, a butcher, who at one stage bought meat from Victoria because he was saving a couple of cents a kilogram. That is ridiculous when there is an abattoir only a few kilometres away from that butcher shop. Butchers will buy meat where it is cheapest. You cannot tell me that the poor South Australian farmer was doing any good under that deal, but that is what this Parliament wants to do. The letter concludes:

Any or all of my committee members are available to advise on the practical problems associated with this Bill, and we respectfully request your support in opposing the passage of this Bill.

Yours faithfully,

(Signed) R.F. Fletcher, Secretary.

Nobody has bothered to pull that out of the file. I ask how Government members can say that they represent small businesses, butchers, and consumers, bearing in mind that 52 475 people signed petitions in 1980-81 and, in the current period, 4 388. Nobody believed that this ludicrous piece of legislation would be passed in another place and brought into this Chamber. Nobody thought that the current Government would be silly enough to support and promote this legislation in such a short time as it has. If the time were taken now and this legislation was deferred, it would certainly be very interesting to see what the retail butchers in South Australia would have to say.

As to the U.F. and S. position paper, it is time that that organisation got its act together and contacted city members of Parliament and explained what is going on. If U.F. and S. members do not want to, that is their funeral. It is time they really lifted their game and sent me a piece of paper with the position set out. If they are not prepared to get themselves organised, they can take what they get. I think they are disorganised. It is high time that that organisation gave a bit more consideration to the people who live in the metropolitan area, and there are many of us who live in the metropolitan area now who were born in the country and who could well be sympathetic to their troubles, but I will not be dictated to by that organisation. The U.F. and S. says, first, that it is discrimination. How childish! Its paper states:

The U.F. and S. wants the South Australian Parliament to legislate and so enable fresh red meat to be sold on an unrestricted basis in this State. U.F. and S. believes butcher shop proprietors should have the option of opening either during a late night shopping period or Saturday morning—not compulsorily one or the other.

In other words, the U.F. and S. supports this stupid piece of legislation that the Hon. Mr Gilfillan introduced in another place. How would it be if we told the farmers how to operate their farms? They can only plough their paddocks on Thursday night or Saturday morning, but not both! What if we brought down noise control legislation which said they could do this, but not that? One can imagine the screams from the rural sector. The paper turns to the employment prospects and states:

If fresh red meat is not kept before the public and available at times when people shop, consumption will continue to decline to the detriment of those employed in the industry . . .

They would not want to bring it down to the airport, because we would soon stop that. That is probably the next thing they will want. We know one man who flew a sheep in—

**The SPEAKER:** Order! We have no airports in this Bill.

**Mr BECKER:** At least I am pleased to note that \$2.2 million will be spent Australia wide to promote a greater awareness of eating red meat. If the people concerned want to do that, fair enough, but do it sensibly and properly. I do not think that they should be asking us to put people out of work, to put small businesses at risk, or to destroy some of the 560 small retail businesses in this State.

**The SPEAKER:** Order! The honourable gentleman's time has expired. The honourable member for Eyre.

**Mr GUNN (Eyre):** I am going to be fairly brief this evening. However, I want to commence by saying one or two things about the gentleman who is responsible for this quite ill-conceived and foolish piece of legislation, the Hon. Mr Gilfillan. It is obvious that Mr Gilfillan is more interested in seeking a little press coverage for himself than in looking objectively at the current situation, having introduced in Parliament a piece of legislation that will not stand up to scrutiny.

How, in the name of common sense, could the honourable member ask the Parliament to consider this Bill in a rational manner? When I first read the honourable gentleman's Bill, I thought common sense would apply, that this piece of legislation would get tossed out and that we would not have to waste the time of the House of Assembly even considering it. However, I do not know what went wrong. Although the Deputy Premier is normally a fairly practical and sensible fellow, I was amazed when the measure was accepted.

I believe that it should be entirely up to the butcher when he opens his shop. Why should a butcher have to make a choice between Thursday or Friday night or Saturday morning? It is absolute nonsense. If anyone thinks we are going to continue to restrict trading hours over the next five or six years, he is living in a fool's paradise. We know what is happening in New South Wales and what is going to happen. There is nothing surer than that trading hours will be extended in this country: it has happened throughout the rest of the world. People have accepted that if they want extended trading hours they will have to pay a bit more for it, but the vast majority of the people want it.

One only has to go along Rundle Mall or to a large metropolitan shopping centre to see what is taking place. I recall being in this Parliament, I think in 1972, when we had the most ridiculous piece of legislation passed. We had a referendum, but the Government got so smart it tricked itself. It asked a silly question and got a silly reply. We have had the situation where people were asked whether they wanted to keep their shops open, and they actually voted 'No', so they closed them. We had the nonsense that occurred out at Elizabeth, and we know what took place there. Now we have this particular measure.

I want to see everything possible done that can assist the sale of red meat. It is quite ridiculous that people can go to the supermarket and buy savalloys, chicken and various other meat, but not red meat. In this so-called enlightened society, surely we ought to put paid to that sort of nonsense and anomaly in legislation. Bills of this nature really do bring the Parliament into great disrespect and reflect badly on members of Parliament, because members of the public cannot understand how the Parliament can be so foolish, so short-sighted and naive, and how we can waste valuable time at the end of a session debating a Bill of this nature that is so much nonsense.

I just fail to understand why the Parliament has to fool around with such nonsense. I believe that the majority of the citizens in this State would not approve of such a thing.

I do not take a great deal of notice of petitions. The member for Hanson went on at great length, and the honourable member has skills and expertise in certain areas. However, I say to him that, if one put a petition form in front of 50 per cent of the people, they would sign it to get rid of the petition. I think that 80 per cent of the people would sign a petition without reading it, so let us not deal with petitions. I take far more notice—

*Members interjecting:*

**The SPEAKER:** Order! The honourable member for Eyre should be heard in silence.

**Mr GUNN:** Thank you, Mr Speaker; I greatly appreciate your protection. The member for Hanson is an old friend, and I enjoy his assistance. If we had 10 000 individual letters, I would place a great deal more notice on them because if people take the time to write a letter to a member of Parliament, one knows that they are concerned. However, if they sign a petition put in front of them, I regard that with lesser value than I do letters.

*The Hon. R.K. Abbott interjecting:*

**Mr GUNN:** I am sorry about that. I will not take the whole 30 minutes.

**The SPEAKER:** I take it that the honourable member is taking his 30 minutes. He is fully entitled to do that, but I hope that we are not going to have a private debate.

**Mr GUNN:** I would not want to enter into a private debate on this matter. I merely want to recite a few observations in relation to this measure and the contributions of one or two other members. I am disappointed that someone like the member for Peake has not given us the benefit of his great knowledge on these subjects.

**Mr Plunkett:** Just stick to your own speech, and don't worry about other people's.

**Mr GUNN:** I would be delighted if the member for Peake would give us the benefit of that wide experience he has had in many fields, because I am sure that the people in his constituency would be interested in this measure. I am sure that they would like to buy red meat on Thursday nights and Saturday mornings, and it is fairly obvious that the honourable member will deny those people that right. I think that that is a most undemocratic course of action for the honourable member to engage in, and I am surprised.

**Mr Plunkett:** I have never heard such stupid rabble in my life, and you've been here for 15 years. What a disgrace! It's typical of what one would expect from the Liberal side.

**The SPEAKER:** Order! I hope that honourable members will cease quarrelling and get back to the Bill.

**Mr GUNN:** I am pleased to have been able to make waves so that the honourable member could make his second or third speech in the Chamber. However, I want to make one or two brief comments in conclusion. I believe that the United Farmers and Stockowners has acted correctly in promoting the extension of shopping hours to allow for the sale of red meat on the same basis as other normal trading. I believe that that is quite proper. I believe that the Hon. Mr Gilfillan has acted quite foolishly and improperly: all he has set out to do is create a great deal of publicity to try to bring his own name forward in the media and to try to impress the electorate at large in South Australia, because we are aware that the Democrats have acted quite foolishly and have been subjected to considerable criticism over their actions in recent times.

If the honourable member had given this matter any thought whatsoever, I do not believe that in all conscience he would have brought this measure to the attention of the House. All I hope is that the Bill will be amended to put it into an acceptable form, otherwise I personally will have no alternative but to oppose the third reading, because I want to see red meat sold after hours.

*Mr Blacker interjecting:*

**Mr GUNN:** As the member for Flinders rightly points out, we have great difficulties concerning a number of abattoirs. An abattoir in Peterborough, in my electorate, used to process general products and would be closed if it were not for the horses which are processed there. The general abattoirs industry in Australia is in a very difficult situation, and I instance the closure at Port Lincoln and other areas. Local butchers have been forced to spend large sums of money on upgrading their facilities. Therefore, we should be taking every sensible step possible to allow these people to maximise trading and to encourage the public to buy red meat, because I personally believe it to be a far superior product to the range of white meat available, and I am quite happy to declare my interest as a producer of red meat. However, I support the comments of the member for Alexandra and sincerely hope that his amendments are successful.

**Mr LEWIS (Mallee):** It is now more than 12 months since we heard members of the present Government proclaim that they wanted South Australia to win, yet I have seen no particular evidence of their showing where South Australia has won anything since the time they deceived the electors of this State into electing them. It is yet another example of where, if we are winning anything at all, it is the race in the stakes back to the caves. We are certainly going nowhere towards the enhancement of civilization and the enhancement of freedom. That the Government should even contemplate supporting the measure introduced in the other place by the Hon. Mr Gilfillan astonishes me as much as it astonishes other members on this side of the House. I secretly suspect that it astonishes a good many members of the Government back bench, including the member for Peake, who knows that, if there is a reduced number of sheep that can be sold, there will be a reduced number of sheep on the farm and, if there is a reduced number of sheep on the farm, there will be reduced jobs for shearers, and that would worry him, I am sure.

**The Hon. Ted Chapman:** Do you think, therefore, that there has been a deal?

**Mr LEWIS:** Of course there has been a deal: I am quite convinced of that. It is incredible!

**The Hon. Ted Chapman:** Do you think that it was at the same time as the f.i.d. legislation?

**Mr LEWIS:** I do not know when it was, but at some stage or other, the Demo lads have got together and made a 'crator'.

**The Hon. Ted Chapman:** The who?

**Mr LEWIS:** The Demo lads. That is the cross breed one gets: they have made a 'crator'. If one puts together the last syllable of each word, Democrat and Labor, that is what one comes up with—'crator'—a big hole. Regrettably, they seek to distinguish, with some artificially phenotypic characteristic of animal protein, whether or not it is lawful for it to be sold, and I refer to the fact that it is visual: it is not really even in protein dialysis that it can be proved to be a different commodity. It is meat protein, and merely because it appears to be what is called red meat it cannot be sold at certain times, whereas if it is called white meat it can be sold. How stupid!

Unless members were not aware of my views on shopping hours in general, let me remind them that I have said before that I am a free trader. Of course, this instance is again an illustration of the stupidity of the situation. It deserves the kind of ridicule that it attracts. One can go out and get one's chicken at night, but one is not allowed to go out and get one's chop. What about a rabbit? Is it red or white? Very often we have heard people refer to rabbit as underground chicken, but others have referred to it as underground mutton. Which of the two classifications would be correct?

Should rabbit be allowed to be sold outside the hours specified in this Bill, or should it not?

Will it be declared black because it is considered to be white and yet determined to be red, and therefore regarded as being unacceptable in trade? Which trader (and in what circumstances) would choose to define rabbit as white, anyway? I do not know about rabbits, but elephants are very interesting: it could be pink and then we would be in real trouble. That is halfway between red and white, and inspectors would have great difficulty in determining whether the law was being breached or whether the law was inadequate. It would probably turn out to be blue.

In the debate on this matter the red meat farmer has never had a feather to fly with, quite unlike the chicken farmer. We have done them in the eye, or I could say somewhere else. Any night of the week one can go out and get a parson's nose but one cannot go out and get a decent piece of rump! Whether this proposal, and therefore the proposed change, will leave the small butchers and then the A.L.P. featherless, I do not know, but we will see at the next election.

**The Hon. J.D. Wright:** We saw it at the last one, of course.

**Mr LEWIS:** I think the Bill is stupid and silly. I do not know how on earth it can be argued that it is appropriate to maintain late shopping hours in this fashion unless it is to pander to the whimsy of a particular group which happens to exercise disproportionate power in relation to the responsibility it has to the community at large. Quite clearly, this measure as has been taken up by the A.L.P. has got to be a sell-out to union interests. I would not mind betting, of course, that it was Mr Gilfillan who was approached, in some devious fashion by surreptitious elements to get this kind of measure through so that the industrial lobby for the shop assistants union could ultimately dispense with Saturday morning trading. Nothing could be more unjust, unreasonable or unfair. It strikes at the very heart of lambs gambolling around in the paddocks in spring time. It reduces their chances of survival in numbers that in the past have been able to be utilised in our community as a source of meat protein.

The Bill is rather obscure in its terminology in the way it sets out to define its ambit and its effect. As was mentioned by a previous speaker on this side of the House, the member for Goyder, if by misfortune this measure passes, in the future butchers could be forgiven for misunderstanding and misinterpreting it. We are 25 days away from 1984, and in today's *News* appears a very pertinent and relevant editorial which I would like to commit to the record for posterity. It states:

To the surprise of absolutely no-one, extended Saturday shopping in New South Wales has proved highly popular—

indeed, that is no surprise to me—

It gave families a new Christmas shopping option. It established that the proposal in New South Wales for all-day Saturday shopping on a regular basis is a sound one. In this State [South Australia] the best that can be hoped for is a small change to end an absurd restriction on the sale of red meat—

as I have said before the adjective used there is not one that can be sustained logically, biochemically or in reality: it is subjective opinion about which meat is red and which meat is white—

and that a rather confusing one. There is no doubt of the public support here as elsewhere for extended Saturday trading. And one of Australia's leading retailers, Myer Chairman, Mr Baillieu Myer, believes that ultimately customers will win the battle to establish it nationwide. But first it is necessary to overcome the hurdle of Government inertia and the conviction, common to all Governments, that change should always be in the direction of more, not fewer, restrictions.

Of course, such a move would be unpopular with sectional groups and some vested interests. But it is a poor administration

which is so timid or insecure that minority groups, however vocal, prevail over majority wishes in an area such as shopping hours. This small reform would make life easier for a lot of South Australians. It would fit in with the lifestyle and leisure pattern of working families. It would be a simple change for the better—as shoppers in New South Wales have discovered to their pleasure and convenience.

How true! I do not pretend to be capable of saying it more eloquently than that. My own attitude is embodied in that view. At present there needs to be a liberalisation of shopping hours, but certainly not in the form proposed by this measure. In due course it will militate against the small butcher. The Labor Government will have on its head the responsibility for the demise of a large number of small butchers, because the measure will give a disproportionate and unfair advantage to the supermarket rental space operators, who have small businessmen tenants, when they decide to put two small butchers into a supermarket, one to open on each of the optional trading times, thereby attracting trade away from the small traditional butcher shop out in the street.

**The Hon. Ted Chapman:** The Bill lends itself to that happening.

**Mr LEWIS:** Indeed, it is a Bill that is wide open to abuse in every regard. I am inspired by that comment to pose the question whether red meat that suffers from anaemia is red meat or white meat. This is a stupid and silly Bill. I have referred to the editorial in the *News*, and I have made the point that there is no difference in substance of meat protein available through each of the different kinds of outlets which are artificially defined. To make this law stick we will have to name the species of animals that can lawfully be sold to ensure that it is clear beyond doubt as to whether or not it is lawful to sell one kind of meat or another at a given time. Of course, protein dialysis is capable of identifying the species, but it does not in any sense identify the notional value of the material.

The Bill has its origins in the prejudices of yesterday's attitudes and yesterday's culture. It has no real relevance to the present day. We ought to look to the future in providing people with greater freedom to choose—not less. We ought not require shopkeepers of any kind, let alone butchers, to open or close their premises at any particular time of the week. After all, there is no natural biological phenomenon that dictates that there are seven days in the week: that is purely a cultural phenomenon. Given that we have accepted it and that it is part of our law, we have now chosen to make artificial delineations of when it is appropriate in law to do something or not. I conclude by quoting another paragraph from today's *News* which appeared in the column headed 'Bakers Day':

Suddenly you understand the profound truth of that famous piece of Australian graffiti 'vote informal' otherwise a politician wins.

Is it any wonder people have contempt for politicians when they bring into law such ridiculous propositions as this?

**Mr PETERSON (Semaphore):** We are all aware, as are most people in this State, that shopping hours are a mess. Nobody is game to grasp the nettle and straighten them out. That is only one very small aspect of the whole problem.

**An honourable member:** It's not a bad way to start thought—clean it up.

**Mr PETERSON:** It could be a way to start, who knows? It may even be passed. One never knows in this House.

**An honourable member:** Old Chinese proverb: longest journey start with first step.

**Mr PETERSON:** Chairman Mao has been quoted to me and, yes, he was right, I suppose. Someone must eventually straighten this whole matter out. We are dealing with one

small facet of shopping hours in this Bill. I do not mean to denigrate butchers or the red meat trade by saying that.

**The Hon. Ted Chapman:** Or the producers.

**Mr PETERSON:** No, or the producers. I certainly do not mean that. But, it is a small aspect of trading in this State. The extension of trading hours in New South Wales has been referred to. Apparently, from reports we have received, it is working, but it has been an overall action there. It has not been that one can sell yo-yos today and red meat tomorrow. It has been implemented overall and has done very well, as it will be in this State when someone does something about it.

The member for Hanson covered the case made out in the U.F. and S. position paper. That organisation wants longer hours for meat sale. As has been said by several speakers, including the member for Hanson, that will make no real difference. I agree. The other day I heard a supposed authority on the red meat market speaking on the radio about sales of meat such as mutton, beef, and so on. He pointed out that the largest inroads into meat sales have been made by the fast food market, because it was easier to buy food from Hungry Jacks, or a fried chicken, than to cook at home. One has only to look at the sale of poultry to see how that market has expanded over the past few years because it is easy to purchase a 'take-away' chicken for a meal. This fact was accepted by that expert, as it was generally accepted by people that this market has made inroads into the fresh red meat industry. The expert on the red meat market said in that radio interview that red meat sales must improve and that this could be done by making inroads into the fast food industry. Shops selling take-away red meat products in America are called 'roast rib shops'; they could be called 'chop shops', or 'chop palaces' here. If such a venture can be made attractive to the public, sales will improve.

I do not believe that extension of butchers hours will assist them to sell much more meat. A family only eats a certain amount of meat. Also, people can only afford so much meat in these tight times. The approach taken by the meat market to compete on an equal footing with fast or alternative foods will be one of the saving graces of the industry. The Bill as presented really only offers one change: it gives the small butcher the option of either working one late night a week or on Saturday mornings. Normally, butchers work Saturday mornings. If they see a benefit in working a late night they will do so. It is an extension of hours, not in length of time but in access to the butcher.

In my experience, and following discussions with butchers in my area, I understand that there is not one of them who wants this change in trading hours. They see no real benefit to the public from such a change. People generally have a shopping pattern; they do not go out especially to buy four chops or three sausages, they shop for the week's supplies. There would not be a house in South Australia, I imagine, without some form of cooling device such as a refrigerator so people are able to do this. If butchers were to change their trading hours it would, generally, not make any difference to shopping patterns.

Butchers have also pointed out that working a late evening makes their day 20 hours long. They have to go to the shop, receive and prepare the meat, serve in the shop, put the meat away and clean up afterwards, which makes a long day. To what end? The option is available to butchers to stay open now, if they wish but I do not think that, generally, they want to do so. Another point I wish to make is that if butchers find that these new hours are not working properly, they have to wait for six months to change them. A shorter option should be available. I will take up that point with the Minister, because six months is a long time. However, I doubt that many butcher shops will change their trading

hours, but they should have the option of a shorter lead in period if they wish to do so. Butchers may find that during a holiday period it is more convenient to open on an evening. Surely, a butcher should not have to give six months' notice of wanting to make that change. There should be some mechanism in the Bill to allow a prompt alternative of hours to cope with that situation.

If the legislation were to be amended so that shopping hours were longer, that would be a retrograde step. The day is coming when shopping hours will be opened up much more widely. That is the case in Victoria and New South Wales. I believe that it is only this State and one other that do not have extended meat trading hours. To extend meat trading in isolation is wrong. I have queried shopping hours generally relating to other aspects of the retail trade. It is only a matter of time before that is looked at. Even in the *News* tonight there was an article about a rather large protest from retail traders in Adelaide about the lack of facilities for late night trading and extra days trading.

**Mrs Appleby:** Large stores—

**Mr PETERSON:** Large stores, was it? I saw the comment in the newspaper. If we change this legislation now we will be out of step. Shortly, the whole matter of shopping hours should be reviewed. Obviously, the Bill gives an option for Saturday trading or late night trading on one night a week, which is reasonable and sensible until the whole situation can be assessed.

**Mr OSWALD (Morphett):** I am greatly concerned for the future viability of the many hundreds of butchers operating in the metropolitan area as small businessmen, particularly those in the district of Morphett, which I represent. I am particularly concerned about trends in shopping which are affecting small businessmen generally in this State. I will refer to those concerns shortly. Anyone who has had any experience in business over past years would have to look at this legislation and say that this Bill defies logic. It is the most ridiculous piece of legislation that has ever passed my desk in this House. If it is intended to be picked up by businessmen, how are they to have any hope of implementing it while trying to run their businesses on sane, logical lines? Clearly, it is about to throw the meat retailing industry into chaos. It will do this by the very nature of the way it has been put together.

I would like to examine what options are open to the local butchers in my electorate when they consider the legislation which has been placed before us. The Bill is totally confusing. As an example, I refer to clause 3, which inserts new section 13 (4) (b), the hours that will operate in the shopping districts around the Glenelg and Morphett area, and which reads:

(b) For a shop situated in a shopping district or part of a shopping district to which sub-section (1) does not apply, the shop shall be closed either—

(i) (A) not later than 5.30 p.m. on every weekday other than Thursday;

(B) not later than 9 p.m. on a Thursday;

and

(C) all day on a Saturday;

or

(ii) (A) not later than 5.30 p.m. on every weekday including Thursday;

and

(B) not later than 12.30 p.m. on a Saturday;

In that case the butcher has to decide whether he is going to open on Thursday night or Saturday morning—or he might decide to close on Saturday and open on Thursday night.

Further on the legislation provides that, in the first month, a butcher can make up his mind about the hours he wishes to trade and can change them every week if he wants to—so he can swap them around for the first month. The

customer coming to the shop will not know where he is. After the first month of changing around the butcher has to settle on a series of opening cycles and hold them for the next six months. He is not allowed to change them for the next six months. Presumably, he can then go through the whole exercise again.

I put to this House that that would be utterly chaotic. There is just no other word for it. For any Government introducing such a measure to purport to have any logic at all just defies reason. I imagine that the Minister must really have wondered what he had inherited when he was asked to implement a Bill such as this, let alone to have to police it through his department. His departmental officers are going to have an appalling task trying to settle down and work out what hours butchers are working, especially if they have changed their hours, considering the number of butchers in the community who have to abide by this legislation if introduced. If the Minister ever contemplates changing this legislation some time in the future I am sure that he will receive an enormous amount of support from this side of the House and, also, from butchers generally. Let us look at the options that are now being laid open.

**Mr Becker:** He does not have enough staff now in the Department.

**Mr OSWALD:** First, I sincerely hope that he does not increase the staff in his department. Secondly, I hope that his staff leaves the butchers alone, if they have to try to implement a policy like this and run their businesses at the same time. Let us look at some of the options open to the butchers generally. First, they have to either face up to the legislation, which was introduced by the Democrats and which the Government is sponsoring from the Upper House. If we did not have this particular Bill before us, the *status quo* could remain, or butchers could be allowed to open on a Thursday or Friday night, depending on which district they are in, and on Saturday morning on an optional basis. The second and third options are not before us, but the first option is; that is, the Government sponsored Bill that has come through from the Australian Democrats.

I have discussed this matter with representatives of butchers in my district and I can assure the House that many of them are totally opposed to the option being presented to them by the Government. It will cause chaos in the small shopping centres, of which there are quite a few in Morphett, where some customers have to walk 500, 600, or 700 yards to the nearest shopping centre. If they walk there and find that they have the wrong trading hours for their local butcher shop, or that the butcher has had cause to change his hours, I submit that that would be utterly chaotic and completely unacceptable to members of the public who have to contend with that type of inconvenience.

It has been put to me by representatives of my local butchers that their overhead costs are such that any further erosion of their sales by late night trading in supermarkets will erode their overall profitability to the point that many of their businesses could become quite unviable. I will point out to the House the hours that are worked by butchers who are running their own private businesses.

Many business people are quite content to fit all the labours of the week into 40 hours. Some proprietors expect to put in 45 to 48 hours at some time in the administration of their businesses, however, many butchers are committing themselves to up to 55 hours or more a week. This legislation will require them to increase that time worked. Quite frankly, I support their protests against the further extension of that time. I would also like to refer to the trends which are taking place in small businesses as regards the relationships with supermarkets. I think it is a terribly important aspect of where we are going in retail trading in the State. I would like to compare the little delis in the corner shopping centres

with butcher shops, which are usually located alongside them. With the trend for milk and bread sales to be concentrated in supermarkets, and with the continuing increase of bread and milk sales in them, we are seeing the erosion of the viability of delicatessens. In the long term, we are going to see delicatessens close because they lose that small profitability line and, if they close, then the consumer is affected, because he loses access, particularly on weekends when the other stores are not available, to these handy delis and mixed businesses on the corner of the street.

We are going to find the same trend occurring with butcher shops. We are going to have the pleasure, if you like to call it that, of presiding over the demise of butchers by creating a situation where their profitability will be eroded as sales take place in supermarkets. It has been put to me that if this trend continues we will see many butcher shops reaching that point where the butchers in the small strip shopping centres and those little shopping centres with which we are all familiar in our districts are phased out. I would also like to put to the House that if one looks at the trends in the United States one sees that there are no milk or bread deliveries around the streets any more. There are no butcher shops and delis as we know them in little shopping centres anywhere. That day has gone and has been replaced by the large supermarket, an impersonal supermarket, which in the case of South Australia may not even have its ownership or shareholders in the State. All the shareholders could be sitting in Victoria, reaping profits out of South Australia and transferring them back to Victoria. What concerns me is that if this were to happen in South Australia hundreds and hundreds of my constituents would be affected, because, unlike most electorates, I have an electorate which can claim to have the oldest population by age of any constituency in South Australia.

*The Hon. Ted Chapman interjecting:*

**The SPEAKER:** The member for Alexandra must not interject.

**Mr OSWALD:** Because of their age, many of my constituents are pensioners or immobile people. They are living in areas of the district where they walk 500, 600 or 700 yards to the local shop. They will stay there for an hour or so, some of them rest and then they have to return to their homes. I am thinking particularly of the suburb of Oaklands Park. There is no public transport through Oaklands Park and, if we see the demise of the little shopping centres which cater for these people in that area, the butchers, the little chemist shops, the delis and even the T.A.B., although that may not go, because we set in train a sequence of events which bring that demise about, then we are going to find that these people have nowhere to shop. The lady opposite might look horrified about that, but she is active. I am talking about elderly men and women in my electorate who have to walk to the shop. If they cannot go there, the next alternative is for us to supply public transport to get them over to the Marion Shopping Centre.

*Members interjecting:*

**The SPEAKER:** Order! The honourable member for Alexandra is not permitted to speak to the honourable member on his feet. Order! The honourable member for Morphett.

**Mr OSWALD:** I was quite interested in her interjection because clearly—

**The SPEAKER:** The honourable lady's interjection.

**Mr OSWALD:** Yes, the honourable lady's interjection, because she seemed quite inert to the need to provide shopping centres for elderly people who are unable to get on to public transport and get to the major shopping centres.

*Ms Lenehan interjecting:*

**The SPEAKER:** Order!

**Mr OSWALD:** She says who is taking shopping centres away.

**The SPEAKER:** The honourable lady.

**Mr OSWALD:** The honourable lady is worried about who is taking the shopping centres away. If they had not been engrossed in conversation, they would have heard me say that we are setting in train the sort of legislation which will lead to the demise of certain types of shops. The honourable lady can leave because she has very little knowledge in business. I would expect her not to understand this sort of thing.

**The SPEAKER:** Order! I hope that there will not be this sort of quarrelling continuing.

**Mr OSWALD:** I would not attempt to quarrel with the honourable lady opposite, but she has cast an example by which she shows the ignorance of a lot of people in the community to the trends taking place in business in this country which, as I said, will result in the demise of delicatessens because one will see milk and bread sold in supermarkets. Having done that, we will see the demise of butchers because their non-profitability is eroded, and if we see these businesses close down, these shops will not be available to those people in the suburbs who are using them now, and who, in the future, will have to get to the major shopping centres. That is the point I want to make and it is quite valid. If honourable members sit around long enough, they will find in years to come that the trend that is happening now overseas, anyway, will continue. I have had the concerns of the producing bodies put to me and I think that the member for Alexandra put those concerns very well earlier tonight. It is quite true that the U.F. and S. and those bodies which produce red meat are small businessmen in their own right. They have every right to press for their product to be sold at every opportunity that is made available to them.

**The Hon. Ted Chapman:** And equal with the others.

**Mr OSWALD:** And, as the honourable member says, with opportunity equal to others. I wish to put the position of butchers in regional shopping centres of my district and their concerns regarding their future viability, which is being affected by the type of Bill before us tonight. We are not talking about keeping the *status quo*, which I know that they support, or of the option which would allow trading on a Thursday night and a Saturday morning (that is not an option that is before me at the moment). The option before me is this illogical Bill sent down from the Democrats and picked up by the Government, which will cause economic chaos to the small businessman-butcher I seek to represent. This Government-sponsored Bill will create further trading difficulties for butchers—there is no doubt about that. They will become unprofitable. If that happens, we will see some of those butchers, at least in the short term (and in the long term, many of them) have to close. They are concerned about that, and I share their concern. This Bill is ill-conceived, confusing and downright unbusinesslike. I believe that the Government should move to withdraw the Bill.

**Mr RODDA (Victoria):** I know that this Bill is called the Shop Trading Hours Act Amendment Bill, but it is known popularly and colloquially in the community as the red meat Bill. I have listened to my colleague, the member for Morphett, put the case regarding the parochialism of certain sections of the market. I am a producer and speak on behalf of producers who supply not only Australia but also the world market. However, the very best market for an Australian product is the home market. I listened carefully to my colleague, the member for Morphett, who spoke on behalf of the people he represents, and I do not detract from his sticking up for them. It is a very good market but it is a sectional one, in so far as one can only shop at certain

times. I have had very strong representation from butchers within my district who are very much against late closing.

This Bill does not enthruse me greatly when I read the options in it. I rise to speak on behalf of the beef industry, the producers, the breeding that goes into the animals, the stud-master, the selection, the progeny testing that is done, pasture management and development which goes on to produce the very prime steaks and cuts that have made the beef industry a sought after industry in this country. Of course, we have seen what has happened hitherto; inroads by the white meat industry in supermarket meat which is available at all times, and which has had quite an upshot in sales at the expense of the red meat industry. The producer organisations have been loud and verbose about this matter. I am not unmindful that I was Minister in a previous Liberal Government. It was a majority considered opinion, and a Cabinet decision, that that Government did not require butchers to open during such hours, and I supported that approach.

I will refer to a couple of distinguished people in my district who represent grower organisations, and who are beef breeders in their own right. I speak of Mr Gerald Martin, who has quite a successful livestock undertaking in the hundred of Short, and Mr Ian McL. Smith, who has a productive beef breeding establishment at Rendelsham. He is perhaps better known as Rocky Smith. These two gentlemen have been loud and clear in their protestations about red meat sales in that we have been denied our share of the red meat market through what this Bill endeavours to correct. I do not know that it will correct the situation, but at least it is a start. There are a series of options in the Bill which will run for a trial period, and then the butchers will have an option of selecting whichever they think is the best one, although on listening to my colleague, the member for Morphett, one might think none of them is any good. This Bill has come from another place. The President of the Show Societies in the South-East, Mr Brian Copping, runs a prominent Murray Grey stud. He has shown successfully at the Adelaide Show, in Melbourne and around the State. There are the Warrensville and Allendale Poll Hereford Studs at Bordertown, which have been very successful. They spend large amounts of money, as do their colleagues, in relation to other types of breeds. The former Prime Minister, Mr Malcolm Fraser, has one of the finest commercial Hereford studs just over the border of South Australia, and many of his cattle have found their way into South Australia.

On our own property at Struan we have used the Fraser cattle with quite some success. Only last Sunday I attended a Christmas barbeque at the stud of David Cornell and his wife and sons at Echunga, and one can see the work going into the breeding of these animals, and the care and attention they receive. I issue an invitation to the member for Morphett and any of his other colleagues, and indeed the butchers, because it would do them good to see the background work that goes into bringing this quality red meat into our Australian markets. How we reach the market-place is not in my line. If it is a good product it should meet the market in terms across the board of shopping hours that are available. The butchers have a very good product at their disposal, and if they are to be in the business of marketing it, they should meet the market all the time rather than have this stop, go, open and shut situation.

I know the supermarket puts pressure on the family shops. I am fairly old-fashioned and there are many people in the world like I am. My wife goes to a street corner butcher. The meat is fairly expensive, but if they give quality meat, and if they preserve it well, then they will attract custom. This is a business undertaking and they have to meet it. Gerald Martin and Ian McL. Smith have been very critical of the former Liberal Government, and very critical of the



present Government for its ineptitude in this matter. We have seen the middle ground being declared by Mr Gilfillan, who has brought along something which is having some nice things said about it from certain quarters, but at least it is a start in a direction.

I have been quite successful in my wool prices, because I have been prepared to meet the market. I took 25c a pound for wool a few years ago, and that was a bit of a knock in the neck. Many members in this House have never run their own enterprise. When you have to argue with a banker across his broad desk (very much like the table in this House) he has a lot of safety behind that desk; he is such a long way from the customer in front of him. The member for Hanson is no stranger to the bank. The producer has to meet the market, produce a good product, prepare it, look after it well, and then get out and sell it. That is the option we are facing fairly and squarely in this Bill.

**Mr INGERSON (Bragg):** My contribution to this debate will be short, because I do not intend to repeat what has been said. I believe that all traders should be free to trade during normal designated shopping hours, whatever the shopping hours. Obviously, they will be extended and changed in times to come, but all traders should have the right to decide within those hours. It is totally illogical and inconsistent for one group of traders or one type of merchandise to be restrained or protected from doing so. I believe economic growth is best based on individual and corporate initiative and enterprise within a competitive market with a minimum of Government interference. Expanding the scope of the competitive market will give consumers a choice, and I think we tend in much legislation of this type to forget to consider the large numbers of consumers involved, and this is an important safeguard against the erosion of their basic rights and freedoms.

By restricting consumer demand, I acknowledge, however, that competition will not be preserved without Government action to combat restrictive anti-market practices on the part of business, Government corporations or trade unions. In other words, I am saying there are groups based on self-interest that will put pressure on Governments to add biases to any particular market. Any Government needs to be aware of this and take the action required.

Obviously there have been three choices of action in this area. The first is maintaining the *status quo*, and, obviously, because of the concern and the introduction of this Bill pressure has been placed on the market to change; otherwise we would not have this Bill in front of us today. Another option was to take up hours similar to those of all retail traders, and that one has not been chosen. This obviously is compromise legislation and brings with it many practical problems, but, as the member for Victoria rightly said, it is a start in the change that will happen because there will be changes and extensions to shopping hours, if not in this Parliament, then very soon.

I would like to speak very briefly about how I see the current market and the position of this industry. There is no question at all that this is a small business industry. We have heard comments about the butchers being a small business industry, but what about the producers? There are 11 000 small farmers who are small business men, and it is easy to say a lot of cattle producers are large corporations, but a very significant number (some 11 000 altogether) are small business men in their own right. Why should they not be protected if there is to be any sort of protection in the market?

We have the supermarkets in South Australia. It is often said the supermarkets represent Coles and Woolworths; in fact, the independent grocers of this State have something like 50 per cent of the market. The independent grocers are

made up of small business men who come into the category of 'small business' recently defined in the Government working study. If we are to talk about small business we have to include the fact that some of the supermarkets, those that have 50 per cent of the market, are in fact small businesses as well. When we talk about the effect of the part of the industry representing small business, we have to realise that the whole industry itself is small business. Why should we introduce legislation that suits purely and simply one sector of that industry, e.g., the butchers in particular?

When we talk about butchers and the effect of this sort of legislation, we must look at shift in trade in this industry over the last five to seven years. Some five to seven years ago, as mentioned to me by the union and also by the association that represents the small butchers, some 85 per cent of all red meat sales occurred in butcher shops. Today (again, a quote from both groups) some 50 per cent of red meat sales occurs in the small butcher shop. The principal reason for that change is that the consumers' choice has been away from the small butcher to the supermarket environment. There is nothing that we can do about that, nor any Government, in that the consumer has chosen to shop in an environment different from supermarkets, and the reasons are many: whether it be convenience of shopping, quality, or whatever. However, the choice is theirs; they have made that choice, and made it very clearly. There is no question that many small butcher shops will have a viability problem in the next few years. However, that is no different from what has happened in many other areas and other industries in the market place.

*Mr Becker interjecting:*

**Mr INGERSON:** As the member for Hanson mentioned, the pharmacy industry—

**The ACTING SPEAKER (Mrs Appleby):** Order! The Deputy Premier is out of order.

**Mr BECKER:** On a point of order, Madam Acting Speaker, can you please inform the House what the Deputy Premier is doing incorrectly? I cannot see anything.

**The ACTING SPEAKER:** It is out of order for the Deputy Premier to be standing with his back to me, speaking to someone in the gallery. The honorable member for Bragg.

**Mr Evans:** Are they both out of order?

**The ACTING SPEAKER:** Yes, they are. I ask both members to do the appropriate thing, of which they are quite aware. The honorable member for Bragg.

**Mr INGERSON:** Thank you, Madam Acting Speaker. As I suggested, many industries have had to go through a transition of change in the market place, including pharmacies, the hardware industry, and newsagents which have all had to go through some sort of transition, as have fruit and vegetable producers. They have to compete in the market place, like anyone else. The other reason for the shift away from the butcher shops to other areas is the fact that society itself has become very health conscious. Because of suggested problems with cholesterol and the amount of it in red meat, there has been a shift to chicken and fish. Of course, that has had some effect on sales of meat and, consequently, may have some effect on viability.

However, it is interesting (as with most small businesses) to consider the butcher. In fact, he has accepted the challenge in most instances and recognised that the way for him to survive is to expand his market. If one considers competitive butchery which will survive, one can see that they have already taken on board the sale of fish, chicken and many other products; some even sell fruit and vegetables so that they can remain viable within the market place. I believe very strongly that anyone who wishes to trade within the designated shopping hours ought to be able to do so and, as a consequence, I oppose the Bill as it is currently before the House.



**Mr EVANS (Fisher):** I oppose the Bill. It is quite a ridiculous Bill which the honourable member in another place (Hon. Mr Gilfillan) has produced and asked the Parliament to support. Anyone who knows the Labor Party and supports its goals and ambitions, particularly the trade unions, would support this Bill, because it places the small butcher in, I believe, an even greater disadvantage than he is at present. The bigger operators (the supermarkets and the buying cartels, which is really what a lot of them are) will be able to buy products at lower prices and ship them all over Australia after they have been dressed and, by that method, making sure that they have in Adelaide or any other city in Australia the cheapest meat available in the country.

I know from talking to a buyer with one of the bigger operators that that occurs. It is not always South Australian meat that one buys in South Australia. If one can buy it cheaper in bulk in New South Wales, that export has to pass inspection, but it is used. The union movement can see a method of getting rid of some of the small operators and, in the main, red meat sales will be in the hand of the bigger operators. It is obvious that it is easier to control the bigger operators than the small operators, and if the trade union movement wants compulsory unionism in business operations, it is easier to deal with a few bigger operators. It is obvious to anyone who thinks about the exercise that the A.L.P. just jumped on the band wagon and accepted the Democrat proposal.

I would like to answer one or two comments made by some speakers in this debate. The point was made by one member that a significant number of people in the work force nowadays are females and that, in the main, the female is the person in the family unit who buys the commodities. I believe that that is changing rapidly. Today it is more a dual accepted responsibility and more males are doing the shopping than traditionally occurred 20 or 30 years ago. I am not saying that a significant number of females do not do the shopping in a dual adult home: but the trend is changing. Also, 20 or 30 years ago (if one wants to go back that far) the male left for work very early in the morning and arrived home very late at night, so the only way the shopping could be done was by the female, who quite often was at home. It would have been impossible for the male to do the shopping because of his hours and because of the lack of public transport, the period of time it took to travel to and from work and the type of work was different. It was mainly out in the field.

**Ms Lenehan:** Get back to the Bill.

**Mr EVANS:** I am.

**Ms Lenehan:** What has that got to do with it?

**The SPEAKER:** Order! First, the honourable member is interjecting out of her seat and, secondly, the Speaker will determine what is in order and what is out of order. The honourable member for Fisher.

**Mr EVANS:** One speaker in this debate referred to the argument that it was not convenient nowadays for females in particular to do the shopping. I am making the point that traditionally the role has changed and, in the main, in the past the female did it. That has changed today; it is a dual responsibility, and the male quite often takes on the responsibility. Therefore, I do not think that that argument is as strong today as it would have been many years ago. Secondly, I would accept that some women may be disadvantaged in single-parent families, although, they are not all female oriented. In the main, it is the case, but there are many male single-parent families, so the opportunity for people to shop (whether male or female) can become difficult in certain types of employment.

It is a minute number. Throughout the Public Service to a degree there is some flexibility concerning people having

the opportunity to have some time off, and in many cases this applies also in private enterprise. Further, nowadays a vast majority of people finish work by 5 p.m., and if they want to purchase some red meat they can purchase it at lunch time or when they finish work. A significant number of people finish work at 4.30 p.m. Notwithstanding that, very few people who work on Saturday also work for the entire five week days. The Bill is suggesting to small butchers that for a period of time they can sort themselves out and decide whether they want to open on Thursday night or Saturday morning and that once they have made up their minds they will be locked into a situation. The big operators will kill the small operator under those circumstances. I am sure the Minister understands that, and it disappoints me that the Government supports the measure.

Another member made the point that it is important that the shopper has ease of service and supply. Do the post offices, for example, open on Thursday night and on Saturdays for the convenience of people? The banks and the insurance companies do not open at those times. Do Government departments open on Thursday nights or Saturdays to help people with obtaining a service? Has any Party in Government argued for that? It has been argued that in regard to red meat and white meat there is some discrimination. I agree that there is, but that will remain, whether or not the Bill is passed. One can sell chickens until midnight if one sells them through a deli, or one can sell fish and chips if that can be supplied as part of a restaurant operation. In those circumstances, operators are not locked into a situation of extended trading hours applying only on Thursday nights or Saturday mornings.

Reference was made to producers. I was brought up in that field and have been associated with it for as long as has the member for Alexandra in the field of producing beef. I still have an interest in it. If a member of my family who is in the business is ill and wants a hand I am always prepared to be there. I know what happens. I have brothers who are associated with producing beef stock. The Minister also knows that a change of attitude has occurred in the community. For example, pork sales have gone up. That is a red meat. Sales of beef, lamb and mutton have either declined or remained static. At one stage the fluctuation in price was so dramatic that the price of some meat got out of the range of average householders and so they got out of the habit of eating it and developed other eating habits. Once that occurs, it takes a lot to encourage them to go back to eating what they ate originally regardless of its availability.

Further, some doctors argue that the eating of red meat can result in harmful cholesterol levels and that people prone to this problem are wise to leave meat alone. I accept that this is a problem. For the past 12 months I have been trying to keep my weight down, and although I used to like eating meat I now avoid it on most occasions. Many people in the community are now doing that, as they have done with butter and other commodities. To argue that, because shops will be open for a few more hours, more of the commodity will be sold is not valid. That may or may not be successful, but most people would agree that increased sales result from successful publicity and promotion campaigns. If meat has not been promoted well, whose fault is it? We know that meat has not been promoted strongly enough.

I do not want to see any more small businesses go to the wall. Political Parties talk about helping small business, but are they really helping? I do not know that they are. When the crunch comes they back off. If I believe that some of the small operators that I know of will be forced into the position of not being able to compete with the bigger operators, it is up to me to speak out in their favour. There is

no doubt that the bigger operators are able to buy under better conditions already, and if they crush the small operators let not the member for Alexandra or anyone else suggest that we need a marketing board or some other protection because the cartels have taken control of the market in the purchase of the commodity in question—because that has already happened.

*The Hon. J.D. Wright interjecting:*

**The SPEAKER:** Order! The honourable member for Fisher has the call.

**Mr EVANS:** We already know of some producer organisations (some of which I have belonged to or worked with), such as the Potato Board—

**The Hon. J.D. Wright:** They wouldn't have you back.

**Mr EVANS:** The honourable member must accept that people are able to speak up for different sections of society if there is a need to do so. Having received a petition signed by many people who believe that small butchers may go to the wall, I believe that I should raise the matter of their concern. Some have family investments, and so on, which will be affected and they have a problem. Primary producers who cannot sell their commodity at a profit have a problem. As an individual, I have been through all of that. It is wrong for us to think that it does not matter if the effect of certain legislation is to destroy some small operators. We must be concerned about such things.

The reason why the A.L.P. supports this is because it knows that in the long term there will be only a few large operators to deal with, because the small operators will have gone and it will be easier for the trade unions to work on these bigger operators. I oppose the Bill. It is quite ridiculous. The Hon. Mr Gilfillan in the other place and those who have supported this proposition should be ashamed. This proposition is even worse than propositions that have been made in the past. If we were considering shopping hours overall, that would be a different matter, but we are talking about only one commodity. I oppose the Bill.

**Ms LENEHAN (Mawson):** I support the Bill, and rise to indicate my support after having listened to some of the most amazing arguments that have been made in this Parliament tonight. The member for Morphett talked about the closure of small delicatessens and about the inability of pensioners to purchase basic commodities, but that had absolutely nothing to do with the Bill.

*Mr Oswald interjecting:*

**Ms LENEHAN:** I will choose to ignore the interjections from the member for Morphett. The member for Bragg talked about the ability of butchers to respond to the changing market place. That was the actual statement that prompted me to rise and indicate my support for this Bill. I want to speak very strongly in support of the small butcher shop. I would ask the member for Fisher what evidence he has to support his assertion that the small butcher will go to the wall because of this legislation. He has not produced one scrap of evidence to support his assertion. I have become used to that in this Parliament: no-one on the Opposition benches considers it necessary to provide one scrap of evidence to support an argument. The member for Fisher's argument was absolutely irrelevant. I would like to give one example of a—

*Mr Oswald interjecting:*

**Ms LENEHAN:** I find it difficult to talk over the babbling of the member for Morphett, but nevertheless I shall continue. He seems to be raving on like some sort of demented person because I have dared to stand up and challenge what he said, which I find rather amazing because he is quite happy to give out a lot of flak from time to time.

In respect to the member for Bragg, I would like to say that many small butchers (and I can cite an example), have

not only responded to the changing market place but have, in fact, left the big operators for dead. They have offered the single pensioner and working wife, of whom I am proud to say I am one, a range of choice that has previously never been offered to them. They are prepared to provide a range of sausages.—

*The Hon. Ted Chapman interjecting:*

**The SPEAKER:** Order! The honourable member must not be harassed. The member for Alexandra is clearly out of order. The honourable member for Mawson.

**Ms LENEHAN:** Thank you, Mr Speaker, I appreciate your protection. The small butcher has provided individual and innovative means of servicing the public. He has provided a range of innovative meats not currently provided in the large butcher shops. I say this as someone who shops every Thursday night when this House is not sitting. I actually shop for my family. I wonder how many other members in this House do the shopping. I am delighted with the Deputy Premier's Bill. He has provided a range of alternatives for people who work, for people who may be working in their electorates on a Saturday morning and who cannot get to the local butcher shop.

I would have thought that the great Liberal Party would support those alternatives, albeit that this Bill may be a compromise. I am not suggesting that it is not. I guess that the Deputy Premier will pick up that point. However, I want to reiterate one of the points made by the member for Fisher, who made the most amazing assertions. He said that this Bill would drive the small butcher to the wall. How readily he sells the small butcher down the drain. The small butcher will not be driven to the wall: he will survive because he is innovative and is prepared to use his initiative and provide a service to the public.

**Mr Oswald:** We'll trot this speech out in six months' time.

**Ms LENEHAN:** We will see what happens in six months' time.

**Mr Oswald:** You be careful.

**Ms LENEHAN:** I am sorry that the member for Morphett is almost to the stage of being phrenetic in this debate. However, I am prepared to be big enough to concede that, if in six months time we find that this Bill is not working, obviously we will look at it again.

*Members interjecting:*

**The SPEAKER:** Order! I hope that all honourable members will retain some sense of reasonableness. The honourable member for Mawson.

**Ms LENEHAN:** Thank you, Mr Speaker. I would like to feel that the debate was to be conducted with a sense of rationality and reasonableness. Unfortunately, some of the arguments that have been put before this House tonight have been anything but reasonable and rational. I will not take the time of this House. I am mindful of the time. I just want to say that for the enormous number of people who have to work and shop this Bill is a light at the end of the tunnel, and I am delighted to stand and support the Deputy Premier who introduced it. It is a pity that members opposite do not do the shopping: that is all I can say.

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

That the time for moving the adjournment of the House be extended beyond 10 p.m.

Motion carried.

*Members interjecting:*

**The SPEAKER:** Order! That motion has been passed. We are now back to the Shop Trading Hours Act Amendment Bill.

**Mr Becker:** Do you do the shopping?

**The SPEAKER:** Order! The honourable member for Hanson is definitely out of order. We are talking about the Shop Trading Hours Act Amendment Bill.

**The Hon. J.D. WRIGHT (Minister of Labour):** I thought that the member for Mawson added some spice to this very dull debate that has been going on now since 3.40 this afternoon. It has been the greatest piece of repetition I have ever seen in this House. I thought the lead speaker did fairly well if he was speaking from the point of view of the shadow Minister of Agriculture, but, on this occasion, dealing with the shopping hours legislation, he did very badly. However, for his audience in the gallery at the time, namely, the U.F. and S., I thought he did reasonably well.

The history of shop trading hours in South Australia has been very lengthy. I do not want to blow my own bags about this, but prior to 1977, until the Bill Lean Royal Commission was established (which gave the Government some guidelines about where it should be going with the total concept of shop trading hours) nobody in South Australia had taken very much interest in the subject, although from time to time I remember Steele Hall (Leader of the Opposition as he then was) stirring up plenty of opposition about shopping hours. In fact, I said then and say again now that shopping hours are always an Opposition's dream and a Government's nightmare.

Irrespective of who is in Government it has always been a difficult task to overcome that problem and suit the convenience of everyone in the industry. I am talking about not only consumers and people who provide services in the industry but also those who service the industry and others right across the spectrum. When the Liberal Government was in power for the three years before this Government was returned, it did nothing about this matter at all. It brought in very strong amendments to shop trading hours generally speaking, but so far as red meat was concerned there was a complete stalemate. I do not make any great criticism about that because I understand the former Minister's problem, but things are never the same when they are different.

As soon as the former Minister goes from this side to the other, he starts calling me a coward, which he did this afternoon. Any time he likes to try that out again he can; he can get some boxing gloves or whatever he likes. He accused me of having a yellow streak down my back. If he accuses me outside I will punch him in the nose. I will accept it in here, but not outside. I do not think that his comment did very much for the debate. It is a pity that the shadow Minister of Transport (the member for Davenport) has to sink to that level. Nobody else has said sunk to that level in this debate, but that is the honourable member's usual form: he attacks people personally, and that is the only way he can go about his business.

**The Hon. Ted Chapman:** It must have been very provocative for him to say something like that.

**The Hon. J.D. WRIGHT:** I certainly was not provocative, as the honourable member knows. When I introduced this legislation, I said:

Whilst the Bill may not go far enough for some groups it is an improvement on the existing position and will allow red meat to be sold in competition with substitute products on late shopping nights.

I am not at all suggesting that this piece of legislation is a panacea, but it is clearly a compromise on our part, using the forces at our disposal. We hope in this legislation to give the consumer some better opportunity to buy red meat, and that is what the Bill does. Nobody in the House in their sane mind can deny that that is a fact. It alternates shopping hours for consumers.

*Members interjecting:*

**The Hon. J.D. WRIGHT:** If members opposite want to deny what is in the legislation, that is entirely up to them. Clearly, an alternative programme can now be determined by butchers throughout the State, which will give consumers a better opportunity to buy red meat. That cannot be denied. The interesting thing was that the member for Alexandra talked about fish, chicken, meat, producers, farmers and lack of profits but on not one occasion—

*The Hon. Ted Chapman interjecting:*

**The Hon. J.D. WRIGHT:** The honourable member talked about the whole spectrum of profits and non-profits and stayed very, very close to that subject.

*The Hon. Ted Chapman interjecting:*

**The Hon. J.D. WRIGHT:** Well, I withdraw that particular comment: it is not a strong point as far as I am concerned. The honourable member will agree that he talked about the other things, but he did not talk about the human resources in the industry.

**The Hon. Ted Chapman:** Yes, I did.

**The Hon. J.D. WRIGHT:** That is what he did not talk about. The only member in this House to pick up the human resources problem and to talk about the butchers' plight was the member for Semaphore.

*Members interjecting:*

**The Hon. J.D. WRIGHT:** Nobody else was concerned about that matter.

*Members interjecting:*

**The SPEAKER:** Order! This is not going to become a shouting match.

**The Hon. J.D. WRIGHT:** It has been a shouting match all day from the other side. I have been sitting here for five hours listening to it.

*Members interjecting:*

**The SPEAKER:** Order! I ask all members to come to order. The honourable Deputy Premier.

**The Hon. J.D. WRIGHT:** On this side of the House, we happen to take into consideration all aspects of any legislation which is going to affect anybody in the community. When I say 'anybody', I mean just that. It has been put to me over the years that the butchers in the industry working a late trading night on either Thursday or Friday can work up to 22 hours a day if they get up early in the morning and clean up late at night. I do not think that that is a very satisfactory situation. Parliamentarians have to do it from time to time, but I do not think butchers should have to do it.

*Mr Becker interjecting:*

**The Hon. J.D. WRIGHT:** I am pleased that the member for Hanson agrees with me. I am accepting his agreement. He might vote with us.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. WRIGHT:** I think there is a very strong chance that he may vote with us on this occasion, because he has certainly come a long way in this matter. It is interesting to note that, of all the problems raised about this legislation by members opposite, very few, if any, were concerned about the poor old butcher himself, the fellow who has to give the service, do the work, have the heart attacks and have his family claim workers compensation. That is what it is all about: extending hours. If members opposite intend to go as far as their Party wants to go, it means a greater extension of hours for these people, opening Thursday night in the suburbs, Friday night in the city and then also on Saturday mornings. The butchers have put to me, through their own organisation over a period of 10 or 12 years, that that is just not on so far as they are concerned; they are just not physically capable of performing their duties over such a period. Let me reiterate that this is a

compromise. The butchers on this occasion have agreed to give this a try, hence the month.

*Mr Ingerson interjecting:*

**The Hon. J.D. WRIGHT:** The member for Bragg is becoming a very bad interjector and will not face up to his interjections once he makes them.

**Mr Ingerson:** That's not true.

**The Hon. J.D. WRIGHT:** It is true. I suggest that if the honourable member interjects on me it will stay in *Hansard*.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. WRIGHT:** The member for Hanson made great play about the fact that this legislation would put people out of work. I do not comprehend that statement at all. In fact, it has been put to me by butchers that the Bill will enhance their businesses, because they will have an alternative in deciding what their particular district wants, whether it wants them to open on Thursday night or Saturday morning. I cannot give any evidence of this, but I am told that in fact it will enhance their businesses and a lot of the butchers say they will go to Saturday morning trading. That seems the most appropriate thing that their customers want.

As I said, there is a month's trial to give butchers an opportunity to determine exactly what they want to do and then choosing for a period of six months. Having made that decision, they stay in that selected trading time for the next six months, and then they are allowed to change it if it does not suit them. I would be very doubtful if I did not have the power under the legislation as it now stands, without doing anything in regard to this amendment, to make an exemption, having had another look at the matter in question. If I do have that power—and I think I do—I would certainly look favourably at making an exemption if a case was put to me indicating that a person could not exist, or the business was not running as smoothly as it ought to run in that six-monthly period. Clearly, I would be a fool if I did not say I would look at that particular situation for those butchers.

**The Hon. Ted Chapman:** What about the policing of it?

**The Hon. J.D. WRIGHT:** I will come to that matter if the honourable member wishes. Apart from a great display of the English language, probably taken almost directly from the dictionary, the member for Mallee did not say much, but he amused us.

**Mr Becker:** It was entertaining.

**The Hon. J.D. WRIGHT:** I agree: he certainly amused us, but he did not say much about the Bill. What the member for Mallee did say revealed to us his great ignorance of this legislation and of the involvement of the union concerned. If the member cares to read his speech tomorrow, he will see that he made an allegation about me or the Government being harassed or stood over, whatever the words were he used, in relation to the shop assistants union. This legislation has nothing whatsoever to do with that union. In fact, the A.M.I.E.U. is the union responsible for butchers in this industry. I thought I would mention that to try to teach the member for Mallee something in future, so that he will understand what he is talking about. I thought the member for Semaphore made an excellent contribution. He did not speak for very long, but I thought he got—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. WRIGHT:** I thought he got to the basis of this legislation and what it was trying to achieve. If the honourable member wants to criticise and condemn himself outside the Chamber, I have the same right to praise him here, because I thought he really got to the bone of this trouble, and that is the butchers' plight if we are going to extend their hours beyond their physical ability to perform their duties. He was the only member who went so far as

to show that he really understands that situation. What impressed me about the member for Semaphore was the sincerity with which he delivered his speech, and it was quite obvious to me that he had been out talking to the butchers in his district and was getting information firsthand from them.

I thought that the member for Victoria made a very sensible and rational speech and understood what the legislation was about. He made the point that we were trying to move to a middle ground and said that it was not possible to go from position A to position B in one jump. Whilst he did not commend the Government or the Democrats for introducing this legislation, I thought he certainly understood the measure and understood what we were trying to achieve with it.

It is not my legislation, and I am not taking the credit for it. It was introduced by the Democrats in the other House. It seems to the Government and me, as the Minister responsible for this area of legislation, that this is the first opportunity afforded by any Government in the last 20 years, to the best of my knowledge, to expand the alternatives so far as red meat trading is concerned. The Liberals did not do this when they were in power: they backed away from it. Here is an opportunity for them to give this matter a go and to see whether it works or not. If it does not work, of course, we will have to reconsider the legislation. If the small butchers are getting into trouble, we will have to protect them. The last speaker on the Opposition benches was the member for Fisher, and to be honest I could not make up my mind whether he was in fact supporting or opposing the Bill.

So, I do not intend to respond to his part in the debate. I understand that the member for Alexandra will want to answer some of the criticism and comments made by the honourable member for Fisher, because he continually interjected during his speech.

The House divided on the second reading:

Ayes (23)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, M.J. Brown, Crafter, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs Mayes, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright (teller).

Noes (19)—Mrs Adamson, Messrs Allison, Baker, Becker, Blacker, D.C. Brown, Chapman (teller), Eastick, Evans, Goldsworthy, Gunn, Ingerson, Lewis, Mathwin, Meier, Olsen, Oswald, Rodda, and Wotton.

Pair—Aye—Mr Duncan. No—Mr P.B. Arnold.

Majority of 4 for the Ayes.

Second reading thus carried.

In Committee.

Clause 1 passed.

Clause 2—'Commencement.'

**Mr BECKER:** I oppose clause 2. This the first time that I can recall such a provision being written into an Act but, even so, I think that it is absolutely ludicrous. This further explains the ridiculous situation that the Government has got itself into. Fancy accepting the recommendation of legislation by a political opportunist from another House and then bringing it in here to come into operation two months after it is assented to. There must be some difficulty somewhere in getting the butchers or retailers to accept the legislation. There is the key to the whole matter! Someone has recognised that it would be difficult or, is someone accepting that a deal has been done? It will give supermarkets the opportunity to divide their stores into two butcher shops.

For example, Coles could have one section of its store called 'Coles Butchers' and another section called 'Farmland Meat'. It could trade under both. What is to stop Coles opening Thursday night and trading under Coles

Butchers and from opening on Saturday morning and trading under Farmland Meat? They would have two butcher shops in their store. It is dead easy, and no-one will convince me that K-Mart, Coles, Woolworths, and the large supermarket monopolies in this State, will not take the chance to do that. They will be given two months to do it. Then there will be the large retail butcher of which there are not many—I know of one of a reasonable size in my district who could cut his shop into half, and my recommendation would be to Colin Hutchesson at Henley Beach South 'Hutchie, split the shop into two; put another door in Hutchie's Meat Store on one side and Colin Hutchesson's meat on the other.' Good luck to him! I will go down and help him do it. This further highlights—

**The Hon. Jennifer Adamson:** The stupidity.

**Mr BECKER:** The stupidity, as the member for Coles has said, of this legislation: either it was not given much thought, or a large deal was done and someone in another place thought that the House of Assembly would be stupid enough to accept it. I do not accept this in any way, shape or form, and I recommend to the Committee that it rejects the clause.

**The Hon. TED CHAPMAN:** I ask the Minister to clarify the position in relation to clause 2, and to answer the comments made by the member for Hanson.

**The Hon. J.D. WRIGHT:** There is nothing devious in clause 2. One could read something into it if one wanted to, I suppose, and I understand that the member for Hanson has a very devious mind, so one can understand his trying to read something into it. This is a new section of the legislation and the intention of that provision is to give people notification of change. What would members opposite want us to do? Do they want us to rush in and assent to it tomorrow?

**Mr Mathwin:** You wanted to do that with f.i.d.

**The Hon. J.D. WRIGHT:** We are not talking about f.i.d. but about shop trading hours, and the sooner the honourable member gets that into his mind the better. In any case, if we want to talk about the f.i.d., that was January, not the next day. It is simply giving an opportunity for anyone to be warned about what is happening and an opportunity to get themselves in order. There is no other ulterior motive about it. If what the honourable member suggests does occur, it will be a very simple matter to bring a very fast amendment before the House.

**Mr Becker:** You cannot because we will not be sitting.

**The Hon. J.D. WRIGHT:** I could bring it in tonight. I did say a very fast amendment. If there is a genuine concern about this fact, and the honourable member thinks that the supermarkets will split up these shops—

**The Hon. Jennifer Adamson:** We say good luck to them.

**The Hon. J.D. WRIGHT:** There is a great division on the other side of the House, apparently. We have the honourable member for Hanson demanding to know whether or not this is occurring, the honourable member for Alexandra demanding I answer these questions, and the members for Coles and Davenport saying that they support such an activity. I think honourable members opposite had better get their own House in order. I will not bother to bring in an amendment.

**Mr LEWIS:** It is on this clause and other clauses that I made the comment during the course of my remarks for which I was gratuitously insulted during the summing up debate. This clause is a silly clause and this a silly and inadequate Bill. It is not well thought through. This was the point made by the member for Hanson, the member for Coles and me. There is no way under the existing legislation, even as amended by this Bill, that the Minister can prevent that from happening. The set of circumstances, to which

we refer, relates to where, within the same premises (the same lock, up facilities for retail trading) instead of there being one counter and one premises dedicated to the purpose of retailing meat there can now be two. It will be possible to sub-let both of those facilities to different people. The landlord will get the benefit of the percentage take on turnover, and there will be a red meat outlet open on all occasions because that is permissible under this law. That is where the small butcher that I referred to will get hammered. That is the oversight in this clause and I will come to the others as they arise.

**The Hon. TED CHAPMAN:** I note the comment by the Deputy Premier about several members on this side of the Chamber and, according to him, their apparent confusion about the intention of delay associated with this clause. It deals specifically with the commencement date of operation. At this stage we still have not had an explanation of why there has to be a delay after the Governor's consent. If the Bill emerges from this House in its present form, and that is possible, and the Government is genuine about its attempts to give a bit of flexibility to the business sector (to the butchers, or to whoever it is intending to protect) then why put it to the Governor for consent and then delay afterwards? Why not delay it now, because it is of no real value to the community in its present form. We would support its delay now to let the community, the business sector and those about whom the Deputy Premier is apparently concerned to further appreciate and understand its real impact and intent before we get so far down the track that we cannot back off at all. Given that view (and it is the view of the Opposition), let it stay on the books. Let us not proceed with this ridiculous piece of legislation at this stage if it is so important for the community to have two months breathing space after it passes this House before it is effected as a piece of legislation.

Clause 2 passed.

Clause 3—'Closing times for shops.'

**The Hon. TED CHAPMAN:** I move:

Pages 1, 2 and 3—Leave out subsections (4), (5), (5a), (5b), (5c) and (5d) and insert the following subsection:

(4) Notwithstanding anything in subsections (1) and (2) but subject to the remaining provisions of this section, the closing times for a shop the business of which is solely or predominantly the retail sale of meat, shall be as follows:

(a) for a shop situated in a shopping district or part of a shopping district to which subsection (1) applies—

(i) 5.30 p.m. on every weekday other than a Friday;

(ii) 9 p.m. on a Friday;

and

(iii) 12.30 p.m. on a Saturday;

(b) for a shop situated in a shopping district or part of a shopping district to which subsection (1) does not apply—

(i) 5.30 p.m. on every weekday other than a Thursday;

(ii) 9 p.m. on a Thursday;

and

(iii) 12.30 p.m. on a Saturday;

(c) for a shop that is not situated within a shopping district—

(i) 5.30 p.m. on four weekdays in each week;

(ii) 9 p.m. on one weekday in each week;

and

(iii) 12.30 p.m. on a Saturday.

In moving this amendment in its several parts I take this opportunity to explain to the Committee the intention of each of those parts. In relation to the subsections intended to be inserted: part (a) refers to the situation surrounding a metropolitan city-based meat distribution shop, that is, a city-based butcher shop; part (b) describes the trading hours proposed in this amendment for a suburban based butcher shop, and part (c) relates to the overall hours of trading that shall apply to shops in both areas and is without the specified Thursday and Friday night shopping opportunities respectively. It is clearly our intent to give an opportunity to

butchers and meat trading outlets, whether they be independent butcher shops or leased or occupied supermarket meat distribution outlets, to trade at the same time that other goods of a competitive kind in the meat field are available.

It is not a great change to the present legislation. It simply brings on line the opportunity to sell red meat when similar products are available to the housewife and independent consumers generally. It is in that context that we support the amendments to the shop trading hours legislation at this stage, and it is in that context that we oppose this Bill from the Legislative Council, which was earlier this afternoon described as neither one's arm nor one's elbow. The Bill does not, as stated by the Deputy Premier earlier this evening, extend shop trading hours for the purpose of marketing red meat by one minute, leave alone one hour, in the week. It simply shifts the opportunity to trade from Saturday morning to Thursday night or Friday night, depending on the location of the shop, if that is desired by the shopkeeper. That is of no benefit at all to the overall structure of the distributing industry, to the lobby (if one might describe it as such), or to the desire generally of meat producers and meat processors which, of course, incorporates slaughtermen, people in the slaughterhouse premises, the work force and the employees to whom the Deputy Premier referred (albeit with tongue in cheek) earlier today.

All of those parties are supportive of promoting the sale of red meat wherever they can and of making it readily available to the consumer at the same time as competitive products on the market are available to those consumers. Therefore, we believe on this side of the House that our amendment is fair and reasonable, is supported by the majority of the community (the majority of the community numerically) and indeed the majority of parties involved in the processing, packing and distribution of red meat between the paddock and the plate. I urge the House to support the amendment moved by the Opposition.

**Mr LEWIS:** I support the proposition put. As the Liberal spokesman on matters agricultural, the shadow Minister, the member for Alexandra has said, it does not extend the number of hours during which it will be possible for a butcher shop to be open in the city on the one hand and in the metropolitan area on the other, or out in the big paddock beyond the metropolitan area at all. It merely extends the choice available to the retailer in deciding when he will be open. It does not make it compulsory for him to be open on both a week night and Saturday morning: the option is still there. He need not be open on either the week night or the Saturday morning if he does not want to: the choice is there. It simply means that whilst anyone else is trading butchers who sell red meat can also trade, if they want to. While people are shopping and buying whatever they want in the course of their shopping they will be able to buy red meat as well as white meat (and we will not go into the ridiculous subjective division about which meat is red and which meat is white).

We simply say, 'Let the business men decide themselves. It is not compulsory. Give them the option of choosing. Do not restrict them. Leave it up to the market.' Then we will not need a flotilla of inspectors running around the place making sure that, if one's shop was open on Thursday night it cannot be open on Saturday morning if it is in the metropolitan area but outside the city, or on Friday night if the shop is within the city, and if one is open on Friday night one must not be open on Saturday morning. It simply means that the butcher can choose the opening times himself. If he finds it an onerous task to have to open on both occasions, he can open on one. If he finds it onerous, he does not have to open beyond 5.30 p.m. anyway on any week night, or on Saturday morning. I think that it is a pre-

eminently sensible proposition. It cannot possibly cause offence to any small butcher, regardless of how he views his prospects. He will be able to decide when it is best for him to be open, if at all, during those optional hours for the sake of his business and his personal health, and that is vital. Equally, customers will be able to find butchers open during late-night shopping hours as well as on Saturday mornings, regardless of where they are doing their late-night shopping, according to the night on which the shops are open in that locality.

**Mr BECKER:** I oppose the Bill and reiterate what I said earlier, namely, that I do not think that it is workable. I do not think that it will solve anything at all, except add to confusion within the retailing of meat in this State. Let us consider the explanation of the clauses, as follows:

Subsection (5a) gives a country butcher the choice of which week night he may remain open after 5.30 p.m.

Therefore, an alternative is provided in the metropolitan area, and shops in the suburbs can remain open until 9 p.m. on Thursday night, or on Saturday morning. In the city there is Friday night shopping, and in the country within a shopping district it can be any night that the person chooses. Therefore, it can be a Monday, Tuesday, Wednesday, Thursday, or Friday night, so it is somewhere within that framework. However, the explanation continues:

The result will be that a shopkeeper must comply with the times chosen by him or his predecessor for at least six months from the time the choice was made.

That is the explanation we are given of subsection (5a). What I do not like about this clause is the explanation I have just cited, which continues as follows:

It should be remembered that these provisions specify the times at which shops must be closed. A shopkeeper is, of course, free to close his shop at any time before the prescribed closing time.

The trap here (and I do not know whether the Minister has realised this) is that, if a butcher owned a shop and elected to open on Thursday night and close on Saturday morning in the suburbs, found that it was not profitable (he was losing business) and sold his business, the buyer of that business is bound to keep to the trading hours of his predecessor. There is no way that that buyer can get out of that, so the person who sold the shop could then go any distance down the road (almost next door), open another butcher shop and trade at the profitable time by opening on Saturday morning.

**An honourable member:** You can put in the contract that that cannot happen.

**Mr BECKER:** It does happen. I agree that when one buys or sells a business most astute business people put a condition in the contract that the seller cannot open a similar business within X kilometres within a certain period. However, not everyone is astute enough to pick that up, and that business may be sold with no special conditions in the clause, which does happen. It is still happening today. No matter what consumer legislation we have and what legal ramifications there may be, it could be done. This could be the case with a small suburban shopping centre where there is an adjacent ribbon development of a few shops.

In Henley Beach, for example, there are two supermarkets and a few little shops in between. Ultimately they will all link up and become one huge shopping centre. That is now planned, and in that event people could be hurt due to the provisions in this clause. Only one person would have to try it and they could lose \$40 000 or \$50 000. I do not like the situation of there being no authority for the Minister to use in cases where there is a dispute over the question of ownership. As it stands, a shopkeeper is bound by the time set by him or his predecessor for six months. I think that is far too rigid. That is again highlighted in the explanation of new subsection (5) (c) which provides for a delay in the

operation of subsection (5) (d) for one month after the amending Act comes into operation. It then states in the explanation:

This will give the butchers the opportunity to experiment.

I mentioned Colin Hutchesson of Henley Beach South, who is one of the most well known and popular butchers in the area, and who has been in business for 23 or 25 years. It is amazing that all of a sudden such butchers will find Parliament has passed legislation that will give them the opportunity to 'experiment' with the new trading hours. I was very critical of a previous Labor Government when virtually overnight it changed the trading hours of a supermarket at West Beach. For many years the person who had operated it quite legally, having been given the authority by a previous Minister—

*The Hon. J.D. Wright interjecting:*

**Mr BECKER:** But the former Labor Minister agreed, and then suddenly down came the hammer and the whole ball game changed; the rules were changed. The trouble with Parliaments throughout this country is that they are always changing the rules and not giving everyone a fair go. What is wrong with the current situation? There is nothing wrong with it. Not one consumer has contacted me in my office or written to me demanding that the trading hours of butcher shops be extended. When petitions were distributed to butcher shops in my electorate they were left on the counters of those shops for people to peruse, and they readily signed them. I was at a meeting last night at which eight housewives were present. I told them that we were debating this issue and asked them what they preferred. 'Leave my local butcher alone' was the reply. They indicated that they were satisfied with the service that they get from their butchers, that they made deliveries and that they liked them. I asked, 'What will happen if supermarkets decide to undercut a kilogramme of beef by 10c, 15c or 20c or to offer cheap sides of lamb?' They replied, 'We will give it consideration.' Of course, supermarkets can afford to do that for six or 12 months and by doing so they can really put the pressure on small businesses, particularly the small butchers.

Many of the butcher shops today are operated as a family business with the husband being a qualified butcher in charge of the shop and his wife coming in on Thursday, Friday and Saturday to help out, or with perhaps someone else coming in part-time. I do not know how the Minister or his Party can support this creation of part-time work that is cropping up everywhere. Workers are being denied the opportunity to work full hours to get a full wage. The unemployment situation is bad enough. I do not want to support legislation that is going to contribute to further unemployment. I honestly believe that this will occur, because the majority of employers in this country are small businesses. It is small business which creates employment opportunities for employment and for apprenticeships.

A friend of mine has just taken on an apprenticeship to a butcher. I do not know where he will finish up. I feel very sorry for the young lad. He works for a chain of butchers which operate in major shopping centres throughout Adelaide. Those shops will be under a tremendous amount of pressure from Woolworths and Coles, for example. I make no bones about the fact that Woolworths and Coles are ruthless operators. They have to be. They turn over hundreds of millions of dollars but their percentage of net profit is very small indeed. Woolworths and Coles would be better off if they invested their capital in a savings bank where shareholders would get far greater dividends and bonuses than is the case today.

It just does not make sense to put at risk small businesses, small family butchers, or to support permanent part-time employment when workers should be getting a full working

week's wage. It is not right that there are families in this State living on what could be called the poverty line. But this is happening. This legislation is not doing anything to help those poor people. No-one can convince me that this measure will create employment. I do not know how the union has been sold the story that it will. It will simply put pressure on the individual business operators, the small butchers. I have heard many a speech by the Minister on the need to improve legislation in regard to the health, welfare and safety aspects of workers. However, we are not doing a thing to contribute to the health and welfare of a small butcher and his staff because this puts the pressure on.

If they have to trade on Thursday nights, they will be working for extended hours and there is no doubt that they will be forced into doing that by the supermarket chains which, under this legislation, can split their shops if they want to. I have already explained the situation applying to two butcher shops operating in a large supermarket. I cannot believe that the current Government would support a monopoly of red meat trading by supermarket chains, trading that could satisfactorily be handled by small businesses. It will make big businesses bigger, and the small businesses will disappear.

**The Hon. J.D. WRIGHT:** On a point of order, Mr Chairman. I think the honourable member has persisted with a second reading debate for at least the past 10 minutes while not referring to the amendment, which is an extension of what the Government wants to provide. I am not quite sure what the member is supporting, although at the moment I think he is probably supporting me. However, he is making a second reading speech and is not speaking to the amendment.

**The CHAIRMAN:** I cannot uphold the point of order. Although the honourable member is straying from the amendment before the Chair, he is still dealing with the question of hours of operation which pertains to the clause to which the amendment relates. However, I would ask the honourable member if he could perhaps come back closer to the Bill.

**Mr BECKER:** Thank you, Sir. I had almost finished. The extension of hours for Thursday night trading will cause problems for small butchers. It will mean that a butcher and/or his employees will be required to work for 15 or more hours in one single day. It has been explained to me that most of the staff would get a break of only seven hours or less before being required to begin work on Friday. For small businesses Friday is always the last trading day, and most butchers start very early in the morning—certainly far earlier than they are supposed to under their award. I cannot support this clause because it means that the average worker, the average small business person—

**The Hon. J.D. Wright:** You cannot support the amendment either?

**Mr BECKER:** I cannot support the measure because it means that the small business person will not get at least a minimum eight hour break between the time he finishes work on Thursday night and the time he recommences work on Friday. No member of the A.L.P. or of this House should support any legislation that means that a worker will not get a clear eight hour break from one shift to the next.

I do not believe that a union that represents these people can support that. The other area about which I am concerned is that the Minister made a statement that if the legislation does not work, we can bring it back and amend it. That would mean amending this clause. I cannot support that either. As was explained in the details, it is an opportunity to experiment. It is wrong to cause established business this uncertainty. I plead with the Minister. How would he like



to have been in business for 25 years then with a stroke of a pen have to experiment to keep his business going?

**The CHAIRMAN:** Order! The honourable member's time has expired.

**Mr MATHWIN:** I support the remarks of the member for Hanson. Ever since I have been in this place—

**The Hon. J.D. Wright:** It means you are opposing the amendment.

**Mr MATHWIN:** My comments cover everything. We can talk about anything from toenails to eyebrows, as long as they belong to a pig, a horse or a cow. Ever since I have been in this place honourable members have been advised by various Premiers that we must try to legislate so that it is easy for a layman to understand it. I have not seen a clause to compare with clause 3 which causes, in effect, complete confusion to the person who tries to decipher what it actually means. Who could understand the page and a half of definitions of what should and should not be?

As the member for Hanson said, if a person wants to sell a business because he is in trouble, the purchaser has to stick it out for at least six months (possibly four or five months), because the Act says he must. The Minister has not yet answered the many questions we have asked. What happens when one shopping centre has two butcher shops? The Minister is not even listening. He said a few minutes ago that he would legislate against two butcher shops within a shopping centre opening at different times. He said in part of his reply that he would do that, but he went no further. He sat down. He did not say what he would do about it.

**The CHAIRMAN:** Order! The Chair is finding it difficult to link the member for Glenelg's remarks with the amendment or the clause. I ask him to come back to something that resembles the amendment or the clause.

**Mr MATHWIN:** Thank you for your understanding, Sir, but it does relate to clause 3, which is the backbone of this silly Bill. It has been adopted by the Minister from the Democrats in another place. The Minister said he would do something about the possibility of there being two shops in the one combine, but he has not said how far he would take the legislation. It is about time he let us know what he will do so as to give some protection to the butcher. I could read the clause in full, but the Minister would accuse me of wasting time. I would like to read it word for word into *Hansard* so that people could ask what on earth the Government was trying to do. If he can tell me that that makes common sense and makes it easier for a layman to understand, I will go he. This clause would be paradise for the legal profession. I am disappointed that the Minister will not take action about the distinct problem that will exist in shopping centres.

**Mr BLACKER:** I oppose clause 3, and support the amendment of the member for Alexandra. Its purpose is to further extend late night trading to give equal access to red meats in the market place. In my second reading speech I clearly indicated my support for this measure. It has been stated that consumers' attitudes have changed and that there is no way in the world that this could be linked to it. I tend to disagree with that, because the shopping hours legislation as it existed relating to red meat sales caused consumption per head to slip by 11 per cent in the past two or three years. All sorts of excuses have been made for that.

Let us get back to the fact that maybe, if we had had equal access to the consumer market, we would not have lost it, put our abattoirs in jeopardy, and have rural producers having to change their whole operation. If we are talking about saving jobs, that 11 per cent reduction has probably caused more job losses than we are talking about in total here. I fully support the amendment. I believe it does the right and proper thing in giving the consumer, on behalf of

producers and employees working all the way down the line, equal opportunity in the market so that it can share in meat sales throughout the State.

**The Hon. J.D. WRIGHT:** I congratulate the member for Flinders, who is the only person since the Minister has spoken who spoke either for or against the amendment. I have no idea what the member for Hanson was saying. It was more like a second reading speech. If I had to come down on someone's side in this I would say that he was supporting me: that applies also to the member for Glenelg. The member for Alexandra's amendment totally destroys the Bill. It is plausible for the member for Mallee to say it is an alternative and we will not force people into opening. The fact is that, if the member for Alexandra's amendment is passed, it will force people to open. This is where big business could come into operation. If there are both alternatives available, it will certainly take over from small business.

This is not a panacea, not the sort of legislation that one could describe as terrific in any way. It is merely an advance on what we have now, moving towards a better situation in future. But, the member for Alexandra wants to broaden the whole concept. If that amendment was accepted by the Government, clearly it would destroy what we set out to do in the first place and what the Legislative Council has already carried. We have picked up the Bill from the Democrats in the Legislative Council, which is a reasonable compromise in the circumstances at this time. The Government cannot accept the amendment.

**The Hon. TED CHAPMAN:** I note the comments of the Deputy Premier and accept, and indeed agree in this instance with the member for Flinders, who has made his position patently clear. He supported our proposed amendment, for which he gave reasons. He endorsed and supported my reasons on behalf of the Party at an earlier stage. Those reasons were also supported by the member for Mallee.

The situation explained by the Deputy Premier is one of some interest to me, in that twice already during this debate, and particularly since the wind-up remarks he made in the second reading debate and again now in Committee, when he has indicated to the Committee, a little tongue in cheek, that he supports this legislation, he has made it patently clear to me, if not directly, then by implication, that his Party is supporting the Democrats in this matter as a stage operation: It is a step in the right direction. I may not be repeating the same words he used, but certainly words to the effect that it is on the way. What we want to do is hasten it a little more quickly than the proposition the Government has agreed with the Democrats and simply, in the case of the person who is running a butcher shop in the metropolitan area of Adelaide, for example, and is currently open on Saturday mornings, to give that butcher the opportunity to open on Friday evenings along with all the other metropolitan traders. In the case of the butcher in the suburbs, where that butcher may or may not open on Saturday mornings, our amendment gives the opportunity to open on Thursdays.

In the districts that are not situated within shopping areas, a totally different situation applies. If we go down to Victor Harbor, or any of the outlying areas, the regional centres throughout South Australia, the local traders belong to an association, or have a local arrangement where they virtually fix their own hours of trading, and all the legislation in the world is not going to dictate their local practices within the prescribed hours that they may trade within their district. Therefore, in my view this amendment is not very relevant to those places. It is relevant in relation to the metropolitan city area, the suburbs of Adelaide, where most of the meat is sold through the retail outlets. It is on that basis that, as a Party, and indeed on behalf of the producers, the slaugh-

termen, the processors, and the distributors, we support the amendment.

**The Hon. J.D. WRIGHT:** I want to make one thing clear to the member for Alexandra. I do not want to promote any further debate about this matter. If the member for Alexandra considers that anything I have said in this debate means that there is something on the way in relation to extending these hours similarly to the amendment approved and moved by him, then I want to say that he is wrong, because I have no intention at this stage of extending the hours of butchers at all. I believe that butchers in these circumstances have made it reasonably clear, certainly clear to me, that this is as far as they want to go. This is the trial period so far as they are concerned. In all circumstances they are not happy about this legislation, but they understand that there is some consumer demand and they are prepared, as they put it, to give it a go.

In response to the honourable member for Hanson, who was critical of the Labor Party and could not understand the union supporting this legislation, let me say quite clearly that this legislation has the agreement of the A.M.I.E.U., the organisation responsible for the welfare of the butchers. That is a fact. I do not want to leave the member for Alexandra with any misunderstanding, so that he may go out into the community and say, 'Well, the Minister said that this is an interim stop-gap arrangement and before very long the Minister or Government will be introducing further extensions to these provisions.' I said earlier, and I repeat, it is not a panacea, but it is a compromise. It is something that I think ought to be tried. Whether or not it is successful only time will tell. It is like a lot of other trial and error matters that we all have to live with in this Parliamentary scene.

I believe that this has a very good chance of working. I believe that it gives to the consumers a much better opportunity than they have had in the past to procure red meat, but at the same time affords some protection and gives to the butcher a guarantee that, whatever the circumstances, the butcher cannot be pushed around anymore than is provided for in the legislation. In those circumstances, I think it is the proper way to go and, as I said earlier, we oppose this amendment, which is simply an extension and a destruction of the whole Bill.

The Committee divided on the amendment:

Ayes (17)—Mrs Adamson, Messrs Allison, Ashenden, Baker, Blacker (teller), D.C. Brown, Chapman, Eastick, Evans, Goldsworthy, Gunn, Ingerson, Lewis, Meier, Olson, Rodda, and Wotton.

Noes (23)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, Crafter, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright (teller).

Pair—Aye—Mr P.B. Arnold. No—Mr Duncan.

Majority of 6 for the Noes.

Amendment thus negated; clausd passed.

Title passed.

**The Hon. J.D. WRIGHT (Minister of Labour):** I move:  
*That this Bill be now read a third time.*

The House divided on the third reading:

Ayes (23)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, M.J. Brown, Crafter, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs Mayes, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright (teller).

Noes (18)—Mrs Adamson, Messrs Allison, Ashenden, Baker, Becker, Blacker, D.C. Brown, Chapman (teller), Eastick, Evans, Goldsworthy, Gunn, Ingerson, Lewis, Meier, Olsen, Rodda, and Wotton.

Pair—Aye—Mr Duncan. No—Mr P.B. Arnold.

Majority of 5 for the Ayes.

Third reading thus carried.

## WRONGS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 1 December. Page 2241.)

**The Hon. H. ALLISON (Mount Gambier):** To refresh the memories of members of the House, this Bill has been before us for quite some considerable time and it deals with two specific issues the first of which is the defamation issue. It has long been the legal practice for newspapers to report fairly and accurately proceedings heard publicly before a court and, provided that they were published contemporaneously with the court proceedings, then they were awarded privilege. This is also the case with the publication of a fair and accurate report in a newspaper of proceedings or the publication of certain official notices or reports, unless they are published maliciously; they still have privilege.

The Act provides a penalty for unfair and inaccurate reporting. A defence exists if, in the action for libel, a magazine was published without malice, or at least a person can prove that the information published in a newspaper or magazine was published without malice, and without gross negligence. However, there is an unusual anomaly in that, whereas newspapers and magazines used to be the main method of reporting, over the past few decades we have increasingly had reporting through radio and television, and these two media have not been covered in the legislation.

This Bill therefore extends the privilege already afforded to the print media to radio and television reporting. This now means that fair and accurate reporting of court proceedings, if published contemporaneously with those proceedings, and reports of certain official notices and reports, reports of Select Committee meetings of Parliament, reports of meetings of Royal Commissions, will also be privileged against actions for defamation if reported in newspaper, on radio or on television. The Bill also increases the monetary penalty for breaches of the Act from \$20 to \$2 000; a much more realistic figure. We support that amendment; it is something which has been long overdue.

The report of the Select Committee of the Legislative Council on the Wrongs Act Amendment Bill, 1983 referred only fleetingly to that aspect of the legislation which was never at any time contentious. The main body of that Select Committee report referred to the more contentious issue of stray animals and, as a result, I would like to make some comment by way of reading some of the more important aspects into *Hansard* in summary form. There is a very widespread interest, not only in the rural community but also among other members of the community who travel along our country roads, who have been inconvenienced and who have had their lives threatened by stray stock.

The first point that the committee made was regarding liability for animals, and it quoted the current law. In summary, it commented that there was considerable misunderstanding about the current situation, and it was not surprised because of the complexity of that area of law. In the course of its comments over the next several pages, it listed the various areas where animal stock was dealt with under a number of different Statutes currently in South Australian law. It referred first of all to the liability for dangerous animals, and pointed out that at common law animals are divided into two classes: animals *ferae naturae*, that is lions and elephants and the like which, by reason of their species, are normally harmful to mankind; and also

to animals *mansuetae naturae*, sheep and cattle which, as a kind, are normally harmless to man.

They pointed out that it is well settled that the division of animals into those classes of *ferae naturae* or *mansuetae naturae* is not a question of fact that has to be decided in each case having regard to the nature and disposition of each animal. It is in fact a question of law to be decided by the court in accordance with judicial precedent. The person who owns or is in control of any animal known to be harmful to people must, therefore, keep it under control so as to prevent it from causing harm or be strictly liable for any loss or any injury that it causes.

On the second question of cattle trespass, the committee pointed out that anyone who keeps cattle, horses, sheep and goats, is bound to prevent them from trespassing or making any unjustifiable intrusion on to the land of his neighbour. If they do trespass, the keeper is totally liable for the resulting damage caused. It was also pointed out that liability does not necessarily rest with the owner of the stock, but rather with the person having custody and control of the stock.

The next point involves nuisance, and the committee says that is an actionable nuisance to keep an animal in a manner which unreasonably interferes with another person's occupation of his land. For example, it refers to the noise or smell of animals. The next major issue is the special rules relating to dogs. These are found in section 52 of the Dog Control Act, under which a person liable for the control of a dog shall be liable for any damages or injuries caused by that dog.

Under the next heading of 'Statutory liability', I will summarise the Statutes. First, dealing with animals, section 369 of the Local Government Act makes it an offence for a person to obstruct a street or road by allowing an animal to remain there and hinder the public from free and proper use of that road. Section 46 of the Impounding Act is also relevant. Under the heading 'Dogs', the Dog Control Act is relevant. Under the heading of 'Travelling stock', the Pastoral Act (section 99) and section 42 of the Stock Diseases Act provide for sheep and cattle. Section 273 of the Crown Lands Act also provides penalties for delaying with travelling stock.

Under the next major heading, 'Liability in negligence', negligence is a tort, actionable at the suit of a person suffering damage in consequence of another's breach of duty to take reasonable care to refrain from injuring him. Negligence is simply neglect of some reasonable care which a person is bound to exercise towards someone else. The committee pointed out that a person is not held responsible for sudden unforeseeable lapses in the behaviour of animals which are otherwise well behaved under reasonable conditions, but subject always to the special rules relating to dangerous animals which were referred to in the first place. There is no liability in negligence if the person has taken all reasonable precautions to prevent foreseeable problems.

An unusual and long-standing aspect of this strain of stock lies in what is known as the rule in *Searle v Wallbank*. It is a long-standing common law exception to the duty of care required by the law of negligence to be exercised in relation to animals. That exception, known as the rule in *Searle v Wallbank* after the 1947 House of Lords decision in which the rule was authoritatively stated, covered the matter at length. The effect of that rule was that if livestock stray on to the highway, their owner, oddly enough, does not incur any liability to users of the highway for bodily injury or property damage caused by the livestock straying in that manner. This is so, irrespective of how grave the risk the livestock have created, no matter how easy it would have been to prevent the risk arising, or how careless the livestock owner has been. That was really a major out for negligent pastoralists or negligent animal owners.

The committee found, however, that there are several misconceptions as to the breadth of scope of the rule in *Searle v Wallbank*. I was at pains to point out that there are certain instances where the common law provides that the rule does not apply. Among those were three: First, if the animal is *ferae naturae* or *mansuetae naturae* with a known propensity to do a vicious or hostile act, then *Searle v Wallbank* does not apply. Secondly, it does not apply if the animal is taken or allowed on to the highway; and, thirdly, if the animal escapes from an activity conducted under human control.

The report referred to the incidence of animal accidents in South Australia, without drawing any definite conclusions. I do not propose to refer to those at length. I will move on to proposals for reform in South Australia, at page 16 of the report. It pointed out that in 1969 the South Australian Law Reform Committee recommended, among other things, that the law in South Australia should provide that the liability of an owner in relation to damage, loss or injury caused by his animals should be determined in accordance with the ordinary law of negligence, and the distinction between animals *ferae naturae* and *mansuetae naturae* together with the doctrine of *scienter*, or foreknowledge, should be abolished. The committee also recommended that the fact an animal had caused an injury should be *prima facie* evidence of the negligence of the person who is or ought to have been in possession or control.

It made a number of comments regarding misconceptions or fears held by members of the South Australian public who gave evidence. The committee was at great pains to point out that the majority of these fears were either unfounded or that the committee itself, by way of recommendation and amendment to the legislation, had corrected an otherwise undesirable situation. That was covered under 'Responsibility for dangerous animals and definition of "keeper"'.

With regard to fencing, it pointed out that a number of witnesses thought that the less closely settled areas, such as the pastoral areas, would have a very onerous responsibility to fence incurred upon the pastoralists. It dispelled that belief by pointing out that, if an area was customarily fenced, the onus would be on the person travelling in that area to take additional precautions against the possibility of running into travelling stock. That was dealt with at considerable length on page 8 of the report.

There were questions of relationship of the Wrongs Act Amendment Bill to the Impounding Act, and it pointed out that there was no conflict between the present Bill and the Impounding Act. It also referred to the questions of contributory negligence, roaming cattle, the position of the Crown, the burden of proof, and other matters. Generally, the work of the Select Committee was commendable, and the Opposition supports this legislation as it now stands.

**Mr MEIER (Goyder):** I wish to record my support for this Bill. There was great concern earlier, before the Select Committee looked at them in detail, about some factors that would have affected the rural area. I think the former speaker, the member for Mount Gambier, has clearly summarised the main arguments. For any person who now has grave concerns about this Wrongs Act, the section of the report dealing with liability for animals clearly spells out the due liability of the respective persons. I certainly support this legislation as it now stands.

**Mr LEWIS (Mallee):** I support the measure. The explanations given by my colleague the member for Mount Gambier are adequate for our purposes in defining or delineating the effects of the legislation. I had the good fortune of being able to appear before the Select Committee and to give evidence about a number of anomalies that arose under the

*ferae naturae* circumstances where injury results. There are still some peculiar and uncertain consequences of misfortune which can arise in spite of the very well reasoned clauses in Part 1A in relation to the 'liability for animals' section of the Bill. In spite of the very extensive and thorough consideration given to this problem by the Select Committee and the recommendations made, the most outstanding of these are the circumstances where someone owns bees.

I refer to honey bees. The circumstances in which problems can develop are manifold. The two most common are where the owner of the bees is not in attendance at the hives where the bees are housed, but some third party (even a minor) stirs up those bees with the deliberate intention of causing an injury to someone in the immediate vicinity, who is known to be allergic to bee stings. How this law would enable the person allergic to bee stings (or his family) to be protected is a little ambiguous. Against whom that injured citizen or his family would have an action under this proposition is still uncertain to me.

The other circumstances relating to bees which can be a problem are where they are secured on a truck for transport from one location to another during the night (as is always the case) and where, during the course of the journey, the driver of the truck stops the vehicle. Whilst he is in control of the vehicle he is responsible for the animals. However, once the vehicle is stopped, if anything should happen to that vehicle and cause someone else some injury from the animals' release as a result of that event, it is not known (at least to me) whether, as a consequence of that event, either the owner of the bees or the person injured would be able to obtain damages from each, the other or the third party involved.

Of the other circumstances that I drew to the attention of the committee were those which had also been drawn to my attention by constituents since being elected to this place, and they related to birds. Where a pigeon with a ring on its leg causes an injury to a cyclist in a strong wind because it may be claimed that the owner irresponsibly released his pigeons from the loft in weather conditions when it was not legitimate for them to be capable of flying safely in training flight, and then injures the person on a pushbike as a consequence, I wonder whether under the terms of this Act the injured cyclist has an action against the owner or manager of the pigeon. It was clearly not where it was intended to be at that time. These are not hypothetical cases: they are cases in point.

The other instance to which I refer is where a landowner has geese near a large body of water and the geese habitually cross the road. On more than one occasion these geese have caused damage to a person or property of motorists and/or cyclists using the road. However, the owner of the geese could not be claimed to be responsible under the terms of this Act in that it would not be reasonable to have expected him to restrain the geese when they were chased by a neighbour's dogs. The ownership of the dogs not being established, who is responsible for the damages caused to the person who sustains the injury and whose property is damaged while traversing the road?

I wonder whether or not it would ever be possible for the law to address completely these cases, though I am satisfied that the situation that will pertain once this measure passes into law will be very much better than was the case previously. If the Minister during the course of his summing up can comment on the circumstances to which I have referred, I would be grateful to him, as would my constituents who have been involved in these incidents, for the enlightenment that he may be able to provide us.

**The Hon. G.J. CRAFTER (Minister of Community Welfare):** I thank Opposition members for their support of this

measure. This legislation has been many years now coming to finality before the Parliament, and it has been an area of law which both Governments in recent times have attempted to reform. As everyone agrees, the law is unsatisfactory. The effects of its application are harsh, and it must be reformed. By the processes of the Select Committee in another place, many of the fears, particularly those of persons in the rural communities of the State, have been allayed.

The member for Mallee raised a series of specific problems, as he sees them, and I acknowledge that they are problems. I do not have the answers for the honourable member. For example, in relation to his example of bees, is a bee an animal? One has to go through those sorts of processes.

**Mr Lewis:** When is a bee not an animal?

**The Hon. G.J. CRAFTER:** That is right, and I imagine that, under the legislation, where one has a body of law (that is the law of negligence) to apply, one has the basic groundwork. However, in that instance there may be some other areas of law which would provide a remedy to the honourable member's constituents, and I would need to give that further consideration. However, the law which we are providing in the Wrongs Act may not be the most appropriate vehicle by which to provide a remedy. I agree that there should be a remedy for those circumstances, and perhaps it would be fruitful to look for some remedy other than in this area, which has been traditionally considered an area for animals that are different from those which the honourable member described.

I think that the other examples are also matters which the honourable member could pursue on behalf of his constituents and on which he could give them advice. I understand that circumstances in relation to geese near water has arisen in reality on a number of occasions. It is foreseeable that geese may take flight and fly into the path of motorists, and that considerable damage could occur as a result.

In those circumstances the owner of those geese would be liable. No doubt, there would be complete circumstances to be taken into account, and that is provided for in the legislation. So, the circumstances to which the honourable member referred are obviously real, and whilst I cannot give precise answers I can say that in each of those circumstances there would be answers that can be provided. Indeed, I congratulate the honourable member for his collection of those examples which, obviously, were raised before the Select Committee as well. It is in that sort of application of life's experiences that hopefully we can have legislation which is effective and can relate to real needs in the community, as unusual or bizarre as often they may seem to be to those who have a passing interest in such matters. It is with those words that I thank honourable members for their support of this measure. I trust that the law that will be provided will be of substantial advantage to the people of South Australia.

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

#### TRUSTEE ACT AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 1 December. Page 2242.)

**The Hon. H. ALLISON (Mount Gambier):** The Opposition supports the Bill which widens the definition of securities in the context of those securities guaranteed as trustee investments by the State Government, the Commonwealth Government, an instrumentality of the Crown, the South Australian Gas Company, any local government council, or any prescribed authority or body. The amendment to the

Act takes into account the wider range of Government securities that are now used in the market place. Because the securities now to be defined are guaranteed, the Opposition sees no real problem with the amendment. We point out that the present limitations are three-fold: first, the current definition of securities under the Act gives greater security status to some securities issued by Federal, State and local government authorities and Sagasco than it does to other debt instruments which they issue. That is quite illogical in view of the financial and administrative soundness of those institutions.

Secondly, the range of investment options that they have is limited and trustees may be deprived of the chance to get the maximum investment return which they are seeking. Thirdly, borrowing costs may rise as a result of restrictions imposed by the present Act. The Opposition supports the amendment of the Act, and it also supports the amendments recently tabled by the Minister which seek to further amend an amendment made to the Act in another place. We believe that the proposed amendment now rectifies a problem in so far as the legislation before us will permit a trustee to invest in debentures of a company and will also permit trustees to invest in the deposits of a company, that, I believe, having been the original intention of an earlier amendment in another place.

**The Hon. G.J. CRAFTER (Minister of Community Welfare):** I thank the Opposition for its support of this measure. As the member for Mount Gambier has explained to the House, the Government proposes to move a further amendment to an amendment that was moved in another place. I believe that the honourable gentleman who sponsored the amendment in another place thought that, apart from the ability of trustees to lodge moneys on deposit with finance companies that are subsidiaries of banks, it would also enable trustees to invest in debentures issued by those companies, but closer examination indicated that no securities would still be caught by section 5 (2).

The Government agrees with the intention behind the amendment but believes that the Act should be further extended to include investments by way of deposits with and loans to certain other strong and well-backed companies. Some of the very large merchant banks may wish to accept deposits from trustees and should be able to do so having regard to their financial strength. This situation can best be handled by a provision to enable subsections (2) and (3) of section 5 (or parts of those subsections) to be by-passed in appropriate circumstances. Accordingly, I propose to introduce a new subsection (3a) which will enable trustees to lodge deposits with or purchase the debentures of companies which are prescribed by regulation.

The Government intends that the flexibility given by this subsection should be exercised with great discretion. In the normal course, compliance with the provisions of subsections (2) and (3) will be required. The new provision will be used only where subsections (2) and (3) produce the kind of anomalous situation with which we have been confronted. Parliament will have the opportunity to consider the exercise of the discretion through the subordinate legislation processes.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Authorised investments.'

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

Line 18—Leave out 'by striking out from'.

Lines 19 to 21—Leave out all words in these lines and insert:

(a) by striking out subparagraph (ii) of paragraph (d) of subsection (3) and the word 'or' immediately preceding that subparagraph;

and

(b) by inserting after subsection (3) the following subsection:

(3a) Notwithstanding the provisions of subsection (2) and (3), a trustee—

(a) is empowered by subsection (1) (e) to invest in debentures of a company;

and

(b) is empowered by subsection (1)(f) to invest on deposit with a company.

if the company is declared by regulation for the purposes of this subsection to be a company in the debentures of which, or on deposit with which, a trustee is authorised to invest trust funds.

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

## MAGISTRATES BILL

Adjourned debate on second reading.

(Continued from 1 December. Page 1677.)

**The Hon. H. ALLISON (Mount Gambier):** The Opposition supports this Bill, which has obviously been under consideration for some time. I believe that three or four Attorneys-General have been involved in those considerations. One of the earliest occasions on which this issue was officially raised was as long ago as 1976 when there was a Supreme Court case focusing on the magistracy. Allegations were that there was some bias because the magistrate was a member of the Public Service. That case to which the present Attorney-General referred, was *Fingleton v. Christian Ivanoff Pty. Ltd.*

There were several of those cases at the time. The decision of the Supreme Court in each case was that there was no bias by virtue of the fact that magistrates were employed within the Public Service, nor the fact that they were responsible to the same Minister or the same Public Service head. The former Attorney-General, the Hon. Peter Duncan, considered the matter and said that in view of the fact that there was no prejudice to judicial independence and no bias by the magistrates he would not take action at that stage to remove magistrates from the Public Service.

The issue was again raised when the Hon. K.T. Griffin was Attorney-General. It seemed that there was a split opinion within the magistracy: some magistrates felt quite strongly that they should be removed from the Public Service while others held a much less strong opinion about the matter. I believe that the Hon. Mr Griffin did feel that it would be out of the frying pan into the fire if magistrates were taken from the Public Service and placed under another jurisdiction. He also felt that most of the people who appeared before a magistrate were not in any case really concerned whether the magistrate was employed by the Public Service or how he was appointed. They simply had trust in these people who were in front of them sitting in a position of judgment.

Generally, the former Attorney-General felt that it was really one or two rather smart lawyers who were using this possibility to throw some doubt on decisions handed down by magistrates. However, some magistrates felt quite strongly about the fact that they were public servants. The Chief Justice last year entered the debate by coming out very firmly in favour of magistrates being outside the Public Service. The Bill that is before us does, in fact, remove magistrates from the Public Service and establishes the conditions of their appointment and the terms and conditions of their employment. The Opposition is reasonably satisfied with the amendments which were put to the Attorney-General in another place (which were moved by the Government after the former Attorney-General's amendments were withdrawn), namely, an amendment to clause 15 in

which the Government accepted the idea that magistrates would forfeit leave if that leave was not taken within a stipulated period and the amendment to clause 20 which provided that regarding payment of a monetary equivalent of leave to a personal representative or next of kind of a magistrate upon his death and also amending the clause to read, in part:

... payable as if it were a debt that had become payable to the stipendiary magistrate immediately before his death.

We believe that those two amendments considerably improved the legislation. Also, some discretion was given to the Attorney-General regarding dependants of the deceased magistrate. Amendments to clauses 18 and 19 regarding the determination of rights upon transfer from other employment, and the amendment stating that the Governor was to determine the matter and not the Attorney-General, all improve the Bill. We see no reason for prolonging the debate at this rather late hour. The Opposition supports the legislation.

**The Hon. G.J. CRAFTER (Minister of Community Welfare):** I thank the Opposition for its support of this measure. I point out that an amendment has been circulated which corrects an error made in amendments made in the other House. It ensures that the clause is consistent with another provision relating to industrial magistrates in which the Minister of Labour (who is Minister responsible for administration of the Industrial Conciliation and Arbitration Act, not the Attorney-General) exercises the various discretions under the Bill relating to the industrial magistracy. This matter appears to have been overlooked in other places, but has not been corrected. There is also a money clause provision which can only be attended to in this House.

Bill read a second time.

In Committee.

Clauses 1 to 12 passed.

Clause 13—'Remuneration of magistrates.'

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

To insert clause 13.

As this is a money clause, which cannot be inserted in another place, I merely seek to insert it formally in the Bill.

Clause inserted.

Remaining clauses (14 to 22) and title passed.

Bill read a third time and passed.

#### STATUTES AMENDMENT (MAGISTRATES) BILL

Adjourned debate on second reading.

(Continued from 15 November. Page 1772.)

**The Hon. H. ALLISON (Mount Gambier):** The Opposition supports this legislation. We simply point out that industrial magistrates, have, to all intents and purposes, always been outside the Public Service, but this Bill seeks to apply more explicitly the conditions under which industrial magistrates are appointed and it also seeks to provide that

the President of the Industrial Court has a much greater control over the industrial Magistracy than one would ordinarily expect between a judicial officer at one level and a person such as a magistrate at another level, where the jurisdictions may be quite different, but under the Industrial Conciliation and Arbitration Act the industrial magistrate performs functions that are delegated by the President of the Industrial Court and there is no real division of jurisdiction between the President and the judges of the Industrial Court, on the one hand, and the industrial magistrates, on the other.

There is in fact a much greater interrelationship between the two and no distinctive barrier between them, either in their day-to-day operations or in the jurisdictions they exercise, respectively. The comments which apply to the Magistrates Bill and the amendments which were inserted into that Bill were largely inserted in the other place into this legislation, too. We are quite happy with the amendments and we will also be supporting the amendments which are to be moved by the Minister of Community Welfare, inserting clause 3, the money clause, and also amending the word 'Attorney-General' and inserting 'Minister'.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Amendment of Industrial Conciliation and Arbitration Act.'

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

Second schedule—

Clause 11, page 6, after line 32—Insert subclause as follows:

(3a) The remuneration payable under this section shall be paid out of the General Revenue of the State which is appropriated to the necessary extent.

Clause 18—Page 10, line 17—Leave out 'Attorney-General' and insert 'Minister'.

Line 22—

Leave out 'Attorney-General' and insert 'Minister'.

Lines 25 and 26—

Leave out 'Attorney-General' and insert 'Minister'.

I explained this amendment during the passage of the previous measure. I will just repeat that, for the sake of completeness and to put it on the record, these amendments are to correct an error in amendments made in the other House and I assure the Committee that the clause is consistent with the other provisions relating to industrial magistrates under which the Minister of Labour, who is the Minister responsible for the administration of the Industrial Conciliation and Arbitration Act, and not the Attorney-General, exercises the various discretions under the Bill relating to the industrial Magistracy.

Amendment carried; clause as amended passed.

Remaining clauses (4 to 6) and title passed.

Bill read a third time and passed.

#### ADJOURNMENT

At 11.36 p.m. the House adjourned until Wednesday 7 December at 2 p.m.

## HOUSE OF ASSEMBLY

Tuesday 6 December 1983

## QUESTIONS ON NOTICE

## DEPARTMENT OF CORRECTIONAL SERVICES

61. **The Hon. D.C. WOTTON** (on notice) asked the Chief Secretary:

1. What extra senior and executive appointments and secondments have been made in the Department of Correctional Services in the past two years and what are the responsibilities of each?

2. What increase in the total number of staff has been achieved in the Department in the past two years?

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

1. Since 1 July 1981, the following extra senior and executive appointments and secondments have been made in the Department of Correctional Services:

Position	Responsibilities
Manager, Industries Complex	Member of the executive at Yatala Labour Prison, responsible for every facet of the industries complex.
Chief Administrative Officer	Administrative support throughout the Department.
Co-ordinator, Research and Planning	Co-ordination of the Research and Planning staff, member of Departmental executive.
Executive Director	Permanent Head of Department.
Senior Project Officer	Planning of major and minor works.
Inspector Establishments	Review and upgrading of security procedures and practice at all Department establishments.
Senior Investigations Officer	Investigate incidents and inmate complaints, and preparation of evidence.
Senior Finance Officer	The co-ordination, direction, and control of the financial and accounting functions of the Department.
Director, Support Services	Administration, Management services and finance.
Senior Project Officer	Research.
Senior Staff Development Officer	Oversight of all training and staff development functions in the Department.
Manager, Capital Works	Capital Works Programmes.
Chief Management Services Officer	Organisation review, personnel matters and staff development.
Director, Operations	Operations Division which embraces institutions, industries, and treatment programme.
Senior Project Officer	Preparation of interim corporate plan for Department. Research assistance.
Assistant Director, Correctional Services.	Work on programmes within treatment services branch.
Senior Management Services Officer	Carry out specific projects in Management Services Branch.

2. The total number of staff has increased from 601 on 1 July 1981 to 669 as at 31 October 1983.

## JOB CREATION SCHEMES

166. **Mr BECKER** (on notice) asked the Minister of Labour:

1. What Job Creation Schemes have been approved and in relation to each project—

- how many persons are employed;
- what is the total cost;
- what is the grant approved;

- what is the sponsor's contribution;
- what has been the payment to date; and,
- how many permanent jobs will be created?

2. How much has been paid to S.G.I.C. for workers compensation in relation to the scheme?

**The Hon. J.D. WRIGHT:** The replies are as follows:

1. (a) Statistics on placement under the programme are maintained by the Commonwealth Employment Service and are not readily available per project. The aggregate number employed as at the end of October is 665.

(b), (c) and (d) Details are available in Schedule form (see attachment A). Due to the volume of the schedule, it is considered inappropriate for printing in *Hansard*. A copy will be provided to the Parliamentary Library for use of members.

(e) Details are available in schedule form (see Attachment B). Once again, a copy will be made available to the Parliamentary Library.

(f) The number of permanent positions that will result is difficult to quantify at this stage but a number of approved projects will offer permanent employment on completion (e.g. the Aquatic Centre at Port Lincoln, the Chalet Village at West Beach and the Commercial Yabbie Farm at Gerard Mission). It is intended to survey the number of permanent jobs created on the completion of the programme as part of an overall evaluation conducted in conjunction with the Bureau of Labour Market Research.

2. An advance premium of \$1.1 million has been paid to S.G.I.C. in respect of Workers Compensation Insurance.

## FIRE INSURANCE PREMIUMS

203. **The Hon. D.C. WOTTON** (on notice) asked the Chief Secretary:

1. Is the committee set up by the previous Government to examine fire insurance premiums still meeting and, if so, when is it due to report?

2. If the committee is no longer meeting, when can the Parliament expect a report to be tabled for the information of members and the public?

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

1. The committee established to examine the funding arrangements of the South Australian Metropolitan Fire Service will hold its next meeting on 7 December 1983. The committee is expected to report its findings to Government within 12 months.

2. Not applicable.

## TEACHING STAFF

205. **Mr BECKER** (on notice) asked the Minister of Education:

1. What reduction of increase of staff for 1984 will occur in schools in the electorate of Hanson and which schools will be affected?

2. What is the basis of the formula used for such changes?

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

1. There will be a staff reduction in each school in the Hanson electorate, as follows:

School	Reduction	Enrolment change
Fulham Primary	1.0	-32
Henley Beach Primary	0.2	+7
Lockleys North Primary	2.1	-28
Netley Primary	2.4	-138
Plympton Primary	1.3	-31
West Beach Primary	2.0	-70
Plympton High	0.6	-5



2. Each school is given a basic staff allocation in accordance with its estimated enrolments; some additional staff, over and above the basic allocation, may be appointed, in response to submissions from schools, to meet special needs. The proportion of 'special needs' staff appointed to each school is usually small compared with the proportion appointed as an entitlement based on estimated enrolments; in some cases, no 'special needs' staff may be appointed to a particular school.

The overall reduction of staff for 1984 in the schools in the electorate of Hanson therefore result from a fall in the estimated enrolments for 1984 compared with those for 1983. The total staff reduction for these schools is 9.6 and the fall in estimated enrolments is 197. In some cases, adjustments to the staff of a school may be made in February, if the actual enrolments at that time indicate that the enrolment estimates are wide of the mark.

The formulae being used in the calculation of enrolments for 1984 are different from those used in previous years. New formulae have been adopted mainly to take into account necessary adjustments between allocations to junior and senior primary levels and junior and senior secondary levels. The new formulae also incorporate recognition of 8 per cent non-contact time for class teachers. The actual formulae for primary and high schools are as follows:

Junior primary schools:

	Class Teachers	N.C.T.	Admin. Time
E 0-200	E + 1	8%	1.0
	29		
E 201 -	E	8%	1.0
	25		

Primary schools (R-7)

	Class Teachers	N.C.T.	Admin. Time
E 0-23	1.3	All N.C.T. and Admin. time is included in class teacher provision.	
24-46	2.4		
47-66	3.5		
E 67-200	E + 1		8%
	29		67-130 0.2 131-149 0.3 150-170 0.5 171-189 0.7 190-200 0.9
E 201-250	E (R-2) + E (3-7)	8%	1.5
	25 + 27		
251-	E (R-2) + E (3-7)	8%	1.5
	25 + 28		

Primary schools (3-7)

	Class Teacher	N.C.T.	Admin. Time
E 200+	E	8%	1.5
	27		

High schools

Level	Enrolment (E)	Staff
8-10	$80 \leq E \leq 300$	2.5 + $\frac{E}{23}$
	$E > 300$	2 + $\frac{E}{22}$
11-12	$E \leq 90$	1 + $\frac{E}{15}$
	$E > 90$	

These formulae, together with explanatory information, are made known each year to school principals before transfers and appointments are made.

## YATALA LABOUR PRISON

207. **The Hon. D.C. WOTTON** (on notice) asked the Chief Secretary: Has a decision been made to demolish the ruins of A Division at the Yatala Labour Prison and, if so—

(a) has demolition commenced and, if not, when will it commence;

(b) who will be carrying out the demolition work; and

(c) has the building been removed from the State heritage list and, if so, when did that occur?

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

(a) No. As soon as the security fence between the northern and southern walls of the prison has been completed.

(b) Modbury Salvage Company Pty Limited.

(c) No.

## TAFE FEES

224. **Mr BAKER** (on notice) asked the Minister of Education: Further to Question on Notice No. 125 of last session, what fee structure is to be introduced for stream 6 TAFE courses and what further changes, if any, have been made to fees of other streams?

**The Hon. LYNN ARNOLD:** Cabinet has approved a fee of \$1.80/hour for stream 6 courses for 1984. This represents a 9 per cent increase over the 1983 level of \$1.65/hour. Cabinet has also approved a revised concession policy so that concession students will pay 25 per cent of the normal tuition fee and that categories of students entitled to the concession rate will be limited to people who hold a Department for Social Security concession card, State concession card, health benefits card or health care card. It is not anticipated that any extra revenue will accrue from the new concession policy. Other fees to be levied in 1984 are a general service fee of \$5 per student (or \$5 if the student pays tuition fees or enrolls for less than 10 hours per year), and a tuition fee of \$1.80/hour for non-credit subjects in streams 1-4.

## LEAVE LOADING

231. **Mr BAKER** (on notice) asked the Minister of Labour: What is the estimated cost in the year 1983-84 to the Government and other South Australian employers, respectively, of the 17½ per cent holiday loading content within Federal and State awards?

**The Hon. J.D. WRIGHT:** The estimated cost for 1983-84 of the 17.5 per cent leave loading to the South Australian Government for the 66 000 public sector employees covering 33 departments is approximately \$16 million. This figure includes Health Commission employees but excludes employees from such areas as ETSA, teachers and police. It is simply not possible to obtain an accurate estimate of the cost of the 17½ per cent loading to private employers in South Australia.

## COMMUNITY EMPLOYMENT PROGRAMME

232. **Mr BAKER** (on notice) asked the Minister of Labour: With respect to the \$21.7 million grant from the Federal Government under the Community Employment Programme and the \$5.7 million from State funds:

(a) how much has been spent to date;

(b) how much has been committed but not spent;

(c) how many new jobs have been created;

(d) what are the names of the schemes; and

(e) how much local government moneys will be expended?

**The Hon. J.D. WRIGHT:** The replies are as follows:

Community Employment Programme (\$21.739m)

(a) \$157 064 to end November.

(b) \$2 431 890.

(c) 145 to end of November within the programme.

(d) As per attached schedules.

(e) \$684 079 in respect of projects approved to date.  
\$5.7m State funds

(a) Nil.

(b) \$597 149.

(c) 80.

(d) Home Assistance Programme

Employment and Industrial Safety Survey (sponsor contribution)

Department of Community Welfare—Aboriginal Projects Development Officer

Women's Adviser's Office—Projects for Women Development Officer.

(e) \$214 286.

### COMMUNITY EMPLOYMENT PROGRAMME

Consultative Committee Recommendations for Project Approvals—Meeting held 3.10.83

Sponsor	Project Title	Labour \$	Materials \$	Total Grant \$	Sponsor \$
FOCUS Adelaide Festival Fringe Corporation of the City of Woodville	Festival Fringe film project	18 200	—	18 200	5 645
Corporation of the City of Woodville	The Brocas Museum development	94 230	10 231	104 461	54 769
Corporation of the City of Woodville	Tourist promotion of historical properties	34 950	—	34 950	3 720
Corporation of the City of Woodville	Woodville Road shop demolition and house renovation and Woodville West reserve	36 210	3 500	39 710	23 480
Corporation of the City of Woodville	Matheson Reserve clubroom extensions	32 019	2 000	34 019	21 040
Corporation of the City of Woodville	Coastal reserve and foreshore development	115 000	4 604	119 604	39 596
District Council of Murray Bridge	Historical records archival	19 250	1 000	20 250	19 500
Corporation of the City of Port Adelaide	19th century book collection establishment	35 350	—	35 350	12 705
Bowman Park Trust	Bowman Park camp kitchen construction	14 990	—	14 990	6 600
Elizabeth West Primary School Council Inc.	Redevelopment for drama area, drop in centre and erection of	27 480	10 127	37 607	8 220
Corporation of the City of Port Adelaide	Semaphore Surf Lifesaving Club	27 640	17 188	44 828	28 500
Adelaide Central Mission Inc.	Redevelopment of Mission House	324 156	139 000	463 156	225 000
SACOSS	J. C. S. Project Development Officer	18 720	—	18 720	—
		798 195	187 650	985 845	448 775

Consultative Committee Recommendations for Project Approvals—Meeting held 12.10.83

Sponsor	Project Title	Labour \$	Materials \$	Total Grant \$	Sponsor \$
Royal Life Saving Society	RLSS Statewide distribution network	9 829	—	9 829	4 750
Royal Life Saving Society	RLSS liaison officer's education programme	17 880	1 990	19 870	2 500
Whyalla Golf Club Inc.	Water main automatic irrigation installation	16 376	4 750	21 126	11 813
Corporation of the City of Prospect	City of Prospect—park development	27 111	—	27 111	12 220
Corporation of the City of Woodville	Construction playground equipment at various locations	28 920	—	28 920	27 000
Corporation of the City of Woodville	Documentation of traffic programmes	18 466	—	18 466	7 914
Corporation of the City of Port Augusta	Caritas schoolgrounds development	29 776	8 584	38 360	16 440
Corporation of the City of Port Augusta	Bowling club and YMCA building alterations	16 673	989	17 662	8 144
Coober Pedy Community Library	Extended library service—additional staff	7 850	—	7 850	260
Crippled Children's Association	Construction of rehabilitation engineering centre	142 040	60 000	202 040	95 000
		\$314 921	\$76 313	\$391 234	\$186 041

## Consultative Committee Recommendations for Project Approvals—Meeting held 26.10.83

Sponsor	Project Title	Labour \$	Materials \$	Total Grant \$	Sponsor \$
YMCA Mount Gambier	Health and fitness facility extensions	17 863	8 538	26 401	17 000
City of Payneham	Koster public park site development	34 730	15 000	49 730	31 090
District Council of Strathalbyn	Construct extension to amenities block at Clayton caravan park	24 940	6 448	31 388	13 452
SACOSS	Catalogue and upgrade SACOSS library	14 390	—	14 390	1 600
SACOSS	Job creation projects clerical assistance	10 300	—	10 300	—
Corporation of the City of Enfield	T.K. Shutter reserve club change rooms construction	112 560	48 240	160 800	100 884
Corporation of the City of West Torrens	Richmond Oval development	52 650	19 620	72 270	61 300
Corporation of the City of West Torrens	Glenlea tennis clubrooms construction and toilets	27 220	—	27 220	26 800
District Council of Kanyaka-Quorn	Playground development	6 582	1 280	7 862	3 370
		301 235	99 126	400 361	255 496

## Consultative Committee Recommendations for Project Approvals—Meeting held 9.11.83

Sponsor	Project Title	Labour \$	Materials \$	Total Grant \$	Sponsor \$
Modbury Hospital	Upgrading medical record systems	6 985	—	6 985	9 975
Corporation of the City of Kensington & Norwood	Buttery Reserve upgrading	45 750	19 409	65 159	29 274
Corporation of the City of Payneham	Drage Reserve public toilets	19 050	6 553	25 603	11 000
Corporation of the City of Tea Tree Gully	Memorial Oval complex redevelopment	45 595	14 413	60 008	25 717
Noarlunga Community Information Centre	Research and update community directories	9 150	—	9 150	820
Port Augusta Golf Club Inc.	Golf course install irrigation landscape	26 222	11 238	37 460	19 110
Corporation of the City of Payneham	Community aide additional staff	13 893	—	13 893	6 421
Stirling North Progress Association	Construct extensions to clubrooms	29 825	12 923	42 748	25 900
Corporation of the City of Kensington & Norwood	First and Second Creeks flood mapping	48 220	1 000	49 220	22 000
Corporation of the City of Kensington & Norwood	City base plans update	10 871	—	10 871	4 659
District Council of Onkaparinga	District heritage conservation survey	19 360	—	19 360	4 000
Adelaide Rape Crisis Centre Inc.	Sexual abuse prevention research	70 520	—	70 520	6 156
Adelaide Rape Crisis Centre Inc.	Self-defence programme for special womens groups	45 790	—	45 790	5 106
Corporation of the City of Burnside	Construction CFS stations Mount Osmond	48 303	3 079	51 382	22 021
Corporation of the City of Elizabeth	Dauntsey Reserve changeroom construction	44 000	15 648	59 648	25 563
The Scout Assoc. of Aust.	Restoration 'Old House' Woodhouse	101 000	23 418	124 418	52 802
District Council of Minlaton	Restore showgrounds perimeter wall	13 388	—	13 388	5 500
Thebarton Parent Child Centre Inc.	Centre extension and improvements	26 999	12 712	39 711	21 000
Corporation of the City of Mitcham	S.A. Womens Playing Fields site development	49 700	16 500	66 200	16 000
		693 336	136 893	830 229	321 044
				-18 715	-8 020
				811 514	313 024

## ERNABELLA

246. **The Hon. D.C. WOTTON** (on notice) asked the Chief Secretary: Has the Chief Secretary received representation from the Aboriginal community at Ernabella relating to an urgent need for strengthening the training and authority of police wardens in the Pitjantjatjara communities and, if so, what action is being taken regarding this matter and, if no representation has been received, will the Chief Secretary inquire into this situation?

**The Hon. G.F. KENEALLY:** During March of this year, lengthy discussions were held between officers of the Police Department and the Pukatja community at Ernabella and other communities in the Pitjantjatjara lands. It was agreed that proposals relating to wardens, police aides and law and order issues, which came from the majority of Aboriginal communities, would be referred to their supreme authority, the Anangu Pitjantjatjaraku Council. This Council is the central authority for all Aboriginal communities in north-west South Australia, south-west Northern Territory and

the eastern extremities of Western Australia and is based in Alice Springs. An offer of police assistance in the discussions with the Council was also given, if that was the wish of the Aboriginal people. To date, however, no further information has been received regarding the outcome of these discussions, nor has there been any request for police assistance.

On 10 September 1983, a letter from the Pukatja community was received asking for help in establishing a training programme for wardens. The Police Department's response was to remind the community of the agreement reached at the March meeting with regard to discussion at Anangu Pitjantjatjaraku Council level. In the same letter, the police asked for an indication whether, in view of their request of 10 September 1983, the Pukatja community now wished the Ernabella situation to be considered in isolation. That is how the matter stands at the present time. There has been no further communication from the Pukatja community and until that body gives an indication of its wishes, further action cannot be taken by police.

### LANGUAGE ADVISORY TEACHERS

248. **The Hon. MICHAEL WILSON** (on notice) asked the Minister of Education: When will the Minister reply to the letter of 2 August from the President of the Primary Principals Association concerning the proposed 50 per cent reduction in language advisory teachers in 1984?

**The Hon. LYNN ARNOLD:** No record of receipt of such a letter exists in my office. I would be happy to respond if Mr Talbot would care to provide me with a copy.

### TEACHER HOUSING RENTALS

249. **The Hon. MICHAEL WILSON** (on notice) asked the Minister of Education: When will the Minister reply to the letters of 25 August and 20 October from the President of the Primary Principals Association concerning the Government's recent increase in Teacher Housing Authority rentals?

**The Hon. LYNN ARNOLD:** The letters have now been replied to.

### TOURISM SUBSIDIES

254. **The Hon. JENNIFER ADAMSON** (on notice) asked the Minister of Tourism:

1. From which local government areas has the Department of Tourism received applications for subsidies for development of tourist resorts since November 1982?

2. What are the projects and what is the value of each and what is the sponsoring organisation for which subsidies have been sought?

3. What applications have been approved and over what period will the total funds for each project be made available?

4. What is the value of applications which have been approved but for which funds are not available?

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

1. Refer to attachment appendix 1.

2. Refer to attachment appendix 2.

3. Refer to attachment appendix 3.

4. No project is approved for funding until funds are available.

### APPENDIX 1

Applications for subsidies for development of tourist resorts outstanding at or received since November 1982 by the Department of Tourism are from the following local government areas:

D.C. of Barossa  
D.C. of Beachport  
D.C. of Berri  
D.C. of Burra Burra  
D.C. of Central Yorke Peninsula  
D.C. of Clare  
D.C. of Cleve  
D.C. of Coonalpyn Downs  
D.C. of Crystal Brook  
Cooper Pedy Miners Progress Association  
D.C. of Dudley  
C.T. of Gawler  
C.T. of Glenelg  
D.C. of Gumeracha  
D.C. of Hawker  
C.T. of Jamestown  
D.C. of Kadina  
D.C. of Kanyaka-Quorn  
D.C. of Karoonda East Murray  
D.C. of Lacepede  
D.C. of Loxton  
D.C. of Mannum  
D.C. of Meningie  
D.C. of Millicent  
C.T. of Moonta  
C.T. of Mount Gambier  
D.C. of Mount Remarkable  
D.C. of Murat Bay  
D.C. of Murray Bridge  
D.C. of Paringa  
C.T. of Port Augusta  
D.C. of Port Broughton  
D.C. of Port Elliot and Goolwa  
C.T. of Port Lincoln  
D.C. of Port MacDonnell  
C.T. of Renmark  
D.C. of Robe  
D.C. of Snowtown  
D.C. of Tanunda  
D.C. of Tatiara  
D.C. of Truro  
D.C. of Waikerie  
C.T. of Wallaroo  
D.C. of Warooka  
D.C. of Willunga  
D.C. of Yankalilla

### APPENDIX 2

A listing of sponsor organisations, projects and estimated costs is as follows:

Sponsor	Project	Est. Cost \$
D.C. Barossa	Development of Fiebig Square, Lyndoch	5 500
D.C. Beachport	Tourist Information Bay at Beachport	7 600
	Beachport Lagoon Landscaping	62 294
Aust. Railway Historical Society	Engine Pit	60 000
Pichi Richi Railway Preservation Society	Restoration of Car 210	25 000
D.C. Berri	Two Tourist Information Bays, Berri	22 000
	Berri Lookouts	75 000
	Berri Riverfront Marina	80 000
D.C. Burra Burra	Paxton Square Cottages—Stage II Preservation	60 000*
	Public Toilets, Burra	30 000*

Sponsor	Project	Est. Cost \$
D.C. Central Yorke Peninsula	Ardrossan Caravan Park—upgrading	300 000
Christison Park Trust	Picnic Facilities at Christison Park, Clare	18 447
D.C. Cleve	Arno Bay Caravan Park—roadways	32 000
D.C. Coonalpyn Downs	Public Toilets at Tintinara	30 000
D.C. Crystal Brook	Crystal Brook Tourist Information Bay	8 000
	Crystal Brook Picnic Area and Car Park	10 000
Coober Pedy Miners and Progress Association	Water Supply for Coober Pedy	400 000*
	Jewellery Shop and Reserve	100 000*
D.C. Dudley	Chapman River Picnic Grounds	4 000
	Browns Beach Camping Area	3 000
C.T. Gawler	Gawler Tourist Drive	6 000
C.T. Glenelg	Patawalonga Public Toilets	300 000
	Tourist Information Centre and Public Toilets	395 000
D.C. Gumeracha	Tourist Information Bay, Chain of Ponds	6 000
	Tourist Information Bay, Gumeracha	6 000
	Public Toilets, Kersbrook	25 000
D.C. Hawker	Hawker Caravan Park—extensions	200 000
C.T. Jamestown	Belalie Creek Development	46 500
D.C. Kadina	Walleroo Mines Fencing	10 000
	Moonta Mines Development	40 000*
D.C. Kanyaka-Quorn	Quorn Tourist Information Bay	6 000
	Quorn—handicapped public toilets	4 000
D.C. Karoonda East Murray	Karoonda Apex Park—Caravan Facilities	40 000
D.C. Lacedpede	Kingscote—Development Maria Creek—Dredging	39 000
D.C. Loxton	Relocate Loxton Riverside Caravan Park	500 000
	Loxton Historical Village Development	120 000
D.C. Mannum	Coolcha—Tourist Lookout	5 600
	Mannum Public Toilets	25 000
D.C. Meningie	Meningie—Redevelop old caravan park sites—Public Toilets, etc.	36 000
	Tailem Bend—Tourist Information Bays	30 000
	Tailem Bend—Public Toilets	30 000
D.C. Millicent	Millicent Tourist Information Bay	25 000
C.T. Moonta	Moonta Bay Caravan Park—Planning	21 000
	—Development	500 000*
	Moonta Mines Tourist Information Bay	20 000
Mount Gambier Jubilee 150 Committee	Develop Lady Nelson Park—Consultancy	3 059
	—Construction	700 000
D.C. Mount Remarkable	Lookout at Hancocks Lookout	5 000
	Lookout at the Bluff	5 000*
	Port Germein foreshore	48 400
D.C. Murat Bay	Ceduna Tourist Information Office	30 000*
D.C. Murray Bridge	Murray Bridge Tourist Information Bay	13 254
D.C. Paringa	Headings Cliff Tourist Lookout	26 950
	Riverbank Reserve, Paringa	8 000
	Public Toilet Blocks, Paringa	12 000
C.T. Port Augusta	Visitor Information Centre—Consultancy	6 000*
	—Design and Plans	24 000*
	—Construction	200 000*
	Red Banks Tourist Lookout	3 000
D.C. Port Broughton	Artificial Fishing Reef	8 600
	Damming of Mundoora Arm	1 000 000*
D.C. Port Elliot and Goolwa	No. 19 Beacon Redevelopment—Consultancy	5 100
	—Work	100 000*
D.C. Robe	McFarlane Hill Tourist Lookout	5 000
	Interpretive Centre Furnishing	28 000
	Redevelop Sea-Vu Caravan Park	300 000*
	Weir at Mouth of Drain 'L'	4 000*
D.C. Snowtown	Tourist Lookout at Lochiel	4 000
D.C. Tanunda	Public Toilets at Heinemann Park	15 000
	Public Toilets at Bethany Reserve	23 500
D.C. Truro	Blanchetown Houseboat Moorings	40 000*
D.C. Waikerie	Riverfront Power Supply	2 750
	Tourist Information Bay '5 Mile' turnoff	6 000
C.T. Wallaroo	North Beach Caravan Park—Irrigation System	16 824
	—Kerbing	5 400
	Foreshore Development	20 000*
D.C. Warooka	Caravan Park at Marion Bay	350 000*
D.C. Willunga	McLaren Flat Picnic Reserve	20 000
C.T. Port Lincoln	Repairs to Kirtton Point Jetty	50 000*
	Porter Bay Marina Project—Assessment	1 000
D.C. Port MacDonnell	Public Toilets at Blackfellows Caves	24 000*
	Development of Little Blue Lake	12 400
	Further Mount Schank Development	15 000*
	Cape Northumberland Development	60 000*
C.T. Renmark	Wayside Stop—Irrigation Scheme	3 700
	—Public Toilets	7 000
	Plushes Bend—Septic System	10 000*
D.C. Yankalilla	Tourist Lookout—Cape Jervis	5 000*
	Normanville Caravan Park—Expansion	600 000
D.C. Tatiara	Redevelopment Bordertown Caravan Park	200 000*
	Keith—Tourist Information Bay	6 000*

No formal application has been received for those projects marked with an asterisk, however, detailed investigations and discussions are currently underway and an application for assistance is anticipated.

## APPENDIX 3

L.G.A.	Project	Sponsor	Value	Total Subsidy	Subsidy Approved 1983-84	1984-85	Date of Approval	Period
C.T. Brighton	Kingston Park Foreshore Caravan Park Redevelopment	Council	300 000	100 000	50 000		22.9.82	1982-83 1983-84
D.C. Tatiara	Keith Poolside Caravan Park, new ablution block, sullage system	Keith Poolside Caravan Park Committee	98 000	24 000	3 369		13.1.83	1982-83 1983-84
D.C. Meningie	New Lake Albert Caravan Park	Council	350 000	160 000	40 133	39 867	29.1.83	1982-83 1984-85
C.T. Moonta	Moonta Bay Caravan Park—Redevelopment Concept Plans	Council	21 000		10 500		17.1.83	1983-84
D.C. Kanyaka-Quorn	Quorn Tourist Information Bay	Council	6 000		3 000		4.11.83	1983-84
D.C. Barmera	Barmera Tourist Information Bay	Council	6 000		3 000		25.10.82	1982-83 1983-84
D.C. Beachport	Beachport Tourist Information Bay	Council	7 600		3 800		26.10.83	1983-84
D.C. Berri	Berri Tourist Information Bay	Apex Club	22 000		5 500		4.11.83	1983-84
D.C. Ridley	Lookout at Walkers Flat	Council	2 500		1 250		1.11.82	1982-83 1983-84
D.C. Mannum	Lookout at Goolcha	Council	5 600		2 800		15.4.83	1982-83 1983-84
D.C. Paringa	Lookout at Headings Cliff	Council	26 950		13 500		19.10.83	1983-84
D.C. Millicent	Handicapped Toilets at Millicent	Council	2 850		1 425		9.12.81	1981-82 1983-84
D.C. Kanyaka-Quorn	Handicapped Toilets at Quorn	Council	4 000		2 000		22.3.83	1982-83 1983-84
D.C. Coonalpyn Downs	Public Toilets at Tintinara	Council	30 000		15 000		16.3.83	1982-83 1983-84
D.C. Waikerie	Riverfront Power Supply	Council	2 750		1 375		22.9.83	1983-84
D.C. Clare	Clare-Christison Park Picnic Facilities	Christison Park Trust	18 447		2 100		21.11.83	1983-84
Various South-East Councils	Tourist Road Signs	D.O.T.	10 000	5 000	699		2.9.81	1981-82 1983-84
Various Adelaide Hills Councils	Tourist Road Signs	D.O.T.	22 000		7 000		18.8.83	1983-84 1984-85
C.T. Port Augusta	Port Augusta Visitor Centre—Consultants Study	Flinders Ranges	6 000		3 000		18.8.83	1983-84
C.T. Mount Gambier	Lady Nelson Park—Consultancy Construction	Mount Gambier Jubilee 150 Committee	3 059 700 000	100 000	3 059 50 000	50 000	15.6.83	1983-84 1983-84 1984-85
D.C. Robe	Robe Interpretive Centre	Council	40 000	20 000	3 306		3.9.81	1981-82 1983-84
D.C. Port MacDonnell	Mount Schank Development	Council	13 300	11 100	2 014		22.12.81	1981-82 1983-84
C.T. Woodville	Fort Glanville—purchase interpretive equipment	Fort Glanville Historical Association	23 195	16 000	6 787		27.3.82	1982-83 1983-84
C.T. Enfield	Purchase 6 Steel Cars	Australian Railways Historical Society	33 000	33 000	11 000	11 000	24.11.83	1982-83 1984-85
D.C. Kanyaka-Quorn	Restoration Railway Car 90	Pichi Richi Railway Preservation Society	25 000		10 000		23.7.83	1983-84
D.C. Port Broughton	Artificial Fishing Reef	Council	8 600		4 300		8.11.83	1983-84
C.T. Port Lincoln	Porter Bay Marina Project—Assessment	Council	1 000		500		25.8.83	1983-84
C.T. Glenelg	Tourist Information Complex	Council	434 000	45 000	25 000	20 000	28.3.84	1983-84 1984-85

## Question 254—Part 4

The current value of approvals under the programme is as follows:

	\$
Projects approved to 29.11.83 .....	404 284
Projects in process of approval .....	18 600
	422 884
Less approvals for payment 1984-85 .....	120 867
	302 017
Balance of budgeted funds of \$342 000 available for 1983-84 .....	39 983

## REGIONAL TOURIST ASSOCIATIONS

255. The Hon. JENNIFER ADAMSON (on notice) asked the Minister of Tourism:

1. What sum was allocated to each of the regional tourist associations in each of the years 1979-80 to 1983-84?

2. On what date was each association advised of its grant in each of those years?

3. For what specific purposes will each regional association use the grant in the current financial year?

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

1. Refer to attachment headed 'Grant and Subsidy Payments'.

2. Refer 1 above.

3. The regional tourist associations will be spending their grants and subsidies on administration support, some promotional activities, the production of tourist literature for their regions, local awareness activities and hospitality training. Maintenance of information bays and some local tourist activity are also undertaken.

## Grant and Subsidy Payments

Regional Tourist Association	1979-80	1980-81	1981-82	1982-83	1983-84
Barossa Valley	\$10 000	10 000	10 000	12 000	15 000
(M.O.T. letter)					
Date advised	17.4.80	18.11.80	20.10.81	15.10.82	28.11.83
Riverland	\$15 000	14 947	15 000	15 000	18 000
Date advised	14.3.80	27.11.80	7.8.81	26.10.82	28.11.83
Fleurieu Peninsula	\$15 000	15 000	15 000	16 000	18 000
Date advised	28.4.80	26.11.80	21.9.81	15.10.82	28.11.83
South-East	\$10 085	20 000	20 000	20 000	23 000
Date advised	12.6.80	10.3.81	20.10.81	19.10.82	28.11.83
Lower Murray	—	—	10 000	10 000	11 000
Date advised	—	—	21.10.81	27.10.82	28.11.83
Kangaroo Island	\$10 000	10 000	10 000	11 000	13 000
Date advised	15.3.80	27.11.80	20.10.81	15.10.82	28.11.83
Mid North	\$9 867	6 355	10 000	10 000	11 000
Date advised	20.5.80	16.4.81	10.10.81	12.10.82	28.11.83
Yorke Peninsula	\$15 000	15 000	15 000	15 000	16 000
Date advised	20.3.80	29.1.81	21.10.81	26.10.82	28.11.83
Eyre Peninsula	\$15 000	15 000	15 000	15 000	17 000
Date advised	14.3.80	8.4.81	8.1.82	19.10.82	28.11.83
Flinders Ranges	—	—	8 000	10 000	12 000
Date advised	—	—	15.3.82	15.10.82	28.11.83
<b>Total</b>	<b>\$99 952</b>	<b>106 302</b>	<b>128 000</b>	<b>134 000</b>	<b>154 000</b>
Regional Tourist Association	1979-80	1980-81	1981-82	1982-83	1983-84
Barossa Valley	10 000	10 000	10 000	12 000	15 000
Base Grant	2 000	2 000	2 000	2 000	4 000
Subsidy	8 000	8 000	8 000	10 000	11 000
Riverland	15 000	14 947	15 000	15 000	18 000
Base Grant	3 000	3 000	3 000	3 000	4 000
Subsidy	12 000	11 947	12 000	12 000	14 000
Fleurieu Peninsula	15 000	15 000	15 000	16 000	18 000
Base Grant	3 000	3 000	3 000	4 000	5 000
Subsidy	12 000	12 000	12 000	12 000	13 000
South East	10 085	20 000	20 000	20 000	23 000
Base Grant	4 000	4 000	4 000	4 000	5 000
Subsidy	6 085	16 000	16 000	16 000	18 000
Lower Murray	—	—	10 000	10 000	11 000
Base Grant	—	—	2 000	2 000	3 000
Subsidy	—	—	8 000	8 000	8 000
Kangaroo Island	10 000	10 000	10 000	11 000	13 000
Base Grant	2 000	2 000	2 000	3 000	4 000
Subsidy	8 000	8 000	8 000	8 000	9 000
Mid North	9 867	6 355	10 000	10 000	11 000
Base Grant	2 000	2 000	2 000	2 000	3 000
Subsidy	7 867	4 355	8 000	8 000	8 000
Yorke Peninsula	15 000	15 000	15 000	15 000	16 000
Base Grant	3 000	3 000	3 000	3 000	5 000
Subsidy	12 000	12 000	12 000	12 000	11 000
Eyre Peninsula	15 000	15 000	15 000	15 000	17 000
Base Grant	3 000	3 000	3 000	3 000	4 000
Subsidy	12 000	12 000	12 000	12 000	13 000
Flinders Ranges	—	—	8 000	10 000	12 000
Base Grant	—	—	2 000	2 000	4 000
Subsidy	—	—	6 000	8 000	8 000
<b>Total</b>	<b>99 952</b>	<b>106 302</b>	<b>128 000</b>	<b>134 000</b>	<b>154 000</b>
Base Grant	<b>22 000</b>	<b>22 000</b>	<b>26 000</b>	<b>28 000</b>	<b>41 000</b>
Subsidy	<b>77 952</b>	<b>84 302</b>	<b>102 000</b>	<b>106 000</b>	<b>113 000</b>

257. **Hon. E.R. GOLDSWORTHY** (on notice) asked the Minister of Labour:

1. What projects in South Australia have been authorised under the Commonwealth Employment Programme using funds allocated as a result of the wage pause and in relation to each project—

- how many jobs does it provide;
- what funds are allocated to it;
- how long will it last;
- how many permanent jobs will be created as a result of it; and
- how many women are employed on it?

2. What guidelines apply for engagements of persons under the projects?

**The Hon. J.D. WRIGHT:** No projects have been authorised under the Commonwealth Employment Programme using funds allocated as a result of the wage pause.

## PLANTS

258. **Mr OLSEN** (on notice) asked the Minister of Transport: What are the requirements in the next 12 months of all Government departments in terms of species of plants and approximate quantities of plants for all purposes including usage for roadside and related areas, and when will the orders be placed?

**The Hon. R.K. ABBOTT:** The information sought by the honourable member would involve extensive research and is not justified in view of the cost involved.

## HOSPITAL SERVICES AGREEMENT

259. **Mr OLSEN** (on notice) asked the Premier:

- Why has the Auditor-General approved, in terms of



clause 37.1 of the Hospital Services Agreement, the appointment of auditors for some recognised hospitals who must be practising accountants with qualifications enabling membership of either the Australian Society of Accountants or the Institute of Chartered Accountants?

2. Why have those entitled to membership of the Institute of Affiliate Accountants, a nationally recognised body, been specifically precluded from holding positions as auditors?

**The Hon. J.C. BANNON:** The replies are as follows:

1. The criteria recognise the degree of professionalism, competence and integrity needed to audit the complex legal, compliance and accountability requirements of hospitals. It also closely follows the legal requirements applying to the registration of auditors under the Companies (South Australia) Code.

2. Members of the Institute of Affiliate Accountants are not bound by the accounting and auditing standards and practice as issued by The Institute of Chartered Accountants and the Society, nor are their qualifications equivalent.

### X-LOTTO

261. **Mr BECKER** (on notice) asked the Premier: Why are the rules relating to X-lotto as displayed at the Lotteries Commission or authorised agents not available to the public upon request to take away for perusal?

**The Hon. J.C. BANNON:** The Commission has two sets of rules, one for mid-week and one for Saturday night X-Lotto. These rules are available for perusal at all agencies and head office during office hours. Therefore, the expense of providing copies of the rules for the public to take away for perusal could prove considerable. Moreover, from time to time, amendments are made to the rules, and over a period of time there would be sets of rules in the community which were not up-to-date.

### PASTORAL BOARD

262. **Mr GUNN** (on notice) asked the Minister of Lands: Have there been changes made in the membership of the Pastoral Board and, if so, who has been removed, who has

been appointed, and why has the Government seen fit to alter the membership?

**The Hon. D.J. HOPGOOD:** The following change has occurred in the membership of the Pastoral Board:

Mr C.R. Harris, Director, Conservation Programmes, Department of Environment and Planning, replaced Mr K.C. Taeuber, Director-General of Lands, from the date of his retirement on 29 September 1983.

### POLICE GUNS

266. **Mr GUNN** (on notice) asked the Chief Secretary: Has the Police Department expressed problems with the holsters for the .357 Smith and Wesson handguns and, if so, do they intend to purchase more suitable holsters?

**The Hon. G.F. KENEALLY:** The holsters for the .357 Smith and Wesson handguns are generally giving good service but, as minor wear problems are beginning to occur in relation to some of these items which have been in constant use for over two years, a review of such equipment is about to be undertaken in order to assess the practicality of continued acquisition of this particular brand and style of holster.

### PRISON EDUCATION

268. **Hon. D.C. WOTTON** (on notice) asked the Chief Secretary:

1. Has a decision been made that the new Education Centre at the Yatala Labour Prison built adjacent to the prison laundry should not be used by inmates and, if so, who made this decision and why?

2. When was this new Centre opened and what did it cost?

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

1. No.

2. The building was handed over by the Public Buildings Department on 5 September 1983 and used progressively from that date. The cost was \$615 000.