## LEGISLATIVE COUNCIL

Tuesday, November 12, 1974

The PRESIDENT (Hon. Sir Lyell McEwin) took the Chair at 2.15 p.m. and read prayers.

## QUESTIONS

### STATE GOVERNMENT INSURANCE COMMISSION

The Hon. R. C. DeGARIS: Has the Chief Secretary a reply to my recent questions about the State Government Insurance Commission?

The Hon. A. F. KNEEBONE: The replies are as follows:

1. The loss by the State Government Insurance Commission of more than $4 000 000 over two years was brought about mainly by the adverse experience of compulsory third party bodily injury insurance. Other departments have shown losses and this is a normal pattern of any new insurance operation. The commission has not yet had the benefit of renewal business, which is less costly than new business.

2. Details of losses of the various sections are set out on page 341 of the Auditor-General's Report. Of the net loss for the year of $2 661 062 under the Motor Vehicles Section, $2 403 384 related to third party bodily injury insurance.

3. The commission reviews its claims estimates quarterly and adjustments to estimates are made to include increases in inflation and other trends.

4. Monthly reports are made to management on all claims paid and outstanding.

5. (See answer to 4.)

6. The commission has, from October 1, 1974, increased its comprehensive motor vehicle premiums by 30 per cent, and from December 1, 1974, the Government Premiums Committee will raise compulsory third party bodily injury premiums by 29 per cent. It is hoped that, as a result of these increases, a marked improvement will be shown. Many factors, however, could influence the final results at June 30, 1975.

### DAIRYING INDUSTRY

The Hon. C. R. STORY: I seek leave to make a short statement with a view to asking questions of the Minister of Agriculture.

Leave granted.

The Hon. C. R. STORY: I do not expect the Minister to give me an immediate answer to these questions but, in view of the publicity that has been given recently to the United Farmers and Graziers of South Australia's approach to the Government for an independent inquiry into the South Australian dairying industry, will the Minister say whether he has accepted the recommendation of the United Farmers and Graziers? If the answer is "No", can he say why he refused the request, bearing in mind that he received the submission in May of this year and that, although the Industries Assistance Commission is at present examining the questions of assistance to the dairying industry, its terms of reference provide that it does not have to report to the Commonwealth Government before October 8, 1975? Can the Minister also say whether he has examined the terms of reference of the current inquiry into the dairying industry in Victoria, and the composition of the inquiry committee; also, can he say whether he agrees that the recommendations that would flow from an independent inquiry into the South Australian dairying industry, such as proposed by the United Farmers and Graziers, would be extremely beneficial when this State Government has to frame its policy, following recommendations made by the Industries Assistance Commission?

The Hon. T. M. CASEY: I received a letter from the United Farmers and Graziers section of the dairying industry asking that I have a look at the situation regarding the equalisation of whole milk throughout South Australia. The honourable member is well aware, of course, that the dairying industry in this State does not speak with one voice. Indeed, I have been trying on its behalf for some time now to have it speak with one voice rather than with several voices, and I decided to have a meeting of members of the industry, including the several factions within it, under the chairmanship of the Chairman of the Metropolitan Milk Board. I hope that this meeting will take place early in the new year and, seeing that the industry in this State is not represented by the one voice as it should be, I believe that this is the first step we can take, and I hope that something positive will result from the meeting.

### WHEAT PAYMENTS

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

Leave granted.

The Hon. M. B. DAWKINS: My question refers to wheat payments and the recent decision not to increase the payment for the current wheat crop. I note that about a fortnight ago the Minister said he considered that buoyancy existed at present in relation to wheat prices. He mentioned a figure of $4 regarding the oversea price and said that that justified an increase in the first payment to the wheat industry. The Minister concluded the statement he made at the time by saying that he sincerely hoped that Senator Wriedt would make a statement soon to that effect. I would hasten to agree with the Minister, and I am always pleased to agree with him when I can. However, I should like to know whether he has taken steps to intercede with Senator Wriedt to seek a reconsideration of the decision not to increase the first advance for the coming season. If he has not, and if such a move is considered to be impracticable, will the Minister make representations for an advance more adequate than the suggested $1.50 as a first advance for the 1975-76 season?

The Hon. T. M. CASEY: As the honourable member knows, this is a decision for the Australian Government (and, therefore, the Minister for Agriculture in that Government) to make. He has been approached by the Australian Wheatgrowers Federation and has had all the facts put before him, and I do not believe that it is my prerogative to interfere in this matter.

### CANCER

The Hon. V. G. SPRINGETT: Has the Minister of Health a reply to the question I asked on October 2 about a cancer registry?

The Hon. D. H. L. BANFIELD: The question of cancer registration has received a good deal of attention by the National Health and Medical Research Council in recent months. At the 1973 Australian Health Ministers' Conference it was agreed that consideration should be given to the establishment of a uniform Australia-wide system of cancer notifications. The National Health and Medical Research Council at its meeting on May 20 and 21, 1974, recommended that each State establish a population-based cancer registry. The council asked the Australian Department of Health to convene a working party comprised of representatives from Australian and State Health Departments to consider the establishment of cancer registration services. This committee met in Canberra on September 10, and

South Australia was represented by Dr. Z. Seglenieks, Principal Medical Officer, Epidemiology, Department of Public Health. The report and recommendations of this working party are in the process of being finalised and will be forwarded to the National Health and Medical Research Council. The Department of Public Health is considering the establishment of a State cancer registry.

## SOUTH-EASTERN FREEWAY

The Hon. M. B. CAMERON: Has the Minister of Health a reply to the question I recently asked about the South-Eastern Freeway completion date?

The Hon. D. H. L. BANFIELD: My colleague reports that the section of the South-Eastern Freeway between Verdun and Mount Barker is planned to be opened to traffic before Christmas and during December, 1974.

## MOTOR VEHICLE INDUSTRY

The Hon. C. M. HILL: I seek leave to make a statement before asking a question of the Chief Secretary, as Leader of the Government in the Council.

Leave granted.

The Hon. C. M. HILL: I refer to reports that have been circulating in this State regarding Japanese motor vehicle interests becoming involved in existing South Australian factories and organisations such as Chrysler Australia Limited. I understand that the Government has been active in its opposition to the recommendations contained in the Commonwealth Industrial Assistance Commission's report and that it has been putting alternatives to the Commonwealth Government, no doubt with a view to assisting the motor vehicle industry in this State, in which so much employment is involved. Will the Chief Secretary say what is the Government's view regarding the prospect of Japanese interests actually gaining some control over factories in this State, and whether the Government will try to oversee such negotiations, if these are in train, in the best interests of the people of this State?

The Hon. A. F. KNEEBONE: I will have some inquiries made into the matters raised by the honourable member and bring down a reply as soon as possible.

## WATER SUPPLY

The Hon. JESSIE COOPER: Will the Minister of Agriculture ascertain whether the Minister of Works is aware that the residents of the eastern suburbs who wish to drink water free from sludge, algae and larvae of various kinds have now been reduced to purchasing specially filtered water from their local supermarkets? Also, will the Minister take the necessary action to ensure that the mains are flushed sufficiently frequently to remove the heavy deposits of sludge and algae that they seem at present to contain?

The Hon. T. M. CASEY: I will refer the honourable member's questions to my colleague and bring down a reply.

## LAND AND BUSINESS AGENTS ACT

The Hon. F. J. POTTER: Has the Chief Secretary a reply to the question I asked on October 8 concerning the Land and Business Agents Act?

The Hon. A. F. KNEEBONE: Most, if not all, stock agents hold land and business agents licences and are "agents" within the definition of that term in the Land and Business Agents Act. As such, they are prohibited from preparing, by way of private brokerage work on behalf of their employees, documents relating to dealings with land. It has always been unlawful for a person (including a company) other than a solicitor or licensed land broker to receive fees or charges for work done in reference to dealings relating to land.

It is intended to introduce amendments to the Land and Business Agents Act to make it clear that various institutions such as finance companies, trustee companies and banks may make proper charges for work performed by licensed land brokers in their employ continuously since May 1, 1973, or some earlier date, provided that the company is a party to the dealing to which the work relates. This proposal will put those institutions in a similar position to licensed land and business agents employing brokers.

## STOCK-KILLING FACILITIES

The Hon. R. C. DeGARIS: I seek leave to make a statement before asking the Minister of Agriculture a question.

Leave granted.

The Hon. R. C. DeGARIS: Over about the last 12 months extensive inquiries have been conducted into stock-killing facilities in the South-East. Will the Minister of Agriculture tell the Council whether the Government has formulated any policy regarding this matter and, if it has, what financial arrangements the Government is recommending to implement that policy?

The Hon. T. M. CASEY: The committee has not yet brought down its final report. Until I have that report, I cannot comment on the Leader's question.

## BUSH FIRES

The Hon. B. A. CHATTERTON: We are all deeply concerned about the serious bush fire danger facing South Australia at present. Can the Minister of Agriculture report on the action he is taking in respect of publicity to make South Australians aware of the dangers that this State faces?

The Hon. T. M. CASEY: Honourable members are no doubt aware that, as the Hon. Mr. Chatterton has indicated, I have expressed publicly on several occasions recently my grave concern about the seriousness of the potential fire hazard which exists throughout the State this year. Seasonal conditions over the past two or three years have resulted in an almost unprecedented build-up of fuel in practically all parts of South Australia and although, because of the unusually damp and cool weather experienced up to date, ripening of grasses has been delayed, a warm spell with undoubtedly create a highly flammable situation. I am particularly fearful of the hazard in the northern pastoral areas and in the Adelaide Hills. In these regions immediate action to reduce fuel and to prepare firebreaks is imperative, and I earnestly ask landholders and Adelaide Hills residents to make detailed inspections of their properties and to take preventive measures without delay. These precautions should include clearing flammable material from around residences and outbuildings, removal of debris from roofs and guttering and, where applicable, the preparation of firebreaks around properties. I cannot over-emphasise the need for prompt action to remove fire hazards wherever they exist. Last week I launched this year's bush fire prevention campaign entitled "S.O.S.—Save our State from Bushfires". This campaign is being mounted by the Bushfire Research Committee, which has prepared extensive publicity in the form of illuminated signs, posters, motor vehicle stickers and television "scatters". I have with me a supply of vehicle stickers which, with your permission, Mr. President, I shall arrange to have distributed to all honourable members for affixing to their private vehicles. Supplies are also being distributed for use on Government vehicles. I confidently seek the co-operation and assistance of all honourable members, and of the public in general, in using their best endeavours to promote a keen awareness of the grave danger which faces South Australia this summer.

The Hon. C. R. STORY: Has the Minister of Agriculture a reply to my question of October 17 concerning bush fires?

The Hon. T. M. CASEY: The legislative committee has met on 12 occasions and Part I of the proposed Country Fires Act covering "Preliminary Matters", Part II "Administration" and Part III "Financial Provisions" have already been completed. Part IV relating to "Prevention and Control of Fires" and Part V "Supplementary Provisions" have been drafted and are being consolidated at the present time. The Bush Fires Act, 1960-1972, has been consolidated and its provisions are adequate to enable effective fire prevention, fire suppression and law enforcement to be carried out pending the enactment of the proposed legislation.

The Hon. R. C. DeGARIS: Has the Minister of Agriculture a reply to the question I asked on October 17 concerning bush fires?

The Hon. T. M. CASEY: I have discussed the effect of daylight saving on bush fire protection measures with the Conservator of Forests, who states that, while the Bush Fires Act requires that fires for burning off stubble or scrub shall not be lit before 12 noon, no problems are known to have occurred in forestry operations as a result of the earlier "sun" time involved. In any case, the provisions of section 90 of the Bush Fires Act are available should either council-appointed fire control officers or foresters consider that a dangerous situation could result from a planned burn. It is true that additional costs have been incurred in retaining fire crews on standby duty beyond normal working hours because of daylight saving. As a result of this an application was made to vary the appropriate spread of hours clause in the Government General Construction Workers Conciliation Committee Award to meet the situation partly, but it was rejected.

The Conservator is not aware of any noticeable effects of additional standby duty on the morale of fire crews. I also took this matter up with the Director of Emergency Fire Services and, although he has not received any comments or complaints from E.F.S. brigades, some fire-fighting associations and local government bodies have expressed concern similar to that contained in the submission to the honourable member. More importantly, I am informed that the effects of daylight saving were discussed at a meeting of the Country Fires Act Legislative Committee, and it was agreed to recommend in the draft interpretations of the proposed Act "that all time references to o'clock relate to Central Standard Time". If this recommendation is adopted the *status quo* of the principles of the existing Act before the introduction of daylight saving would be maintained and the bodies and persons concerned relieved of any inconvenience caused by any "early" commencement of burning off operations.

## MEMBERS' TELEPHONE CALLS

The Hon. A. M. WHYTE: On July 24 I asked the then Acting Chief Secretary a question regarding the granting of a concession to honourable members of this Council in connection with reversing telephone charges when calls were made to Parliament House. Has the Chief Secretary a reply?

The Hon. A. F. KNEEBONE: On May 3, 1973, Cabinet approved payment by the Government of telephone installation and rental charges for each electorate office. In addition, approval was given for trunk call charges to Ministerial departments to be reversed. No change is proposed at the present time.

## WILLIAMSTOWN SCHOOL CROSSING

The Hon. M. B. DAWKINS: Has the Minister of Health a reply from the Minister of Education to my question of October 24 regarding the installation of a school crossing at Williamstown?

The Hon. D. H. L. BANFIELD: Proposals were formulated for a pedestrian under-pass at the Williamstown school, and the District Council of Barossa sought assistance from the Highways Department in financing the project. The council favours an under-pass for the sole use of schoolchildren but, following advice from the Crown Solicitor, the Highways Department informed the council that it could not make any cost contribution under section 19 (1) of the Road Traffic Act unless the under-pass was available to the public at large. It is feasible for a pedestrian under-pass to be constructed at the Williamstown school so as to qualify in these terms, but the Highways Department has not received any further approach from the council. I must add that it is doubtful whether the project would be of sufficient priority, when compared with similar projects elsewhere, to qualify for funding.

## HEALTH SERVICES

The Hon. V. G. SPRINGETT: Bearing in mind that it will be only six or seven months before the new health services changes will be brought in, can the Minister of Health give any idea of what extra costs will be involved for State finances?

The Hon. D. H. L. BANFIELD: No. At present I am unable to say, because the final agreement has not been reached between the State and the Commonwealth.

## PHARMACEUTICAL ADVERTISING

The Hon. R. C. DeGARIS: Has the Minister of Health a reply to my recent question regarding pharmaceutical advertising?

The Hon. D. H. L. BANFIELD: The proposed requirements for the advertising of therapeutic goods recommended by the National Therapeutic Goods Committee are to be considered by the Food and Drugs Advisory Committee, and are available to interested persons. If the honourable member would like a copy of the proposals I will make one available.

## BOWLING CLUB

The Hon. C. M. HILL: I seek leave to make a statement prior to directing a question to the Minister of Agriculture, representing the Minister of Recreation and Sport.

Leave granted.

The Hon. C. M. HILL: In the suburban newspaper, the *Leader,* on Wednesday, November 6, in a prominent position, an article states:

Bowls Club Plan is on Wrong Bias.

"Promises . . . promises . . . that is all Enfield Council has given us for more than two years," Valley View Bowling Club Secretary Max Thompson said this week. Mr. Thompson and President Mr. Ed Roocke said the club had become frustrated in its dealings with council. More than 350 people had supported the building of Valley View Bowling Club on Nelson Road, Valley View, when the project started two years ago.

A member of the club has contacted me about this matter. Apparently the club last year donated about $500 for preliminary work. The council owns the land and some work has been carried out. Despite negotiations between the club and the council, little progress is being made and club members are disheartened about the situation. From the original plan estimated to cost $178 000, a scheme entailing $70 000 was discussed last week between the council and the club; this was rejected by the council last night, apparently on the basis of shortage of funds.

In the Treasurer's Statement in the Loan Estimates this year, under the Tourism, Recreation and Sport Department, an amount of $800 000 is included under the heading "Recreation and sporting facilities" and the Treasurer states that the amount is included this year "to provide capital grants to local government and other organisations towards recreation and sporting facilities". Valley View is a new northern suburb and the residents there deserve every consideration in the initial establishment of recreational facilities. First, will the Minister contact the city of Enfield about this matter; secondly, will he endeavour to make a small allocation from the appropriated sum of $800 000 to assist this new and struggling sporting body?

The Hon. T. M. CASEY: I shall refer the honourable member's question to my colleague and bring down a reply when it is available.

## HORSE DISEASE

The Hon. A. M. WHYTE: Has the Minister of Agriculture a reply to my question of October 16 regarding an equine disease and the research done into that disease in South Australia?

The Hon. T. M. CASEY: Birdsville horse disease is a wellknown problem in the northern pastoral areas of South Australia, although it is more common in south-west Queensland and other areas in northern Australia. The disease is caused by eating the plant *Indigophera enneaphylla* (Birdsville indigo, nine-leaved indigo), but the specific poisonous principle has not been identified. Experimental feeding indicates that eating about 12 kg of the plant over a few days can bring about symptoms typified by incoordination of the horse's gait so that it drags its toes when walking and is liable to crash at a canter. Affected horses cannot therefore be used for working cattle and some stations have found it impossible to run horses because of this problem. Since the cause is a plant poison, the use of a vaccine is not indicated and the discovery of a specific antidote is very unlikely. The only successful solution is to prevent horses eating the plant, but this is very difficult under pastoral conditions since it would involve continuous hand-feeding. Eradication of the plant is impracticable. Happily, the disease is sporadic and the prevalence low in relation to occurrence of the plant.

## WARREN RESERVOIR

The Hon. M. B. DAWKINS: Has the Minister of Agriculture a reply from his colleague to the question I asked on October 23 regarding the Warren reservoir?

The Hon. T. M. CASEY: My colleague, the Acting Minister of Works, states that the evaluation of the water resources of the area will certainly include the Light River and the Gilbert River, in addition to the North and South Para Rivers. A gauging station has been established on the Light River and this is providing useful information. At this preliminary stage it appears that the relatively long distance of the Light River from existing irrigation areas and the consequent length of delivery main or channel required will militate against its economic attractiveness.

## TICKET MACHINES

The Hon. C. M. HILL: Has the Minister of Health a reply to the question I asked recently concerning the possible introduction by the South Australian Railways of ticket vending machines in the metropolitan area?

The Hon. D. H. L. BANFIELD: For a number of years, the South Australian Railways Department has shown an interest in all forms of machine-generated ticket systems and has been considering the installation of self-service ticket vending machines. However, owing to the complexity of traditional card ticket systems based upon travel from one named station to another, the Railways Department first of all needed to simplify its ticketing system, and the first step in this direction was taken earlier this year with the introduction of the zone fare ticket system. Further consideration of an "off the shelf" ticket vending machine can now be considered. Specifications will soon be drawn up, and machines will be acquired for trial and evaluation, subject, of course, to necessary finance being made available.

## LAND TAX

The Hon. A. M. WHYTE: Has the Chief Secretary a reply to a question I asked recently about land tax?

The Hon. A. F. KNEEBONE: A working party, comprising the Valuer-General and the Deputy Commissioner of Land Tax, has been formed at the direction of the Treasurer to develop an effective land tax equalisation method for implementation from July 1, 1975. Their report has been requested by November 30, 1974. Until the report is received and considered, no details of the proposed equalisation arrangement can be given.

## HIGHWAY 12

The Hon. C. M. HILL: I direct my question to the Minister of Health, representing the Minister of Transport. Can the Minister tell the Council of the Highways Department's plans to improve Highway 12 between Parilla and Pinnaroo, which road has deteriorated owing to the exceptionally wet season and the heavy commercial and other traffic using it?

The Hon. D. H. L. BANFIELD: I will refer the honourable member's question to my colleague and bring down a reply.

## FOOTBALL PARK (RATES AND TAXES EXEMPTION) BILL

Second reading.

The Hon. A. F. KNEEBONE (Chief Secretary): I move:

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

This short Bill gives effect to an arrangement entered into by the Government with the South Australian National Football League. The substance of the arrangement is that, so long as the land in the West Lakes area known as Football Park is leased by the league from West Lakes Limited and is occupied by the league as its headquarters, the land will be afforded some relief from charges under the Sewerage Act and the Waterworks Act, and complete relief from land tax.

At the time the arrangement was entered into it was thought possible that the Recreation Grounds Taxation Exemption Act, 1910, would be a suitable vehicle for such an exemption. However, the Government's advisers have suggested that the bare application of that Statute would go further than was intended, in that it would touch on local government rates as well. On the basis of this advice, the Government has determined that a special Act is appropriate, if only for the reason that the area of relief to be provided for can be delineated with greater precision.

Clause 1 is formal. Clause 2 sets out the definitions necessary for the purposes of this measure. Clause 3 exempts Football Park from rates under the Sewerage Act during the period of the lease from West Lakes but in its application leaves the way open for charges to be made under section 68 of that Act, which is commended to

honourable members' attention. Briefly, this enables the department to charge the league for the "drainage of and the removal of sewerage matter" from the land, and it goes without saying that such charges will be made. Clause 4 exempts Football Park from water rates under the Waterworks Act during the period of the lease but again enables a charge to be made for water actually used by the league. Clause 5 provides a complete exemption from land tax for Football Park during the period of the lease. Clause 6 is in furtherance of the terms of the arrangement mentioned above and provides for the expiring of the Act presaged by this Bill on the league's ceasing to occupy Football Park as its headquarters.

Finally, the Government has regarded the development of Football Park as a matter of great public interest sufficient to warrant the giving of a guarantee to facilitate the provision of finance and the giving of some concessions in its own charges. The Government would not propose to grant similar concessions to other sporting or other bodies unless similar circumstances and considerations, involving the same degree of public interest, emerged. At this stage, the Government is not aware of any other sporting complex, either existing or proposed, that would meet these criteria.

The Hon. C. M. HILL secured the adjournment of the debate.

## APIARIES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 31. Page 1810.)

The Hon. R. A. GEDDES (Northern): In speaking to this Bill, I point out, first of all, that my investigations amongst the beekeeper societies and authorities throughout the State have revealed their absolute disgust because the Minister or the department has not informed any producer of the amendments contained in the Bill; there is a complete revulsion at the effect that some of these amendments may have on the industry, since the leaders of the industry have received no information of the Government's intentions. I say this because other sections of the primary industry, too, are concerned that the Government rides roughshod over the requests or submissions of organisations before amending legislation is introduced. The Minister says "Yes" but then does something else and does not provide the necessary information. In amplification of this argument is the fact that on a Thursday afternoon the Minister gave a reply to a question by an honourable member about margarine in which he said he would, or would not, do certain things about margarine, but the very next day he changed his tune completely at the Agricultural Council, with no regard to the authorities or those vitally concerned.

The Commercial Apiarists Society, the Amateur Beekeepers Society and the South Australian Apiarists Association have made representations to me, and also I have had representations from the producer representative of the South Australian Honey Board, because they had no knowledge of this amending legislation. In fact, the South Australian Honey Board's representative did not know about it until this last weekend, on November 10. There are 867 registered beekeepers in South Australia, owning a total of 94 994 hives. Even though that may be a comparatively small number, surely some respect should have been paid those beekeepers before this legislation was introduced. The Bill provides that all hives must be branded, and a severe fine can be imposed if this is not done. Indeed, a maximum penalty of $200 is provided. Although this is to be done by regulation, one can only hope that the Minister and his department will confer with the industry before the regulations are drawn up, in order to give it a chance to make a submission on whether the brands should be fire brands or painted brands.

The Hon. C. R. Story: There are many firebrands around here.

The Hon. R. A. GEDDES: There are. What a shame it is that these people were not consulted before. In the 1972-73 financial year, South Australian beekeepers produced 3 300 000 kilograms of honey. The industry is plagued with rising costs inflicted on it by the many Government agencies, Commonwealth and State, that delight in raising taxes and imposing hardship. As commercial beekeepers must have their hives spread over vast distances in order to maintain an efficient level of production, every increase in their production costs is magnified possibly to a greater extent than it is in any other primary industry. For instance, the proposed petrol tax of 6c a gallon has been estimated to cost honey producers an extra 60 per cent in production costs. As happens in other industries, surplus honey is exported. At present the export market is depressed. The Minister must therefore ensure that the industry is consulted in relation to these new regulations. In his second reading explanation, the Minister said:

> The recommendations were that bees kept in accordance with the corresponding law of another State and brought into this State be exempted from registration under the principal Act for a period of 90 days in any year and that, during that period, if the hives are branded in accordance with the corresponding law, they also be exempted from the branding requirements of the principal Act.

It therefore seems that, if beekeepers from other States wish to bring their hives into South Australia in order to catch the honey flow, they may under this Bill do so for a period of 90 days, and they must comply with their own State's regulations. Why cannot the old regulation (that one in 10 hives be branded) apply to those beekeepers who wish to operate exclusively within this State because of the vastness of the State and the great variety of blossom available from the Far West Coast to the South-East, and from the South to the North? If this were done, those beekeepers who wanted to move to other States would have to conform to the laws not only of this State but also of the State to which they took their hives, branding all their hives. The Minister did not say in his second reading explanation why it was considered necessary for beekeepers, be they humble, home-type beekeepers or commercial beekeepers, to brand every hive. Representations have been made on whether the brand should be a fire brand or a paint brand. I trust that the Minister and his department will give the industry a chance to put forward its views in this respect.

Clause 4 provides for a new method of registering beekeepers. In future, beekeepers may be granted registration for a period of three years commencing on June 30, 1975. Any beekeeper who wishes to register thereafter will be granted a licence for the remaining years. Therefore, any grower who registers in 1975 will have to reregister in 1978, 1981, 1984, and so on. Clause 11 inserts section 13a in the Act. New subsection (1) provides:

> Subject to subsection (2) of this section, a beekeeper shall not fail to brand and keep branded each of his hives in the prescribed manner with a brand allotted to him by the chief inspector.

I think I have already shown that it will be costly for commercial beekeepers who have thousands of hives to brand all those hives unless a reasonably fair time is given for this to be done.

The Hon. T. M. Casey: What would you call a reasonable time?

The Hon. R. A. GEDDES: I should like the industry to answer that question.

The Hon. G. J. Gilfillan: A beekeeper could have his hives scattered over a large area of the State.

The Hon. R. A. GEDDES: That is the point. He may have many hundreds of hives scattered between Ceduna and the South-East or, indeed, in the North of the State.

The Hon. T. M. Casey: Do you honestly believe there are beekeepers who have hives scattered between Ceduna and the South-East?

The Hon. R. A. GEDDES: I do, and I could name them.

The Hon. T. M. Casey: Good!

The Hon. R. A. GEDDES: The town of Wirrabara, from which I come and which is often referred to as the home of beekeepers, has commercial operators who have bees from Penong down to the South-East and who work between the two points.

The Hon. G. J. Gilfillan: And all are areas with a high fire risk.

The Hon. R. A. GEDDES: That is so. Clause 4 inserts in the Act new section 5, subsection (6) of which provides:

> Nothing in this section shall apply to or in relation to the keeping of bees for the purposes of instruction in any educational institution approved of by the Minister for the purposes of this subsection.

This means that any educational institution that wants to keep bees for instruction purposes does not have to register those bees. However, no provision is made in the Bill or, indeed, the Act to exempt that type of institution from having to brand all hives. I ask the Minister to examine this point. Surely he should have power to exclude such institutions from the necessity to brand hives when they are kept purely for educational purposes or on an educational institution's property. Although this may be only a small point, surely, as such organisations do not have to register their bees, they should not have to brand their hives, either. I suspect there is an anomaly in clause 12, which amends section 19 of the principal Act. The term "registration of hives" is used in one part of section 19, but the term "registration of any hive" is left in another part of section 19. I foreshadow an amendment to clarify the matter.

It is necessary to support the Bill. However, I am disappointed that the apiarists' associations had no knowledge of the introduction or implications of the Bill. All associations have expressed great concern about the branding of every hive. I am considering possibly amending the Bill to provide that those beekeepers who have no intention of moving to another State should be able to work under the old provision; that is, only one hive in 10 should have to be branded. On the other hand, those beekeepers who may wish to move to another State will need to have every hive branded.

The Hon. G. J. GILFILLAN secured the adjournment of the debate.

## LICENSING ACT AMENDMENT BILL (HOURS)

Adjourned debate on second reading.

(Continued from October 31. Page 1811.)

The Hon. C. R. STORY (Midland): I support most of the provisions in this Bill, which is really the first major change we have had to the legislation since 1967. There is always a time to take stock after major changes have been made. Honourable members will remember the very long debate and the radical changes that took place after the Royal Commission's report in 1967. Honourable members will also remember the Bill that was subsequently introduced in the Lower House and finally passed by this Council. The result of the Royal Commission's report was that, as a general rule, hotel closing hours were altered from 6 p.m. to 10 p.m. throughout the State and sweeping changes were made in the licensing of and granting of permits to clubs and in the administration of the legislation by the Licensing Court. In the past seven years we have lived with those guidelines, and it is now time to look at the situation.

The Government has imposed heavy taxes on the liquor industry, hotels and clubs. When a landlord tries to increase the rent and get a new contract signed, the tenant will point out cracks in the building and leaks in the roof, and the tenant will seek improvements. The same kind of situation applies when the Government tells the liquor industry that it will extract more taxes from it. The industry is justified in taking what remedial action it can to remain profitable in the face of the increased taxation that it must pay under another Bill on the Notice Paper. Many provisions in this Bill have obviously been negotiated between the industry and the Government.

The Hon. M. B. Cameron: Which sections of the industry?

The Hon. C. R. STORY: Various sections. Working under one of the oldest axioms of politics, the Government is not letting the side down in the slightest. One of the great rules is "Divide and conquer". This is precisely what is happening in connection with many of the dealings of the present Government. If it lets out a few people, it does not have much opposition from that quarter. At the same time it uses good bait and catches many other people. The gill net was used extensively in 1967. Many suckers got through, but some did not get through; that is why we have this Bill. Some of them are now coming before us asking for mercy. Probably the most sweeping provision in this Bill is clause 3, which amends section 19 of the principal Act. It allows hotels and clubs to remain open on Fridays and Saturdays for an additional two hours; that is, until midnight. The amendments to section 19 (1) and (1a) should be read in conjunction with new subsection (5). It will be possible for hotels to remain open in certain circumstances until 1.30 a.m. As we predicted during the 1967 debate, provision is made for what are virtually tavern licences. A full publican's licence can be granted, or in certain circumstances an existing full publican's licence can be varied, in such a way that the licensee does not have to provide accommodation. As a result, he is relieved of the tremendous expense of providing staff in connection with accommodation. The Bill also varies the position in regard to *bona fide* lodgers and *bona fide* travellers. A person will no longer be able to plead, if a raid is made, that he is on the premises for the purpose of sleeping, because there will not be anywhere for him to sleep, except under the couch, which is not considered to be a *bona fide* place.

The Hon. M. B. Cameron: What if he sleeps on the couch?

The Hon. C. R. STORY: There may be someone else there. Provision is made for trading with the *bona fide* traveller, provided he meets the obligations provided in the legislation. One of the interesting provisions of the Bill is that the publican is once more exonerated from one of his existing obligations. Under the present Act he may open his premises between the hours of 5 a.m. and 9 a.m., but he must open at some time between those two times unless he can get a variation by the court. Under

the Bill he will not be obliged to open his premises before 11 a.m. if he can make suitable arrangements with the court. The existing Act provides that he is obliged to remain open for 13 continuous hours; the Bill provides that he must remain open for only 11 continuous hours. He must remain open until 10 p.m. unless he can get a variation by the court.

Provision is made elsewhere in this Bill to obligate him to display clearly signs showing the hours he has been granted or the hours in which he is operating; he must keep to those hours no matter what other conditions prevail. He registers his hours of business with the court, and those are the hours he must keep. This provision will make the lot of the hotel keeper much easier. It seems rather ridiculous that a person must open his hotel at 9 a.m. to sell a fourpenny dark to a bloke who has had a bad night when that might be the only customer in the bar for some time. It would be cheaper to give the customer a bottle of wine and keep the bar closed rather than bring in barmen and barmaids.

The Hon. D. H. L. Banfield: He will get that chap back after lunch if he gives him a bottle of dark.

The Hon. C. R. STORY: It depends whether it is hen wine; if so, he would lie where he fell. The trade will benefit from this measure, and I refer now particularly to the amendments to sections 24, 25, and 26 of the principal Act, which relate to people holding brewer's Australian ale licences, distiller's storekeeper's licences, and vigneron's licences, who will now be able to keep their premises open until 8 p.m. rather than closing at 6 p.m. They, too, will receive benefit from the legislation. Section 22 is amended by clause 5. This is an important provision, dealing with the retail storekeeper's licence. Subsection (2) is to be struck out and replaced by the following subsection:

(2) Subject to subsection (3) of this section, a retail storekeeper's licence shall not be granted in respect of any premises, or removed to any premises, unless the court is satisfied that the public demand for liquor cannot be met by other existing facilities for the supply of liquor in the locality in which the applicant proposes to carry on business in pursuance of the licence.

I do not disagree with that. I think it is timely because, in the 1967 legislation, we went to some pains to enable a retail storekeeper's licence to operate. Some people were disadvantaged. For instance, people living in small country communities such as Wunkar, Galga, Karoonda, and Alawoona, and other small communities with a country store and a hall, were 15 kilometres, 30 km, or 45 km from the nearest hotel. In those days they might have had an itinerant wine salesman with sufficient enterprise to sell his own vintage wines in the various areas (having a licence, of course), but that was the only form of distribution. It was believed there should be something better and it was made easier for country storekeepers to apply and, having met certain conditions of the court, to be granted licences. As a result of these amendments, we saw a great proliferation of licences throughout the State.

Many small communities (those I have mentioned as well as others) were served well in the first place, but after a few bad seasons, with itinerant workers moving away, it was difficult for the storekeeper to carry on. People formed small companies to buy small country businesses with liquor licences. It has been reasonably easy to transfer those licences from places such as Cooltong and Alawoona to other parts of the State where the population warrants the opening of premises with a new storekeeper's licence. Under the provisions of the Bill it will be much more difficult to do that, because the operative words are as follows:

. . . unless the court is satisfied that the public demand for liquor cannot be met by other existing facilities for the supply of liquor in the locality . . .

That will be fairly difficult to get through the court; it is much tougher than the existing law. I know some are already in the process of having their cases heard by the court. I think there are three applications before the court at present. I believe, as I have said in relation to other legislation that has been before the Council recently, that it is wrong to pull out the plug and leave people high and dry. The same situation applies with these amendments. If someone has paid a large sum of money to buy a licence and has gone through the process of getting a case before the court, he should be allowed to go freely to the court under the old rules, because the business was transacted in the knowledge that the Act was in its existing state. If those people were forced to have their cases heard now, under the new provisions, they would not even get a run for their money. Surely, under even rough Australian-type justice, not even British law, we must give people a run their money. They have paid their money, and in some cases this has involved a large sum. I refer especially to one ambitious scheme, which has been put to the court and which I believe would be of great benefit to the wine industry generally if it were accepted. The scheme is promoted by a wellknown wine authority and critic. He visualises setting up in the old Woodside brewery a modern exhibition in four rooms, with each room to be named after a wine-producing valley of South Australia. The display will feature the advertising, bottles, labels, and wine of each of those valleys, with a history of each of them.

It is also foreseen that a wine education centre will be established, and this would be invaluable to the industry generally. However, none of these projects can get off the ground if the people applying to the court are faced with this new provision, because there are other facilities in the immediate area to supply the needs of the local population. The scheme to which I have referred is of much wider scope than merely providing the needs of the local population. It will be of inestimable value to people who have only a short time to spend in South Australia and who do not have time to go to the famed Southern Vales or the Barossa Valley, but who have time to do a one-hour round trip to Woodside. From a tourist point of view, I believe this is an attraction. We are always extracting money from the wine industry, and we would be putting something back into the industry if the applications concerning this project were heard by the court under the existing law.

Although I cannot foretell the court's decision, I believe it might look sympathetically at such applications provided we did not tie its hands so that it could not look at the matter impartially. Therefore, I would like other members who have yet to speak in the debate to give more thought to this matter and, if necessary, accept a small amendment to deal with the situation. I hope my suggestion meets with the approbation of this Council. Clause 9 amends section 27 of the principal Act by inserting after subsection (3) the following subsection:

(3a) Where the court grants a licence under this section after the commencement of the Licensing Act Amendment Act (No. 2), 1974—

(*a*) the court shall impose a condition under paragraph (*b*) of subsection (3) of this section;

and

(*b*) the court shall not revoke any condition so imposed,

unless the licensee proves that it is unreasonable that such a condition should be imposed or should continue in force.

Honourable members will recall that the 1967 amendments provided for clubs to be licensed and to operate on permits. When the Council considered the matter in 1967, there were 30 licensed clubs in South Australia. We now have 162 fully licensed clubs and 745 permit clubs. Generally, business has been taken away from the holders of full publican's licences.

The Hon. M. B. Cameron: That's decentralisation!

The Hon. C. R. STORY: True, and I should like to see more done to assist decentralisation, but I will leave that argument until I complete the matter now being considered. The situation applying to licensed clubs was discussed fully in 1967. It was foreseen that great inroads would be made into the hotel trade, so it was provided that permit clubs coming into operation after the commencement of the 1967 Act must purchase their supplies through a licensed retailer. This was done to break down and cushion the effects of the convenience that was to be provided by having better and more convenient drinking facilities in many places so that people could drink at a sporting ground or other convenient place in a town or community.

Clubs whose operations fell within certain limits were required to purchase their liquor from a licensed retailer, and other provisions were made regarding other types of club. Clubs with a turnover of more than $15 000 could opt out of the arrangement to which I have just referred: by paying a higher fee in consideration for the privilege, they could purchase wholesale liquor supplies.

This amendment seeks to alter the limits set. It increases the minimum sum of $50 to $100 at the bottom of the scale, and at the top of the scale the sum is increased from $15 000 to $25 000 before clubs can opt to purchase wholesale liquor supplies. However, the members of some clubs believe that this change will put them at a great disadvantage, because the clubs have now come to a difficult stage. Although in the early days they had a turnover of $15 000, which has now increased to nearer $25 000, they were staffed mainly by voluntary labour, through the efforts of club members. There has been much pressure from the Liquor Trades Union, which has demanded that paid barmen be employed in clubs and that they be paid proper rates for their services. Consequently, the sum of money necessary to run a club has greatly increased.

Club members now believe that in order to make a success of running their clubs they should be able to purchase wholesale liquor supplies and be exempt from the original obligation to buy from a licensed retailer or a person holding a similar licence. The clubs are looking for some consideration from Parliament concerning this matter. Perhaps the figure should not be $25 000: it might be a higher figure. It may be a figure of $35 000, or something like that, where a club can opt out and buy at a better price, but I draw honourable members' attention to the fact that in country districts particularly the hotel keeper has to provide many services, including accommodation. In these days of clamour for tourism, he is obliged to keep a reasonably good house under the provisions of the Licensing Act.

Also, he has to spend money to ensure that his place is kept as near as possible to concert pitch. All our observations lead us to appreciate how much the hotel industry has improved since 1967. A tremendous amount has been done in the improvement of facilities for accommodation and eating and of general facilities in lounges and bars, particularly in the more remote type of country area. The hotelier cannot be expected to accept a severe check to his turnover by the sporting bodies of the district forming a club and buying direct from Adelaide or some other place, thus reducing his trade. But, when it comes to Saturday night or the next 21st birthday celebration, everyone flocks in and expects him to put on a good show and to have all the facilities available for holding a dinner or a party. The hotelier is obliged to do these things, first by direction of the court and secondly by public demand. So we must look at both sides of this matter. Many hotel keepers are finding it difficult to scratch along. After all, their primary business is the supply of victuals and accommodation to the public, whereas the club's main function is to provide fun and entertainment as cheaply as possible. I think we have an obligation to the legitimate hotel keeper.

This problem must be balanced out a little. The hoteliers also, of course, provide much of the equipment that is used in the clubs in country areas. I should not like to see the country publican go to the wall because of some action we took to make ourselves popular by giving the clubs an "open go" on where they should buy. The publican is obliged to give the clubs a decent discount and, if something needs to be done, it is a matter for our own price-fixing organisation in the liquor trade, which we introduced in parallel to this Act. It is up to those people to look at the position to see whether the discount being given by the hotelier to a club is sufficient. That is an adjustment that should be made. I sympathise with the clubs; I like them, but I think we would be somewhat irresponsible if we merely said that we were going to try to write into this legislation the provision that everyone who had a permit could buy his liquor at the best price obtainable.

I come now to the tavern licence, on which other honourable members may have something to say. This must have been asked for and sought, but apparently the hoteliers are not worried about it. Perhaps the tavern licence will be a good thing in the near-metropolitan area, where there is a lack of bar and lounge facilities. I think most people would prefer to live in a hotel out in the suburbs from the point of view of accommodation, but there is a need in the heart of Adelaide for reasonably good nibbling and drinking facilities. I think this provision for this type of licence will provide suitable facilities for the people. There are several other things that honourable members will no doubt raise as they go through this Bill, but I think the ones I have mentioned are fairly important and need to be given much thought.

Clause 14 deals with the sale of liquor by licensed auctioneers. At present, where liquor is sold by an auctioneer on behalf of a licensed person, the sale must take place on the premises to which the licence relates. This may be unduly restrictive but, under the provisions of this Bill, provided that the person who owns the liquor has a licence, the auctioneer can sell that liquor at a place other than that which was licensed under a distillers storekeeper's licence, which seems to be a good provision.

As regards the additional two hours (from 6 p.m. to 8 p.m.) for Fridays and Saturdays for other types of licence holder, this will be a great help to people who have a brewer's licence, where it is fairly difficult for people to come into a brewery in great numbers. They could not all be there at the one time. People pick up their supplies there and this provision will give them an extra two hours in which to purchase their various needs. People who have a brewer's Australian ale licence or a distillers storekeeper's licence will benefit.

That covers most of the points I wanted to raise. This Bill is an improvement. As I have said, people will get opportunities to enjoy better facilities as a result of these provisions. The public will get longer hours in which to drink. Whether or not that is good depends entirely upon

one's approach to the consumption of liquor. Since the passing of the 1967 Act, the situation regarding liquor consumption has improved. The general apprehension of some people about this has not materialised: it has not produced the terror and horror predicted when the hour was extended from 6 p.m. to 10 p.m. A far more civilised approach to drinking has developed in the intervening period. I hope that bistros and the outdoor type of cafe drinking will be allowed to continue and will be conducted properly. I do not see why we should have to put up frosted glass windows, push people behind them and close swinging doors on them. The old concept of doors swinging in and out has gone. Generally, I support this Bill except for the few points I have raised.

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

## LICENSING ACT AMENDMENT BILL (FEES)

Adjourned debate on second reading.

(Continued from October 31. Page 1811.)

The Hon. C. R. STORY (Midland): The Bill on which I have just spoken is a much more pleasant one than this Bill, which provides for steep increases in taxation for all categories of licensing under the Licensing Act. The Bill amends section 37 of the Act and, in the main, increases the licence fee from 5 per cent to 6 per cent of the gross amount paid by licensees for liquor. That increase of 1 per cent is fairly critical at a time when the industry is paying high overhead expenses. Indeed, the industry will not be helped in the slightest by this increase.

Unfortunately, some of us have come to accept taxation as inevitable. I suppose one gets conditioned to this sort of thing when it happens so often. However, after a while, when the punching stops, one notices the difference, and much the same applies to taxes that are imposed. This has happened fairly constantly since 1970, when the State Government changed, and has been even more apparent since 1972, when the Commonwealth Government changed. I am apprehensive regarding what the effect of all these taxes will be. In this respect, I am in good company, as I read in the *Advertiser* of Saturday, November 9, under the heading, "Dunstan urges economic switch by Canberra", the following:

> The Premier (Mr. Dunstan) last night called on the Federal Government to take immediate action to boost business and consumer confidence. He urged the Government to make sweeping changes to its economic policies. At the annual dinner of the South Australian Chamber of Commerce and Industry, Mr. Dunstan said it would be "highly desirable" for the Federal Government to:
>
> Amend the capital gains tax to take account of inflation's effect on asset valuations.
>
> Reduce company taxation.
>
> Remove the ban on oversea borrowing by companies for periods of less than two years.
>
> Make additional revenue grants to the States on condition that they roll back the recently announced consumer taxes on petrol and cigarettes.
>
> Change its attitude to tariff cuts and the effect of imports on Australian industry.
>
> Work with the States to provide for wage indexation.
>
> The Premier said one of the most disturbing trends in the economy at present was the decline in business profitability and confidence. This had been a result of the Federal Government's "tightening of the money screws". The money squeeze had now become quite vicious for many companies.
>
> Mr. Dunstan said: "The new capital gains tax, unless modified to allow for the merely inflationary element in capital gains, and the surcharge on unearned income, both act to reduce the incentives to invest which is needed to maintain an adequate level of activity in our economy."

Having looked at and listened to the Premier for just on 20 years, I should not have thought he was a slow learner. However, he obviously is, because he has come out with this great pronouncement to which I have just referred. People, including leaders in the business world, have been saying this since two or three months before the May election, when the Commonwealth Government was returned to office. People have therefore known about this. But did this make any difference to the Premier? Not a bit! The Premier went gaily on and made other predictions at the same time. They, too, are worthy of examination, as the public has been taken for as long a ride as it needs to be taken, even if it is on a Bee-line bus.

One could also ask whether the Government had a mandate in this respect. The South Australian Government and the Commonwealth Government have caught on to the South Australian Labor Party catch cry that they have a mandate for everything. However, did the Government really have a mandate for the capital gains tax that it introduced, or for reversing completely the decision of the Australian people made at the referendum last year that the Grants Commission should not be used to interfere with local government finances? But what happened? The Commonwealth Government went gaily on and did it. Did the South Australian Government do anything in this respect? I do not think it did. The next point the Premier made related to industrial tribunals. He said:

> Wages were often "hiked" to such an extent that it was impossible for the economy to deal with them. Citing the case of recent wage rises to the South Australian Police Force, he said: "We have to put a specific brake on escalating wage demands, leap-frogging wage demands, and bring them back to some sort of basis of reality."

That is an interesting statement, considering that the author of those words was the person who worked so hard, with the present Attorney-General, to bring into operation in South Australia the State Industrial Court. One might be pardoned for asking who appointed a trade union secretary as a Conciliation Commissioner, who brought down the very finding of which the Premier is at present complaining.

The Hon. R. C. DeGaris: Who went out and made promises over the head of the Industrial Court, too?

The Hon. C. R. STORY: That is dead right. Commissioner Johns, formerly of the Tramway Employees' Union, made the recommendation regarding police salaries. If anyone in the community needed and was entitled to an increase in their salaries, it was the South Australian Police Force.

The Hon. D. H. L. Banfield: I think the Premier said that in his address. He merely pointed out what the decision was.

The Hon. C. R. STORY: I have known people to be misquoted in the press. However, one usually finds that in the following day or two they are asked to be reported correctly.

The Hon. A. J. Shard: They do it so often these days that people have stopped asking for retractions.

The Hon. C. R. STORY: I do not think the Premier has been misquoted. I think this is factual.

The Hon. D. H. L. Banfield: But you would agree that the Premier said he thought the police deserved the increase?

The Hon. A. F. Kneebone: He said it was the best Police Force in Australia.

The Hon. C. R. STORY: It is not much good his saying that—

The Hon. A. J. Shard: There is proof that he was misquoted.

The Hon. C. R. STORY: That does not alter the situation at all. He is talking about a proliferation of wage-fixing bodies in Australia. Who did the proliferating in South Australia? It was this Government—no-one else. Honourable members cannot run away from the fact that that happened.

The Hon. A. J. Shard: The Premier will have to have a good look at himself.

The Hon, C. R. STORY: He looked very charming in the picture at the weekend. The girls said that he had not given a great deal of satisfaction in connection with women's lib. He looked charming, but that does not make him right in connection with this matter.

The Hon. A. F. Kneebone: I thought you said that it made him right.

The Hon. C. R. STORY: Not in connection with the overall matter. The article continues:

Some of the Federal Treasury officers have taken the attitude that the only way to do that is to induce a massive downturn in activity to give a great shock to the economy and then make people's demands thereafter more realistic.

The Treasury officers are being blamed, but let us remember that we have three Commonwealth Treasurers at present. All the time, three people are making pronouncements for the Commonwealth Government on financial matters.

The Hon. D. H. L. Banfield: Is his name Snedden?

The Hon. C. R. STORY: I hope the Minister will not let me forget that. All three Commonwealth Treasurers are talking with different voices, and none of them is really helping this State. Really, the headline of the article should have been "Operation Repudiation", and the sub-heading should have been "Whatever happened to the likely lads?" Do honourable members remember the horse laughs and claims of "hoo-hah" that greeted the warnings and constructive proposals put forward by the Commonwealth Leader of the Opposition at the time of the Commonwealth election last May? All those predictions have come to pass, and the remedies suggested at that time by the Commonwealth Leader of the Opposition are being adopted one by one by the new-look swingers of the Commonwealth Labor Party. Why the change of heart by the Premier since last May? At that time we witnessed our Premier coming home from overseas and launching into a vigorous campaign not only in this State but also in other States, even though the Commonwealth Government had already given this State a taste of the Commonwealth Government's utter disregard for the promises given during the 1972 election campaign. We saw the spectacle of Prime Minister Gough and Premier Don strolling down the path of "Mutual Admiration". Now, six months later, what do we see?

The same two people are at the cross roads. Now, they are moving off again; the smaller, nimbler one is running away down the path marked "Self-preservation", while the big one hesitates and stands there, making up his mind. His choice is not easy—whether to follow the high-stepping South Australian or to join Commonwealth Treasurer Crean on the path to "Economic Ruin". There is another path—stony, yes. However, with the help of strong friends like Jim Cairns and Bob Hawke, it could be possible to attain the summit of Mount Change-the-System and reach the "Rubbish Dump" in time to dispose of the corpse of poor old "Personal Endeavour", and then hurry on to "New System", via "Fabian", "London School of Economics", and "One-Party Unicameral" ere the sun goes down.

One wonders whether Premier Don will blow out on the steep pinch called "Ballot Box 1976". If they all get through to "New System" they can justly erect a monument to the memory of the free people of Australia, bearing the simple epitaph, "In memory of the world's most likeable, gullible and apathetic people. Erected by an indulgent Big Brother." I have no choice but to support the Bill.

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

## PRIVACY BILL

Adjourned debate on second reading.

(Continued from October 31. Page 1818.)

The Hon. Sir ARTHUR RYMILL (Central No. 2): I consider that this Bill is about the most pathetic piece of legislation that I have encountered during my membership of this Council, a period of more than 18 years. It is not an attempt to make a new law: it is an attempt to tell someone else to make new laws. It is a surrender of the Parliamentary authority to make laws in favour of the courts of the land and, of course, it is not their job in these days to make laws. It is an attempt to put this onus on the courts in the face of what I consider to be their objection to doing so. I think I can support my statement by quoting from the *Advertiser* of March 9, where the Chief Justice of South Australia is reported as making the following statement in relation to the law of the State regarding pornography:

Parliament, not the courts, would have to supply guidelines on indecent matter, the Chief Justice said yesterday. "It was very difficult for those who stocked newspapers and magazines to know what they could and what they could not safely sell," Dr. Bray said when he upheld convictions but reduced fines in appeals involving the paper *Ribald.* He said he could not supply guidelines. Relief from the situation would have to be sought from Parliament and not the courts.

This was the Chief Justice's protest about another piece of legislation that purported to do almost exactly the same thing, in principle, as this legislation is trying to do; namely, to tell the courts to decide what was pornographic matter and what was not pornographic matter, just as this Bill purports to make the courts decide what is privacy and what is not privacy. The Chief Justice went on to say, in the case I am quoting:

"I would suggest that it be considered whether the words 'tendency to deprave or corrupt' are really meant to be read literally or whether they are merely a synonym for the presumed effect of violations of contemporary community standards of decency", he said. If the former, it would be desirable that the concept be more precisely defined—what sort of corruption or depravity was contemplated and from what norm and to what extent, the Chief Justice said.

If the latter, it would be better to say boldly what was meant and discard the 19th century phraseology. It might also be considered whether a more objective guide could be provided for ascertaining community standards than the unaided intuition of the court.

There was our Chief Justice protesting against that piece of legislation that called on his court and other courts to make these decisions for us, the people, the members of Parliament, who ought to be making the decisions for the courts as to what the law of the State is to be. In this Bill we have an approach almost identical to the approach to that Act which has received this virtual protest from the Chief Justice of the State.

The Bill defines the right of privacy in vague and general terms. It goes on to declare that every person has the right to privacy, then leaves it to the courts to determine what this right is in relation to the facts of any particular case, without any real guidelines. As the Hon. Mr. Burdett said in his excellent speech on this Bill, it will take years

and years for the courts to establish any kind of code. He mentioned a period of a century; I should think it might take far longer, because the courts will, as modern courts do, protect themselves from having their own decisions quoted back in their faces by saying, "I wish to point out that I make this decision on the facts of this particular case and it is not to be taken as a precedent in any other case." Then the law remains totally vague.

One of the most objectionable things in this legislation is that it seems to give the advantage to people of wealth and substance. It is those people who can afford the luxury of taking a legal action based on an uncertain law, taking their chance on a successful result in relation to this imprecise law because they can afford to do so. It is something that stand-over people could take advantage of to intimidate other people. Here is an uncertain law. It is for the courts to decide what the law is. Therefore, if anyone wants to make himself a nuisance to someone else, he takes action against that person for an alleged breach of the law of privacy.

I have been asking myself why the Government has not made an attempt to define the law, to make a law, which I believe to be the duty of any Parliament. Why has it not done so? There are some obvious areas where it could make laws of this nature; one that presents itself to me as being a totally obvious arena is the secret tape recording, by modern tape recorders, of someone who does not know he is being taped. It is a very common thing, it happens every day, and surely a law could be developed for that case: the tape recording of someone without that person being told it is being done and without his having given permission for it to be done. The law could be defined in many of these areas, and I think the admirable suggestion of the Hon. Mr. DeGaris, as reported in Saturday morning's paper, would enable the matter to be dealt with very satisfactorily in this manner. I was asking why the Government had not done this. Has it become barren of ideas? Can it not think of what it wants? Can it not make suggestions to itself about what should be the law, or is it afraid to express its ideas?

The Hon. G. J. Gilfillan: It even has a monitoring service of its own.

The Hon. Sir ARTHUR RYMILL: Yes, it has a monitoring service of its own. Is the Government uncertain of what it wants? Is it so incompetent that, when it sees the necessity, the requirement, or the desire for a law, it cannot embark on making such a law? I do not know its reasons, but that is what it has done. It has told someone to make the law for it. It says in effect to the court, "We cannot define the law. You make it for us. You do our job for us." This is said to courts obviously reluctant to accept this responsibility, because it is not their responsibility. I can only consider the Bill to be a bare-faced piece of political propaganda. The Government is posing as a sort of mentor of people's privacy, a guardian of the people's privacy, without really being that at all.

What it has done, if this becomes law, in my opinion would place the whole of the citizenry of this State in a state of uncertainty as to its rights, leaving the door open, as I have said previously, for unscrupulous people to prey on other people. The Bill mentions "prying" as a suggested offence, and at the same time as the Government says this should be an offence one of its own members in another place has produced a Bill, the purpose of which is to pry into the private affairs of every member of Parliament. I cannot see how these things can be lined up together. As if vagueness of the offences the Government is apparently attempting to create were not enough, it piles confusion on this uncertainty by setting forth a number of ill-defined defences which people could make and which no-one could possibly interpret.

It uses the vaguest of words and uses them in directing the courts to find what sorts of offence the courts think are going to exist, and it uses even vaguer words to enable defendants to try to defend themselves against these alleged offences. Personally, I would far rather rely for the protection of my privacy on the existing British law than on a piece of political propaganda trumped up by a Socialist Government about the motives of which I have quite deep suspicions. We already have laws in these areas protecting certain aspects of our privacy, our privacy of property, and our privacy of person. Such laws embrace the categories of nuisance, of libel and slander, of trespass against the person and trespass against property, of negligence, of breach of copyright and patent, and certain branches of the criminal law. It can be said that there is no right of privacy as such under existing British law, but there are many categories that ensure our privacy.

Unless Parliament is willing to make specific laws regarding our privacy and our right to privacy, I believe it should not embark on a law-making process at all. How many honourable members have received complaints from constituents about the invasion of privacy? I do not remember receiving any such complaints from any of my constituents that their privacy is being invaded, yet suddenly we are presented with these highfalutin ideas being thrown on us. One cannot predict what side effects this Bill will have. For example, the matter of the rights and the freedom of the press in this relationship has been extensively canvassed. Certainly, the issue of proceedings by a person claiming that his right of privacy is being invaded would stifle the press from revealing anything about him at all relevant times and, until those proceedings were disposed of, the press would not be able to bring before the public any factual matters relating to the matter, because the person subject in the issue could say that the matter had become *sub judice* in the uncertain situation of offence and defence, thus frustrating the press from making any comment on the matter or informing people about it. The same situation applies to the personal freedom of all of us. It could be stifled by such proceedings.

I find myself totally unable to support this approach to the legislation. In common with other earlier speakers, I am willing to support laws guaranteeing the privacy of the individual and his property, so long as they are specific and certain laws, but I am not willing to support what I regard to be a legislative farce in presenting this type of Bill, which tells the courts to make what laws they consider best, without any proper and specific guidelines. I do not hold myself out as having any great knowledge on any particular matter, and I also do not know what the Attorney-General's limitations are. I have heard him described by the Premier as the greatest Attorney-General South Australia has ever had, yet I have also heard him described by the Hon. Mr. Hill as the worst Attorney-General we have ever had. I imagine that the truth of the situation lies somewhere between these two statements. Of course, it is not for me to comment except to say that the Attorney-General is not the repository of all knowledge, and I do not believe that he is necessarily the best judge of whether I am ignorant or not in such matters. I will not dispute that I may be ignorant,

but I doubt that the Attorney-General is a suitable judge to tell me whether or not I am. All of what I have said adds up to the fact that I intend to vote against the second reading of the Bill.

The Hon. C. M. HILL (Central No. 2): I intend to take an entirely opposite view to that which has just been expressed by the Hon. Sir Arthur Rymill. However, I hasten to say how much I respect the honourable member and the views he has advanced today with such intense sincerity. The same remarks apply to other honourable members on this side who have already stated that they favour the Bill.

Social evolution brings in its tide the issue inherent in this Bill, the right of privacy protected by law. I say social evolution, because the 20th century has been called the century of the common man. I believe it is the century of the rebirth of democracy, and it is the century in which (and this has happened frequently during our time as legislators) tremendous social change has taken place.

In this change, the individual in our society has reached a significant and, indeed, momentous position in political and social life. The present age is an exciting one: it is a challenging period for those who represent these individuals as a community group. I believe there is a need for positive action by community representatives to ensure that the optimum benefit in such a process of evolution can be enjoyed by all.

This Bill, which I support, creates a right of privacy, the infringement of which shall be a tort, actionable by the offended party. The Bill binds the Crown and defines, amongst other things, the right of privacy; it provides a considerable range of defences, and lays down remedies and guidelines for the courts to follow. It gives the courts power to prohibit publication of information and evidence raised during hearings and fixes a two-year period during which an action must be commenced.

First, I stress my deep conviction that the right of privacy is a profound human right. It is one of the foundations of freedom and, as one authority has stated, it is the most comprehensive of rights, and the right most valued by civilised men. It is not surprising that the United Nations and the Council of Europe have adopted international guidelines laying down the right of privacy as being one of the important human rights. Neither is it surprising that many countries of the free world protect their right by Statute, while other countries investigate the need or lay down alternative methods to protect the individual against infringement.

The need for some remedy is undeniable. Man is a social animal, and the stresses and strains being heaped on him with intense urbanisation, economic pressure, socialistic restrictions, controls on the one hand and the competitive spirit on the other hand, make it imperative that he enjoy some periods of privacy to achieve balanced and happy living conditions.

I review the Bill as a layman and, as I have just said, I respect all the opinions expressed by other honourable members, especially by members who are also members of the legal profession and who naturally have expert knowledge of the implications of the intended Statute fitting into the historical background of the law.

My deep conviction that the individual must be given freedom to be left alone is strengthened and greatly influenced by my strong belief in Liberalism. The philosophy of Liberalism is that the individual, his freedoms and his rights are all-important within society. His freedoms and his rights are not absolute: they are subject to the legitimate freedoms and rights of others in the community, wherever such other legitimate freedoms and rights must be respected for the benefit of the whole community. But, subject to this condition, the optimum individual freedom must, in my view, be fought for, cherished and protected.

This measure protects the freedom of the citizen to his right of privacy, and at the same time will not, in my view, adversely affect the rights of others. This latter point leads me to mention the objections to the Bill by media representatives; particularly, representatives of the press are most concerned. I can well understand this concern and, if this Bill passed in its present form, the work and role of the media, and particularly the press, would on occasions be somewhat difficult and worrying.

At least, this could apply in the early period after the Bill passed, until precedents were established. However, I do not believe that the legitimate and respected freedom of the press, in which I wholeheartedly believe, would be restricted or curtailed. To explain my views, I will consider the situation in regard to investigations into, or reporting by the press upon, those in public office—for example, politicians. Under clause 8 (*c*) the responsible press need have no fears. This subclause, which is one of the defences for a defendant, states:

> where the infringement was constituted by the publication of words or visual images, or by activities comprising research or inquiry undertaken in good faith with such publication in mind, the publication or activities were in the public interest.

The press claims, as I understand it, that the meaning of "in the public interest" is not clear. I cannot accept that view. There may be a small grey area of doubt about what is in the public interest and what is not in the public interest, concerning people in public life, but in my view all the official activities of such people, and their personal and business activities that provide a guide for the public to assess their capability or suitability to hold office and carry out official duties, are in the public interest. Certainly, reporters would have to exercise care and caution, but they do, or should do, this now.

Regarding the situation affecting private citizens, that same defence must be borne in mind. Most importantly, the press must not confuse "in the public interest" with "of public interest". There are matters concerning private citizens that may well be of public interest but are not in the public interest and would undoubtedly infringe that part of the Bill's interpretation of "right of privacy" which reads:

> The right of a person to be free from a substantial and unreasonable intrusion upon himself, his relationships or communications with others, his property, or his business affairs . . .

The Hon. R. C. DeGaris: Do you think a person having his photograph taken and published in a book or a newspaper without his permission would have a case for invasion of privacy under the Bill?

The Hon. C. M. HILL: I do not think that would be necessary. The circumstances would have to be taken into account. It may be a snooping person who took a photograph of someone going through a front gate or coming around the side of the building. The circumstances would have a bearing on that.

The Hon. R. C. DeGaris: But that would be actionable under the present Bill as an invasion of privacy?

The Hon. C. M. HILL: The person would have to consider the defences laid down in the Bill.

The Hon. M. B. Cameron: But he would be a defendant?

The Hon. C. M. HILL: Yes, he would be a defendant.

The Hon. Sir Arthur Rymill: The court would have to decide whether it was unreasonable.

The Hon. C. M. HILL: That would apply if it went to the court, but I do not think it would go to the court if some minor offence was committed and an apology was printed.

The Hon. Sir Arthur Rymill: If the court found it was an unreasonable intrusion, all these defences under the Bill could be raised in defence, and there would be complete confusion.

The Hon. C. M. HILL: If the matter went to court and these defences were raised, it would ultimately be a matter of the judge coming to a decision, would it not?

The Hon. Sir Arthur Rymill: Yes.

The Hon. C. M. HILL: I was dealing with the definition of "right of privacy". Here again, the only constraint on the press would be that care and caution would have to be exercised. The press is quite capable of such responsibility. Surely it should not object to exercising it. Another point, which I concede as a strong argument, raised by the Hon. Sir Arthur Rymill (and it has been raised by the press to me), is that the Bill would create a law that would leave the press exceptionally vulnerable to malicious actions, and the potential cost of such actions to the press would be considerable. I accept that this may be so but, weighing up this factor with the other representations against the benefits of the measure to the importance of the right of privacy to the individual, I have come down on the side of the Bill.

The last point raised by the press representatives concerned the difficulty they claimed they would have in interpreting the meaning of "substantial and unreasonable intrusion". In my view, this should not present great problems to experienced and responsible pressmen or to their legal advisers. There would be some areas of doubt and the press would have to exercise care, but to me as a layman "substantial and unreasonable" in this sense is a very strong term. I think, therefore, that any claim that this Bill restricts the freedom of the press is unjustified.

Indeed, I mention the monitoring service, which was referred to, I think, by interjection during the last speech. I see the danger to be far greater to the freedom of the press by the installation and the setting up of the monitoring service in this State than the danger I see in this Bill, which creates a tort; it does not lay down criminal offences at all. The Crown cannot proceed against the press in any way under this Bill.

Before I leave the press and the media generally, I should say that, in my experience in public life, I have formed an uncritical opinion of the media. I know of examples of people in private life (and this touches on the point made by the last speaker) in this State, elsewhere in Australia and overseas who, I believe, have suffered greatly at the hands of the press. But, as one in public life, I take the rough with the smooth, and, whenever I have been criticised by the media, I think, on reflection, there has been some justification for such publicity.

Other honourable members have their own individual views of the media, and I am not critical of such members or their opinions. Indeed, as I said earlier (I am trying to repeat as much as I can to make the point abundantly clear) I respect all views expressed in this important debate. It is not unreasonable to mention a point arising from the material we have had at our disposal to conduct our research on this Bill, that, while the fears of the press must be respected, it is possible for the press to insure against professional negligence or similar risks.

I deal now with my attitude towards the ability of the courts to assess whether or not an action in tort for invasion of privacy can or cannot be proved; and, secondly, the difficulties of the court in fixing penalties. This point was made strongly by the last honourable member who spoke.

I do not agree with the fears concerning these difficulties that have been expressed. Their Honours the judges are men and women of learning and wisdom. Their qualifications within their profession, and their experience in their careers, have fitted them, in my view, to assess clearly and justly whether or not there has been a substantial and unreasonable intrusion on a person or corporate body and whether the infringement is in the public interest. Also, the remedies laid down in clause 9 are significant, especially those in subclause (2), which provides:

> Where, in relation to an infringement or an alleged infringement, the defendant has made tender of amends and an apology (including, where appropriate, publication of the apology) both of which are, in the opinion of the Court, sufficient in the circumstances, the Court may order that proceedings in the action shall be stayed.

The Hon. Sir Arthur Rymill: You have to say, "I have been a naughty boy, but I promise to be good in future."

The Hon. C. M. HILL: Yes, if that is what is meant by a public apology in the press. At that time, the court is able to stay the proceedings. Subclause (3) provides:

> In awarding damages or in providing any other remedy in an action the Court shall have regard to all the circumstances of the case including—
>
> (*a*) the effect or likely effect of the infringement on the health, welfare or social, business or financial position of the plaintiff;
>
> (*b*) any distress, annoyance or embarrassment suffered or likely to be suffered by the plaintiff by reason of the infringement;
>
> and
>
> (*c*) the conduct of the plaintiff and the defendant both before and after the infringement occurred, including any apology or offer of amends by the defendant, or anything done by the defendant to mitigate the consequences of the infringement.

I believe that few actions will reach the courts if this Bill becomes law and that, if they do, the courts are perfectly capable of passing judgment and fixing penalties. I am pleased to see stress being laid in the Bill on the defendant's recourse to public apology.

I have listened with great interest to the alternative approaches to the establishment of this tort of the invasion of privacy. That such proposals were put forward indicates that the problem exists and that a proper balance must be restored, if ever it existed. One report in the past said:

> ... the freedom of the individual to be left alone and the freedom of others to find out about whatever they legitimately needed to know had become unfairly weighted against the individual.

If one accepts that the need for action exists, one finds the recommendations made in the Younger and Morison reports favouring one course, now suggested in this debate as the alternative (and I am speaking in a general sense), and the Justice and Law Reform Committees' reports favouring the course adopted in the Bill. Although favouring the latter approach, I do not criticise the alternative recommendations. However, I have grave doubts that the setting up of a committee as suggested by Professor Morison, and thereby seeking ways and means of extending existing torts, and the present law concerning trespass, libel, slander and defamation, will encompass the salient point that this Bill tackles.

The motives in setting up a press council and a statutory body are worthy and an improvement upon the present position, but I do not think that the final result will be

as effective as the result which this Bill will achieve. For example, a private body as suggested in the Morison report, with a combination of governmental, business, legal and general community representation, with a chairman with the status of a senior public servant, with staff with legal expertise and "a substantial staff for administration" and with subcommittees appointed by the Minister comprising a medical subcommittee, a credit subcommittee, a data banks subcommittee, and a public media subcommittee, must surely create another administrative empire, the need for which I cannot see.

Apart from the expense (although I admit that Professor Morison suggested that some of the expense could be met by interested people in the community), the time taken in such deliberations would certainly be long and protracted, and there is no proof that any effective result, from the point of view of the individual, and the protection of his right to privacy, will be achieved.

Also, Professor Morison suggested that similar bodies be set up in all States. Indeed, one has already been set up in New South Wales. It has also been suggested that a similar body should be set up by the Commonwealth Government, and that all these groups should liaise with one another. This would certainly be an immense organisation and, if honourable members turn their minds to one of the alternatives, I hope that an organisation of this size will be avoided.

I have tried to exclude examples, some of which are famous, from my submission as it concerns the media. However, to stress the need for action now and to highlight the opportunity that is within the grasp of Parliament now, in our time, I refer to two points that have arisen only in the past week. In the *Advertiser* of November 6, under the heading "Privacy law—A.J.A. sees threat to freedom", the following report appeared:

The Australian Journalists Association's federal council meeting in Brisbane has criticised privacy legislation in two States as a threat to the freedom of expression.

The report then quotes the General President, Mr. J. Lawrence. The last two paragraphs of the report are as follows:

"Australia's press, radio and television are already shackled by excessive and repressive defamation laws, which differ greatly from State to State," Mr. Lawrence said. "This new legislation will tighten these shackles to such an extent that the media will not be able effectively to carry out their legitimate functions of exposing scandal, corruption and incompetence in all avenues of public life."

I am concerned only with the word "scandal", which I take to mean malicious gossip. If the person referred to in that report believes that the legitimate function of the press is to expose malicious gossip in public life, I believe the public figure involved should have every possible recourse, including a tort for the right to privacy under this legislation, and that the court should then be given an opportunity to assess whether or not there has been a substantial and unreasonable intrusion into privacy and whether or not the publication was in the public interest.

Secondly, it was reported on television in Adelaide last week that retrenched employees from a tyre manufacturing factory intended camping in front of a company executive's private home. The union secretary explained the plan, and said that he thought that all the usual and natural habits of campers would not present his members with any problems in such circumstances. Surely this would be an invasion of privacy.

The Hon. R. A. Geddes: But surely he could have had recourse against them under existing common law.

The Hon. C. M. HILL: Yes, had those people camped within his property.

The Hon. M. B. Cameron: Or outside of it.

The Hon. C. M. HILL: No, he could not do so then.

The Hon. M. B. Cameron: What about the council?

The Hon. C. M. HILL: If the camp was on the footpath and the council took no action (and we have had examples in this place of councils not taking any action against people who have camped on footpaths), what other effective recourse would that householder have?

The Hon. Sir Arthur Rymill: He might have an action in nuisance.

The Hon. C. M. HILL: That is so. In a case like that, the only effective recourse for that householder, in my view, is to claim a right to privacy, and his right to privacy would be infringed in circumstances of that kind.

The Hon. M. B. Cameron: It is just as well you are not a lawyer.

The Hon. C. M. HILL: If the honourable member is so smart in his legal opinions, I shall be pleased to hear his contribution to the debate.

The Hon. M. B. Cameron: You will.

The Hon. C. M. HILL: It is my private view that it is a great pity that such important social legislation is not debated in Parliament as a non-Party issue. Further, it is a great pity that an open vote is not taken on it. This is not significant within my Party in this Council, as members of my Party possess considerable freedom to review Bills and vote as they think best in the interests of the South Australian community.

That Party discipline should bind some members of Parliament in connection with this Bill is taking Party politics too far. Both major Parties have been involved with the issue at different times in its reference to the Law Reform Committee, whose members are, of course, apart from the political arena.

In summary, I emphasise the role of the individual within society in this modern world and the need to foster and protect his freedoms by Statute. This short Bill creates a Statute to protect his right of privacy in South Australia, where that fundamental and profound right is in danger and where at the moment that protection does not exist in entirety.

Most honourable members have agreed in the debate so far that some action is needed. The method of approach to the principle is in dispute. I do not believe that this Bill restricts the legitimate freedom of the press. It simply endeavours to ensure that the media act responsibly when the danger exists of the media's substantially and unreasonably intruding on the privacy of the individual.

I have given much thought to the alternatives that have been suggested in the debate so far, but I do not believe that they would be as effective as this Bill is, nor would they provide safeguards within a reasonable time, as this Bill does. And let us remember that the need for those safeguards is apparent now.

I repeat that this Bill, a major social measure, should not be a Party-political issue. It is an enlightened human approach to assist some people in our community who, apart from the established torts, cannot take action now when their privacy is infringed: those offended people are not great in number but they are people for whom I care and to whom I should like to give protection now. Accordingly, I support the second reading of the Bill.

The Hon. A. M. WHYTE secured the adjournment of the debate.

## STATUTE LAW REVISION BILL

Adjourned debate on second reading.

(Continued from October 31. Page 1814.)

The Hon. F. J. POTTER (Central No. 2): I support the second reading of this Bill, which is the 1974 edition of a series of Bills that have been introduced since the former Parliamentary Counsel undertook the job of consolidating our Statutes. I am pleased to note that this measure includes amendments to Bills commencing with the letter "W". So, I hope that perhaps this is the last of the Statute Law Revision Bills that have to be considered by Parliament before the actual reprinting of the consolidated Statutes begins. Either in his reply to the second reading debate or at the third reading stage, perhaps the Chief Secretary will be able to state when the first volume of the consolidated Statutes will appear on the shelves of the Parliamentary Library. I know that many legal practitioners are anxiously awaiting this publication. It is a long time since we had a revision, the last revision having been completed in 1936. The number of annual volumes of Statutes on our library shelves is too great.

This Bill follows the usual form. It has one or two saving clauses in case something happens between now and the issuing of the consolidated Statutes. For example, there is the possibility of an Act being repealed by a Bill that takes precedence over this Bill. None of the proposed alterations seems to be remarkable in any way. In many cases the old currency has been altered to decimal currency. Many of the amendments change nomenclature. In every respect there is little to be said, except to congratulate the former Parliamentary Counsel on the excellent job he has done over a long period. I hope that the Chief Secretary will indicate that the issuing of the consolidated Statutes is close at hand. I support the second reading.

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

## HIGHWAYS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 31. Page 1814.)

The Hon. C. M. HILL (Central No. 2): The magnitude of the subject of road safety can be emphasised by the fact that, according to a report of last May submitted by the International Association of Accident and Traffic Medicine at a World Health Assembly, 250 000 people die and 8 000 000 are injured every year on the roads throughout the world. Last year in Australia there were 3 679 road deaths, and 95 204 people were injured on the roads. Closer to home, in South Australia 12 625 people were injured and 329 people died in road accidents in 1973. This year that number of deaths has already been eclipsed, as honourable members know.

The Bill appropriates a further 50c from each $5 licence fee, making a total of $1 for each annual licence. Previously the amount appropriated was 50 cents when the licence fee was $3. So, $1 for each driver's licence will be allocated, in effect, from the Highways Fund into the general area of road safety. The Minister in this Chamber paid scant respect to the problem of road safety when he introduced the Bill in two sentences. Perhaps he ran out of words, which is hard to believe because, of all the shortcomings (and we all have our failings) the Minister in this Chamber has, certainly being short of words is not one of them. I think all honourable members would agree with that.

I believe he was acting on behalf of the Minister of Transport in another place, and I think the Minister of Transport would have presented him with that very brief address. I think, too, that the Minister of Transport would be rather keen to treat this Bill as a relatively minor and unimportant matter and have it passed in this Chamber fairly quickly. I say that because, on September 24, this Council debated a motion for adjournment relative to the road toll, and reference was made in the debate to newspaper articles appearing on September 16 and 17 in which the road carnage in South Australia was stressed and the demand made for some action by the Government. Apparently the Minister of Transport has decided he should do something. I received from the Minister a reply to a follow-up question on that debate, dealing with the principal question raised at that time, that our accepted give way to the right rule in the traffic code should be amended to a priority road system. In reply to the latter question, the Minister stated:

> It is intended to introduce legislation shortly to amend the Road Traffic Act to change the meaning of the "stop" sign to require drivers to stop and give way to all traffic on the road they are entering. This amendment will bring the Road Traffic Act into line with the National Road Traffic Code in this respect. Following this, consideration will be given to the introduction of some priority roads in metropolitan Adelaide.

As well as the action the Minister has decided to take, we have the matter of a publicity campaign, details of which one must go to the newspapers to find, called Project 329, again, according to the newspaper reports, to be financed from money derived by the measure before us. That will be the largest publicity campaign to date and will cost about $50 000, which, incidentally, is considerably less than the sum of about $250 000 to be obtained by this Bill. I support the publicity campaign and I hope it will be successful.

Publicity plays an important and effective role in the promotion of road safety. Personally, I favour the more specialised publicity campaigns for holiday periods, such as Christmas, Easter, and long weekends, especially radio campaigns heard on car radios and on transistors when people are actually planning or taking such holidays. I found these campaigns most successful from 1968 to 1970, and one must reinforce success rather than experiment too much with new and novel approaches.

I favour the Minister's taking an active role in these publicity campaigns. Further, the current campaign is concentrated on last year's unfortunate figure of 329 road deaths, and is original in that respect. I hope that lives will be saved and injuries lessened. As to the style of publicity and other publicity details, there are many experts in this area. Quite often, people criticise with the benefit of hindsight, but there is no easy or perfect form of press advertisement or television or radio announcement. Whether to implore people to exercise care, whether to praise them for driving with skill and caution, or whether to shock people into fear of the consequences of recklessness on the road is the responsibility of those planning the campaign. Generally speaking, everyone should support whatever style of campaign is adopted.

However, when we come to proper road management we are dealing with a matter much different from publicity. We are dealing with a science. I was pleased to read recently the comments of Mr. J. D. Crinion, Executive Engineer of the Road Traffic Board, for whom I have a high regard. He said that proper traffic management is the basis of road safety, and there is a great deal of truth in that. In my research into the question of road safety I have come to question some of the more established views and policies. I have changed from favouring the entirely give way to the right code to the priority road approach. Also, I question seriously whether the Road

Safety Council in its present form is as effective as an alternative organisation may be.

In New South Wales, the Road Safety Council, set up in 1947, ceased operating in 1971. In 1969 in New South Wales the Traffic Accident Research Unit, a branch of the Department of Motor Transport, was established. In September, the increase in the road toll in South Australia was 28 per cent over the figure for the previous year, while in New South Wales it was 5 per cent over the previous year. In 1972, against 6.39 road deaths in Australia for every 10 000 vehicles, the South Australian figure was a good one of 6.04, but the New South Wales figure was even better at 5.8. In Victoria, in 1971 the Road Safety and Transport Authority was set up, applying itself vigorously to research. I do not take this point further, because I cannot investigate the situation departmentally (from the inside, so to speak), but I hope the Minister and his senior officers are alive to the possibilities of organisational change in the best interests of the State.

I am questioning also whether stronger penalties are an answer to road safety. Previously, I held the view that penalties should be more severe. Although it is not directly connected as evidence on this point, it might be of interest to honourable members that in Russia, where severe sentences are imposed of up to a life's driving ban or, in extreme cases, a period in a labour camp in the case of a driver affected by alcohol, there has been in 1974 an increase in the accident rate of 85.5 per cent. Although there has been an increase of 1 000 000 car owners a year in Russia, the percentage rate of increase of car owners is about 7 per cent or 8 per cent.

In general terms, what is needed to improve road safety is the same as is needed in relation to most of today's major problems, including inflation. That is an improvement in human standards. We need an improvement in the attitude and responsibility of drivers, we need an improvement in the work standards of those who design and manufacture motor cars and, despite the present commendable dedication of scientists, planners and builders of our road environment, we need improvement in this field too. If the individuals involved in these three areas could lift their standards we would have better traffic management, and fewer road deaths would occur. I support the Bill.

The Hon. M. B. DAWKINS (Midland): It has been suggested that the speeches supporting this Bill should be no longer than the Minister's second reading explanation of it. His speech, including the formal wording, took up only seven lines in *Hansard.* This must be the shortest speech the Minister ever made, and I congratulate him on it. I support this Bill because of my great concern for road safety in South Australia. The Bill amends the principal Act by providing a new paragraph (*l*) in section 32 (1). As the Hon. Mr. Hill has stated, this provides for an extra 50c from each driving licence issued to be set aside for the purpose of road safety.

I seek always to guard fully against any intrusion of the Highways Fund. On the one hand, I am concerned that at the present time the fund is used almost exclusively by that department for the development of highways, and ordinary local government is not getting its fair share, which it used so successfully and efficiently in the past. In most instances, local government used these funds more efficiently than did the Highways Department. On the other hand, I fully support the increase provided for by this Bill which will provide more money for road safety. In recent years we have seen too many increased levies, but this is one which I fully support.

I refer to the dreadful results of road carnage. The Hon. Mr. Hill referred to the national road toll, and I point out that last year there were 329 deaths on South Australia's roads, and already this year that figure has been exceeded. This is a shocking state of affairs. It is a situation in which we have not been able to arrest the irresponsible, the reckless and the thoughtless drivers in our community. I know that speed is a major contributing factor to accidents, but speed alone is not the only cause.

In some circumstances, speed can be used by drivers with relative safety, but when it is combined with irresponsibility and recklessness a dangerous situation is created, the results of which have been referred to by the Hon. Mr. Hill. I support any measure that will contribute to road safety, that will contribute to further research, which is needed, especially to reduce road carnage. Unfortunately, measures so far taken (and as I have said earlier today, I am pleased to agree with the Minister of Agriculture, and also with the Government when I can) have not been successful. All honourable members would agree that action taken so far has produced disappointing results. Not only do we need more money for road safety but we need further research into ways to avoid the carnage that is so apparent today.

We also need an improvement in the attitude of drivers, especially in respect of their patience. Accidents are often caused needlessly, because someone cannot wait for a few seconds more to pass another vehicle. In supporting the Bill I place on record my great concern about road safety, and I hope the Government will ensure that further research is undertaken to determine better and more effective ways and means of providing more road safety.

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

## STAMP DUTIES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 31. Page 1815.)

The Hon. R. C. DeGARIS (Leader of the Opposition): In presenting the second reading explanation the Chief Secretary jogged our memories by referring to the Revenue Budget, which was presented to this Council in September, when it was forecast that increases in certain of the Government's taxing areas and service charges would be required if the estimated $12 000 000 deficit for the current year was to be held at that figure. However, the statement of the Chief Secretary is not the same as the statement made by the Treasurer in introducing the Budget in another place.

The publicity machine of the Government was well oiled to convince the South Australian public that the Budget contained no increases in taxation for this State. This did not take into account the fact that severe and vicious increases in taxation had occurred before the Budget, and it did not predict the course of events that every honourable member must have known would eventuate from the policies that had been adopted by this Administration. If there is one area of Government activity in South Australia that deserves a gold medal it is the public relations and publicity section of the Government. If one looks at the taxpayers' investment in this area of Government promotion, at least the taxpayer should expect some return from his investment. The Chief Secretary, in his second reading explanation of this Bill, referred to the three matters of quite considerable significance that had occurred, and I remind the Council that these three significant matters occurred between the Bill passing in the House of Assembly and its introduction in this Council. The rapidity of change in modern society sometimes staggers the imagination, because some amazing

changes took place between the Bill's passing in the House of Assembly and its introduction in this Chamber.

First, the Treasurer had included in the Budget when it was introduced into the House of Assembly a sum of $6 000 000, which was credited as a result of a verbal promise made by the Prime Minister. That was commented on when the Budget went through this Council. Secondly, as a result of a reassessment made by the Commonwealth Treasurer of prospective movements of average wages, the State Budget would be adversely affected to the tune of $4 250 000. Thirdly, the downturn in the number of conveyances submitted for stamping would affect the Budget. None of these matters was referred to when the Bill was introduced in the House of Assembly, but three of them were added to the second reading explanation of the Budget in this Council—hardly a creditable performance by the Government in financial matters in this Chamber. I turn now to another matter that has already been referred to today.

The Hon. G. J. Gilfillan: Is it not new subject matter in this Council?

The Hon. R. C. DeGARIS: No, it is not, but the second reading explanation given by the Chief Secretary implied that these taxation measures were needed because of the effect on the Budget, and the effect on the Budget indicated when the Bill was introduced in this Council was not indicated when it was introduced in the House of Assembly. The next point I touch on is the speech, widely reported on and already referred to today in the Chamber by the Hon. Mr. Story, made by the Treasurer at the recent annual dinner of the South Australian Chamber of Commerce and Industry. One can only say that that speech must have been delivered with the Treasurer's tongue dug deeply into his cheek. It is interesting to examine the ecstatic views of the Treasurer expressed during the honeymoon period of the Whitlam Government. Every honourable member will remember the statement that South Australia would now lead Australia because, with a Labor Government in Canberra and a Labor Government here, South Australia would become the pilot State in the Socialist experiment. Everyone remembers that. There was a new era for Australia, and a new era for South Australia in particular.

Let me look at some remarks that were made round about that time. First, in the *Advertiser* of January 10, 1973, we read:

The Premier (Mr. Dunstan) will begin in Canberra this morning crucial talks on South Australia's future. In the next two days, Mr. Dunstan will have discussions with the Prime Minister (Mr. Whitlam) and many of his Federal Cabinet colleagues. The talks will be a follow-up to meetings the Premier had with Mr. Whitlam and the Federal Treasurer (Mr. Crean) shortly after Labor was elected to office. Before leaving Adelaide last night, Mr. Dunstan said his talks would have particular emphasis on development in this State. Discussions on a national fuel policy and its effect on South Australia's natural resources are expected to be a prominent part of the Premier's itinerary. General economic and development policies will be discussed with many Ministers before Mr. Dunstan returns to Adelaide on Friday.

Then, on December 11, 1972, we read:

Confident of aid soon for S.A. The Premier (Mr. Dunstan) predicted yesterday that Federal Government help for South Australia "will soon be forthcoming in a number of key areas." Mr. Dunstan made the forecast after talks in Sydney with the Prime Minister (Mr. Whitlam). The talks at Mr. Whitlam's Cabramatta home were on a range of urgent problems facing South Australia—including unemployment relief for the State's jobless. The Premier's Press secretary (Mr. A. E. Baker) told the *Advertiser* by phone from Sydney that the two leaders would continue their talks today, when Mr. Dunstan would fly to Canberra with Mr. Whitlam. Mr. Dunstan said he could not give details of yesterday's discussions. They were still continuing, and he expected to take up a series of matters with individual members of the new Federal Ministry in Canberra later this month. "But I was immensely heartened by today's discussions", Mr. Dunstan said. "We have established an effective dialogue with the Federal Government which will be of very great benefit to South Australia in the coming months."

One could go on and quote a whole range of articles and references, in which the friendship of the Prime Minister and the South Australian Treasurer would lead to a new bonanza for South Australia, but the band that tied their friendship together is now the very strangler of their amity. One could go on with other quotations and other news cuttings. For instance, in the *Advertiser* of April 25, 1974, we read:

South Australia's record of co-operation had won it more Federal financial assistance a head of population than any other State, the Prime Minister (Mr. Whitlam) said yesterday. Payments to the South Australian Government in 1973-74 were estimated to total about $503 000 000—about $413 a head of population. The national average was about $337 a head . . .

"South Australia has set an example of prompt and ready co-operation with the Australian Government in implementing a whole range of plans for the benefit of the people of this State," he said.

Then in the *News* of December 7, 1972, we read:

South Australia's problems to still get top priority with new Government. South Australia's problems have top priority with the new Federal Government despite the Prime Minister Mr. Whitlam's disappointment at the loss of Sturt and the overall decline in the South Australian vote. South Australian Premier, Mr. Don Dunstan, will confer with Prime Minister Whitlam in Sydney on Sunday, probably at Mr. Whitlam's home at Cabramatta. He will not move to the Prime Minister's Lodge until it is convenient for the McMahons to leave.

Top question between old friends Mr. Whitlam and Mr. Dunstan will be relief from Federal funds to South Australian unemployment caused by the emphasis on rural assistance by the previous Government.

The incoming Treasurer, Mr. Frank Crean, will be consulted tomorrow on reports he has sought from the Federal Treasury, on the general economic situation in South Australia and how the Federal Government can help quickly.

And so it goes on. After designing the Commonwealth policies or taking a large portion of the credit over some two years, the friendship between Mr. Whitlam and Mr. Dunstan suddenly evaporated. Indeed, it has become a millstone around the Treasurer's neck, this very friendship that two years ago led to the statement that the policies in South Australia would be a pilot for the purpose of experiment, but suddenly it is no longer something to be proud of.

Mr. Dunstan, the other evening at the Chamber of Commerce and Industry dinner, called for a boost for business and consumer confidence, calling on the Commonwealth Government to boost business confidence and consumer confidence when, over the last two years, Bill after Bill has been presented to this Parliament by the very Premier who is making this claim which has had the effect of denting business confidence in South Australia and denting business viability in South Australia and has been orchestrated and designed by the very man who called on his brother in arms to change his policies at the Commonwealth level.

Suddenly, Mr. Whitlam finds himself left and abandoned by his velvet friend. At the Chamber of Commerce and Industry dinner Mr. Dunstan said that there was an alarmist attitude that the policies being followed by the Commonwealth Government were deliberate policies to bring the present system of private ownership to its knees.

I refer to the speech made by the Hon. Sir Arthur Rymill which has caused much interest right around Australia and in which he touched on this point. The Premier has claimed that the Commonwealth Labor Party's policy is not designed to bring the private enterprise system in Australia to its knees. Having examined the policy of the A.L.P., one asks how the Premier can deny this policy. How can Mr. Dunstan deny Commonwealth A.L.P. policy? How does he answer his own statement in relation to federation, which is still the biggest stumbling block to the advancement of the left-wing political ideology in this country? The answer is simple: the velvet has not changed its nap, but political expediency means that the Premier must engage in a full-scale attack on his colleagues in order to keep himself clear of the political dangers of maintaining that close co-operation that he has claimed in the past.

The Hon. G. J. Gilfillan: Self-survival!

The Hon. R. C. DeGARIS: That is so. I predict that, so that the A.L.P. can be given some chance of surviving here, an even stronger attack will soon be launched on the Commonwealth A.L.P. by its South Australian branch. I am certain that the State branch of the A.L.P. will be willing to sacrifice the Guns, Hurfords and Wallises to preserve its own political skin in this State. The strange twist in this political manoeuvre is that the policies that have driven the Premier to make, so far, these mild criticisms of the Commonwealth brotherhood have been policies that, until now, he has personally advocated. We in this State have seen Bill after Bill that has destroyed confidence in this State. We have seen in the Land Agents Bill one of the most stupid pieces of legislation, which has put that industry in an impossible situation. We have seen all this legislation laid before us which has destroyed confidence in this State. South Australia has been the pilot State.

I could go on and examine some of the statements that were made at the Commerce and Industry dinner. We heard the Premier say, "Let us amend the capital gains tax and take into account the effect of inflation on capital gains." One notices that there is no criticism of the concept of a capital gains tax. The only thing the Premier has said is that he wants an inflation factor built into capital gains.

I ask what is wrong in extending that philosophy to succession duties. Surely, inflation has had a dramatic effect on succession and death duties in this State. Surely, too, it has had a dramatic effect on land tax. I have already referred to farmers on small properties in this State who are paying $1 800 or $2 000 a year land tax. Let us extend this policy, about which the Premier is beefing to Canberra at present, into our own taxation field.

We also hear the cry for a reduction in company taxation. However, what of the Premier's own statement when he introduced the Succession Duties Bill a few years ago when he said, "We will tax the wealthy"? Now, the Premier is going to his Canberra colleagues to reverse that policy. One could go on examining these statements delivered with the skill of a practised actor, and compare them with the economic and political philosophy adopted in South Australia, to find that words do not match the deeds. Two or three years ago, practically every Bill coming before us was earmarked with the statement, "This brings the State into line with the Eastern States". I seek leave to conclude my remarks.

Leave granted; debate adjourned.

## SOUTH AUSTRALIAN MUSEUM BILL

Adjourned debate on second reading.

(Continued from October 31. Page 1816.)

The Hon. JESSIE COOPER (Central No. 2): This Bill, for an Act to provide for the administration of the South Australian Museum, and to repeal the Museum Act, 1939, might be termed the perennial November affair. Certainly, it flourished strongly last November. Honourable members will not have missed the point that it is the same old Bill, shorn of the improvements made by the Council and, in fact, shorn of the improvements that were accepted by the Government. It is now back in its stark, disagreeable form. The only thing that has changed is the Minister's second reading explanation. One would almost think that during the intervening year he had been reading Act 2, Scene 2 of *Hamlet.*

There was certainly no brevity in the Minister's second reading explanation in 1973. He spoke volubly on that occasion, and his fifth paragraph was a gem of passionate prose. On November 8, 1973 (page 1675 of *Hansard*), the Minister said:

> In addition to fulfilling its traditional scientific purposes, the Museum today has a highly important educational responsibility, and the board's functions include the collection and display of material of educational, as well as of historical and scientific, value. The old Act dwelt rather specifically on the care and control of the collections and not upon Museum functions of curation—

that is an absurd statement, because "care" and "curation" are exactly the same thing—

> research and education. While all of these roles have been pursued actively since the Second World War, and the former long before that, the Museum has moved into the twentieth century, so to speak, only relatively recently, to become a lively dynamic place of serious scholarship, arresting displays and powerful education thrust.

This time, he gives a bald statement, almost in the "least said, soonest mended" class. The Minister, in his second reading explanation of this Bill (page 1815 of *Hansard*) said:

> It is identical with a previous Bill relating to the South Australian Museum which passed the House of Assembly in November, 1973.

In fact, most of the amendments were accepted. I need not recapitulate the general explanation of the Bill that was given previously by the Minister. However, for the convenience of honourable members I shall reproduce the explanation of the clauses. I believe, however, that it is necessary to recapitulate and stress the 1973 history of the Bill. It was introduced into this Council on November 8. Second reading speeches were made by me, the Hon. Mr. Geddes, and the Hon. Mr. Springett. The Bill proceeded into Committee on November 21. Clauses 1 to 12 were passed. Clause 13 was amended, first, by the insertion of a new provision. Clause 13 (1) provides:

> The functions of the board are as follows:
>
> (*a*) to undertake the care and management of the museum;
>
> (*b*) to manage all lands and premises vested in, or placed under the control of, the board.

The following paragraph was inserted:

> (*ba*) to manage all funds vested in, or under the control of, the board and to apply those funds in accordance with the terms and conditions of any instrument of trust or other instrument affecting the distribution of those moneys.

This was necessary, as nothing appeared in the Bill to cover gifts and bequests, although they were specifically dealt with in the old Act about to be repealed. Section 19 of the old Act provides:

All gifts and bequests after the commencement of this Act made to or on behalf or for the benefit or purposes of the museum, or the board, or the governing body of the museum, or any of them, shall be deemed gifts and bequests to or on behalf or for the benefit or purposes of of the board. Any such gifts and bequests, and any income therefrom, shall be applied by the board towards the purposes for which the gifts or bequests are made.

There was nothing in the new Bill of November, 1973, which was equal to that. Therefore, the amendment was necessary, and the Minister at that stage saw the need for it. He accepted the amendment without argument, yet it does not appear in the Bill before us today. The other amendments to clause 13 passed by this Council were, first, to change "in" in paragraph (c) of clause 13 (1) to "in relation to". This widened clause 13, a restrictive clause. Paragraph (c) as presented to us first in November, 1973, and now again today is as follows:

To carry out, or promote, research into matters of archaeological, anthropological, biological, geological and historical interest in this State.

The amendment that was introduced and accepted related to the term "in relation to this State"; all honourable members can see the necessity for that. The other amendment that was made was to strike out paragraph (*g*) altogether. Paragraphs (*a*) to (*f*) of clause 13 (1) covered all the duties and practices of the board. Consequently, paragraph (*g*) became redundant. This was the paragraph that took autonomy away from the board. The members of the board surely, being as they are highly skilled scientists, should have the power to decide their own functions under paragraphs (*a*) to (*f*). Those powers are wide enough and do not require the addition of paragraph (*g*). The Minister, in his objection to the amendment, stated that the Bill had been drawn up by the past and present directors of the museum. He said:

The Bill was drawn up by the present and past directors of the museum, who have insisted that paragraph (*g*) is an integral part of the Bill and do not wish it to be deleted.

I ask honourable members: why are those two gentlemen so adamant about this provision? The Bill was passed by this Council with paragraph (*g*) struck out, but now we have it back in its original form. The Hon. Sir Arthur Rymill's remarks when clause 13 was previously considered are extremely pertinent. He said:

I classify this provision as "dragnet" draftsmanship. In these days this concept is becoming all too familiar and is creeping into almost every Bill that comes before us. I suggest it is the fault not of the people drafting the Bills but of the people who promote the draftsmanship by saying that they have thought of everything they could but that perhaps there was something they had missed, so they insert a dragnet clause to enable them to cover anything overlooked without the need for further reference to the Legislature. That is a faulty Parliamentary approach, and I do not agree with it at all.

I have opposed Bills this session and in previous sessions for that reason, and I see no reason for changing my mind now. If honourable members look at the draftsmanship of the rest of the clause they will find that hardly anything has not been included. Instead of using all the words used in this provision, why not just say that the functions of the board shall be to perform any functions of scientific, educational or historical significance that may be assigned to it? I object to this type of dragnet clause because it just brings in anything else that can be dreamt up.

That was how the Bill left us. Clauses 14 to 19 were passed, and clause 20 was amended by the insertion of "upon the recommendation of the board" in subclause (1). The Minister accepted the amendment. All these amendments were agreed to by the House of Assembly except for the striking out of paragraph (*g*) of clause 13 (1). After much debate, the Hon. Mr. DeGaris introduced an alternative amendment striking out "Minister" and inserting "regulation". That amendment was carried. The Bill then disappeared beyond our ken and has reappeared a year later without any of these amendments. The debates from November 8 to November 28, 1973, might never have happened. Certainly none of the arguments of honourable members of this Council have been listened to by the Government nor, it would seem, by the two gentlemen mentioned by the Minister. I deplore such an intransigent attitude. The attempt to nullify the work of Parliament by bringing back the original Bill without the amendments made and carried is what I can only call "now you see it, now you don't" sleight of hand trickery which should not be tolerated. There has been no substantial change in the circumstances or in the practices of the museum to justify any assumption by the Government that the Legislative Council's attitude should have changed. The only recourse is for honourable members, before passing the Bill, to reinstate the same amendments as were made last year.

The Hon. R. A. GEDDES secured the adjournment of the debate.

## ADJOURNMENT

At 5.45 p.m. the Council adjourned until Wednesday, November 13, at 2.15 p.m.