LEGISLATIVE COUNCIL

Wednesday, November, 13, 1974

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

QUESTIONS

BANK CONTRIBUTIONS

The Hon. G. J. GILFILLAN: I seek leave to make a statement before asking a question of the Chief Secretary.

Leave granted.

The Hon. G. J. GILFILLAN: I noticed last evening that the Prime Minister made several statements about steps to be taken that he hoped would help this country's economy. Among those steps was a proposal to reduce company tax. Recently in this Parliament we had two Bills increasing the contributions to State revenue of the State Bank and the Savings Bank of South Australia, bringing those contributions into line with, and sometimes exceeding, company tax charged by the Commonwealth Government. As the Commonwealth Government has now reduced company tax, will the Chief Secretary say whether the Government intends to reduce the contributions that these two banks must make in this respect?

The Hon. A. F. KNEEBONE: As this is a policy matter, I will refer it to the Treasurer and bring down a reply when it is available.

RENMARK-WENTWORTH ROAD

The Hon. A. M. WHYTE: I seek leave to make a statement before asking a question of the Minister of Health, representing the Minister of Transport.

Leave granted.

The Hon. A. M. WHYTE: I have received requests from carriers concerning the road from Renmark to Wentworth, which, I believe, comes under this State's administration. However, I am not sure whether it is the responsibility of the Highways Department or the Engineering and Water Supply Department. When shifting stock from the West Darling and Murrumbidgee areas into South Australia, those using this road are saved a considerable distance and, as well, avoid congestion on the main highways. Will the Minister of Health take up with his appropriate colleague the condition of this road, the standard of which is at present low, with a view to having it repaired or upgraded?

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

SAMCOR

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

Leave granted.

The Hon. C. R. STORY: In the *Stock Journal* of October 24, 1974, the following article appears under the heading "Samcor Buying Lambs":

> The South Australian Meat Corporation has bought stock in the last two Gepps Cross lamb markets in an attempt to keep its killing chains operating efficiently. While the South Australian Meat Corporation Act empowers Samcor to buy and sell stock, carcasses and meat, this is believed to be the first time the commercial ability has been exercised by either Samcor or the old Abattoirs Board. Samcor is believed to have faced efficiency problems when an expected surge in demand for lamb killing did not eventuate. Carcasses of 1 000 lambs bought last week were later sold to interstate retailers. A similar number of lambs were bought in this week's market.

First, will the Minister ascertain for me whether the reasons given in this article are factual and whether stock was bought in order to keep up the efficiency of the plant? Secondly, what was the result of the transaction between Samcor and the interstate retailers referred to, and was a profit made on it?

The Hon. T. M. CASEY: Very briefly, the answer to both questions is "Yes". The report published in the *Stock Journal* was factual, and a profit was made on the transaction with interstate retailers. Indeed, I compliment the board of the South Australian Meat Corporation on the step it has taken. We incorporated in the original legislation setting up the corporation a provision giving it the right to trade. I think that was a move in the right direction, and I assure the honourable member that, if he likes to talk with members of the industry outside, he will find that they are delighted with the operations of the board and especially with the transaction referred to.

LEGISLATIVE COUNCIL REPORT

The Hon. B. A. CHATTERTON: I seek leave to make an explanation before asking a question of you, Mr. President.

Leave granted.

The Hon. B. A. CHATTERTON: I have before me a document headed "Weekly Report of the Legislative Council", November 8, 1974, one paragraph of which states:

> The Minister of Agriculture gave Ross Story an assurance *(Hansard,* page 751) that South Australia's attitude would be to ask for an increase in quotas when the matter came before Agricultural Council the following day in Melbourne. Imagine the consternation which occurred both here and interstate when the South Australian Minister announced that he intended to take unilateral action to abandon table margarine quotas as from February 1, 1975. This policy is contrary to the Federal Government's announced policy, which states that quotas be lifted by June, 1976.

I ask you, Mr. President, whether this document, which as I have said is headed "Weekly Report of the Legislative Council", is compiled by the Clerk of the Council and whether it meets with your approval.

The PRESIDENT: It is not compiled by the Clerk and does not meet with my approval.

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

Leave granted.

The Hon. C. R. STORY: The Hon. Mr. Chatterton referred to something attributed to me in a newsletter at page 751 of *Hansard.* In view of the fact that in the *Hansard* report I was replying to the Minister's statements, does the Minister consider my statements to be factual?

The Hon. T. M. CASEY: I have not seen this report. The honourable member suddenly enlightens me that it is a press release—a newsletter. I suppose a newsletter could be interpreted as a press release. I will be very interested to see it. When I have looked at it, I will be able to comment further. If the honourable member wants to go through the debate again, I will be happy to do it at any time. Everything I have said in this Council has been absolutely factual.

The PRESIDENT: I do not think we want a debate now. I think the question related to something published in *Hansard.*

The Hon. C. R. Story: That is so.

The PRESIDENT: It has nothing to do with anything else.

The Hon. T. M. CASEY: The honourable member referred to the document that was mentioned by the Hon. Mr. Chatterton. As I have not seen that document, I cannot comment as to whether the words used in that document are the same as those appearing in *Hansard.* Perhaps the Hon. Mr. Story knows about this newsletter.

The Hon. R. C. DeGARIS: Is it a fact that yesterday the Minister used this document in a discussion with people from the margarine industry?

The Hon. T. M. CASEY: This document was circulated not by me but by another person attending the meeting, and I was not responsible for its introduction into that meeting. It seems absolutely strange that a deputation could come and see me on a matter of great importance to the consuming public of this State and that the Opposition should know all about it. It seems to me that there is a little bit of cahooting going on between the respective parties. If this is the way that they want to play politics, they can have it.

The Hon. B. A. CHATTERTON: I should like to ask a supplementary question of you, Sir, in view of the remarks made by the Hon. Mr. Story when I think he claimed authorship of this document. I should like to ask whether you intend taking any action as to this document appearing under the title of "Weekly Report of the Legislative Council".

The PRESIDENT: There is nothing that calls for any action by me.

The Hon. C. R. STORY: I seek leave to make a personal explanation.

Leave granted.

The Hon. C. R. STORY: I have noticed in this place in recent times a laxness in accuracy on the part of some members. The last remark by the Hon. Mr. Chatterton is no exception, because I did not claim the responsibility of authorship of a document from which he quoted. I am not the author of the document from which he quoted.

The Hon. D. H. L. Banfield: Tell us who is.

The Hon. C. R. STORY: The Minister can do his own research. I should like, Sir, to have the matter put straight.

The Hon. T. M. CASEY: I wish to direct a question to you, Sir, because I think we must clear up this matter once and for all. I think the Hon. Mr. Chatterton put the case very well: here is a document which, unfortunately, has not been signed by anyone. I have had two telephone calls this morning drawing my attention to an article appearing in the South-Eastern papers which is of a similar nature, setting out the doings of the Legislative Council and not signed by anyone. Those people were under the impression that this was an official document from the Clerk of the Legislative Council. In all fairness, the author of this document should sign his name to it. I ask you, Sir, whether you would take up this matter to see whether something could be done to clear it up.

The PRESIDENT: If the Minister brings me a copy of the publication I will be able to discuss it with him.

The Hon. T. M. CASEY: I shall be happy to do that.

BUILDING INDUSTRY

The Hon. G. J. GILFILLAN: I wish to direct a question to the Minister representing the Minister of Environment and Conservation, who is the Minister responsible for administering the Planning and Development Act, and I seek leave to make a short statement prior to asking the question.

Leave granted.

The Hon. G. J. GILFILLAN: We hear much at present about the problems in the building industry and the decline in the building of new houses. I have received complaints recently about the bottleneck that appears to occur in the State Planning Office, and this involves country towns at least, where consent is sought from the Director of Planning for minor alterations to be made to the boundaries of building blocks when they are being sold, and this has led to a major hold-up in the operation. I refer particularly to the case of a widow who has sold some blocks of land to a man who wishes to build on those blocks, subject to the consent of the Director of Planning, but the matter has been held up for many months. Will the Minister of Agriculture ask the appropriate Minister to look into this matter with a view to having these transactions, which are of a minor nature, speeded up?

The Hon. T. M. CASEY: I will refer the honourable member's question to the Minister responsible for town planning and bring down a reply.

LAND AND BUSINESS AGENTS ACT

The Hon. F. J. POTTER: I seek leave to make a short statement before asking a question of the Chief Secretary.

Leave granted.

The Hon. F. J. POTTER: I refer to a reply given by the Chief Secretary yesterday and supplied by the Attorney-General concerning a question I asked about the Land and Business Agents Act. It appears from that reply that the Government is considering some important amendments to the Act. Can the Chief Secretary say whether the amendments will be brought down before Christmas or in the 1975 sittings of this session?

The Hon. A. F. KNEEBONE: I cannot answer the honourable member's question but I will discuss the matter with the Attorney-General and bring down a reply as soon as it is available.

WHYALLA HOSPITAL

The PRESIDENT laid on the table the report of the Parliamentary Committee on Public Works, together with minutes of evidence, on Whyalla Hospital Development.

PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 30. Page 1769.)

The Hon. J. C. BURDETT (Southern): I support the second reading of this Bill, which was correctly explained by the Hon. Mr. Chatterton as being a Bill to repeal section 7 of the principal Act. It was, however, explained in a letter sent, I think, to all members by the Royal Society for the Prevention of Cruelty to Animals and it has been consistently described in the press as a Bill to ban live hare coursing. The letter to which I referred was dated October 30 (at least, the one I received was) and it states:

I ask your help to ban this cruel practice.

It is as well to see exactly what the Bill does. Its only substantive provision is to repeal section 7 of the principal Act, which provides as follows:

Nothing contained in this Act shall apply to, or make unlawful, the hunting or coursing of hares which have not been liberated in a mutilated or injured state in order to facilitate their capture or destruction.

The marginal note in the consolidated Statutes refers us to an earlier South Australian Statute and a United Kingdom Statute. I have not gone into the history of this provision but I think it is a pity that this section came to be in the Act removing coursing, as it does, altogether from the ambit of the Act. It is worth noting that the effect of the Bill, directly and literally, would not be to ban live coursing.

The Hon. R. C. DeGaris: That is an important point to make right from the beginning.

The Hon. J. C. BURDETT: Yes, it is. It would only put live coursing back into the ambit of the Act and mean that, if any of the offences created under section 5 could be proved in relation to live coursing, then prosecutions could be successfully undertaken. Believing, as I do, that open coursing of live hares should not be prohibited, I am tempted to support the Bill and see whether the Royal Society for the Prevention of Cruelty to Animals can prove offences in regard to live coursing. However, to be practical, I think I must take the proponents of this Bill at their word and believe them when they say that this is intended to be a Bill to ban live coursing.

In view of the persistent statements in this regard, I can only take it that, if this Bill passes, every attempt will be made by the R.S.P.C.A. and others to hound (the term may be apt) live coursing out of existence by repeated prosecutions, successful or otherwise. I have never seen live coursing myself as the coursing season was over before this Bill was introduced and as I have no personal interest in the sport. However, I do have to make up my mind about this Bill and I hesitate to vote for a Bill that bans any sport unless I am satisfied that the continuance of the sport is contrary to the public interest.

I read with interest the description of open coursing in the literature provided by the R.S.P.C.A. and I also made it my business to visit the coursing grounds at Hartley, on which the Waterloo Cup is run. In the first place, I was very disappointed to note that the plan provided by the R.S.P.C.A. of this course is totally inaccurate. It bears the notation "all distances approximate", but that is a masterpiece of understatement. The two enclosures are of different sizes, not identical as shown in the plan. The length and breadth of the enclosures is transposed in the plan and the larger measurement of one enclosure is approximately 800 metres, not 400 m, as shown on the plan, while the larger measurement of the other is about 600 m.

There are also escape areas at one end of each enclosure instead of only the one between the enclosures, as shown on the plan. There is no point in preparing a plan such as this unless it paints a true picture. At least on race days the R.S.P.C.A. has access to the public enclosure, and I am informed by the coursing officials that free access to the area would have been allowed at any time. I am told it has not been sought. I am most disappointed and unimpressed at the complete inaccuracy, and in fact falsehood, of the picture painted.

This sport is probably the only form of what may loosely be termed "hunting" where the hunter goes out hoping that his quarry will escape. Even the R.S.P.C.A. in the literature circulated agrees that this is partly true. The hares live in the enclosures among adequate cover and fodder with access at all times to the escape areas. Before any coursing event, the enclosures are beaten several times, without the hares being coursed, so that the hares will be familiar with the escape areas. Some grounds are coursed only once a year and most several times in a season, but it is important to remember that the entire coursing season is, in practice, only four months in the year; and this, of course, excludes the period when female hares are carrying young. The hares, even in the area where they are coursed several times, are coursed only a few times a year, and it does not necessarily follow that all of the hares in the enclosure will be coursed every time.

The hares in the enclosure live most of the year free from coursing and protected as well as is possible from other predators, although I am told that foxes and shooters do sometimes gain access to the enclosures, killing hares despite the efforts of the curator. On a coursing day only two dogs course at a time. The two dogs are taken into the enclosure by the slipper, an experienced official. Currently, dogs under the rules of the sport are required to be muzzled. Officials, including a judge on horseback, enter the enclosure. When a hare is put up the slipper is not permitted to slip the greyhounds until he is satisfied that the hare is a reasonable distance away, usually about 80 paces, is fit and is moving freely.

The dogs are then released and judged on a points system on their ability as hunting dogs. No points are awarded for a kill. I have been told that at one track recently there were 87 courses completed before a kill occurred. Of course kills occur, but I am satisfied that the incidence of killing or mutilating of hares in open coursing is relatively low. The arrangement of the escape areas is such that it is almost impossible for the same hare to be coursed twice on the one day.

Plumpton coursing, on the other hand, involves the coursing of hares that are actually released in a relatively small enclosure. This sport gives rise to a much higher proportion of kill, and it seems to me (again by description, because I have not seen the sport) to be much more objectionable. This sport is now banned by the rules of the coursing association. True, this probably partly results from the news of the likely introduction of this Bill. It is worth noting that the report of the inspector read by the Hon. Mr. Chatterton concerned plumpton coursing.

I am sure that he objects to open coursing as well, and considers that his general comments apply to open coursing, too. However, it is interesting to note that the honourable member's actual examples relate to plumpton coursing. I shall be seeking an instruction that the Committee have leave to consider a further amendment to the original Act, and part of the amendment is designed to prohibit plumpton coursing or, more strictly, to bring it within the ambit of the principal Act. On recently asking a conservationist for his views on the Bill, I was surprised to hear that he was opposed to it. This was because when he travelled throughout South Australia, whenever he came to a live coursing area, he saw lots of hares. I understand that in the vicinity of coursing grounds hares are jealously protected from spotlighters, field shooters, hunting dogs and other predators.

Honourable members will recall the Gilbert and Sullivan opera *Ruddigore.* They will recall that, as a result of the witches' curse, each Lord of Ruddigore shall each day do one crime or more. When the last member of the family in line, the hero, Robin, was trying to convince the family ghosts that he had committed his quota of one crime a day, and when he was running through the days of the week, he could not succeed in satisfying them on any score, except regarding his crime on Thursday, when he shot a fox. That crime was readily accepted.

From my investigations into live coursing, it appears that in live coursing areas it is equally a crime to shoot a hare, or to do anything else to kill or injure one. Of course, it is not new to find hunters of one kind or another taking an active part in conservation. In America the useful part played by duck shooters has long been recognised. Further, I do not consider that open coursing, with proper safe-guards, is as cruel as many other practices tolerated in our community. I refer to the keeping of hens caged constantly in tiny enclosures. This is one such practice. Another is the keeping of pigs in modern sheds where the tails are cut off the animals so that the pigs will not bite off the tails of one another in frustration. Indeed, when pigs get hot and ill-tempered they chew off each other's ears.

Another example is spotlighting with guns, where the slaughter far exceeds anything that happens on a coursing track and where many animals are maimed, to crawl away and die in agony. Often, hares and other animals are chased by greyhounds at night under spotlights, again leading to a much higher death rate. All kinds of field shooting lead to a much greater rate of killing and maiming. Other people, including myself, carefully devise the best kind of sharp hook and bait to put in the mouths of fish. I am not complaining about these practices, having partaken in many of them myself. However, they seem to me to involve more animal suffering and death than the practice of open coursing, and are all in some measure unnecessary and for human gratification.

I am not in favour of this attempt to ban live coursing, at any rate in its open form, in isolation from the other practices referred to, and similar practices. It is common knowledge that the R.S.P.C.A. has been promised by a source from another State a subsidy of up to $5 000 for its expenses for this campaign and, if this is the reason for the present attack on live coursing, I think it is an unworthy one.

If the promoters of this Bill intend merely to attack live coursing in isolation, I think they are wrong and out of balance in singling out this practice, as it is by no means the most cruel and objectionable of such practices. If, on the other hand, the plan is to pick off all blood sports one by one, starting with the most vulnerable and then perhaps attacking rodeos, fox hunting, spotlighting, field shooting, and so on, it would, frankly, have been much more honest and appropriate to attack the whole of this field at the one time. As it is, we must consider this one Bill, and I am certainly not willing to be a party to banning, in isolation, a practice much less objectionable than many others that could have been attacked.

There is, I believe, a natural hunting instinct in man. As with other instincts, it is more highly developed in some people than it is in others. I think the hunting instinct is fairly highly developed in me. I am, of course, referring to hunting animals and feathered birds. It seems to me that live coursing, as at present conducted, provides one of the most harmless outlets for the hunting instinct.

I intend to seek to amend the principal Act to ensure that live open coursing will not be virtually banned. Part of the amendment does, however, confine the protection to cases where reasonable steps have been taken to ensure that the hares are not killed or maimed. This may involve difficulties of proof and ascertaining what are or are not reasonable steps. On the one hand, I do not think that live open coursing should be virtually banned and, on the other hand, I do not think that the jurisdiction, as it were, of the R.S.P.C.A. and other authorities should be precluded altogether. For the purpose of considering these amendments, I support the second reading.

The Hon. C. M. HILL (Central No. 2): The love of animals and the care which people generally give to their wellbeing is indeed commendable. Greater emphasis is placed on this matter in today's society than has been the case in years gone by. Any action that the Legislature can take or consider concerning the ill-treatment of animals should receive deep consideration indeed.

Regarding the Bill, I believe that hares are subjected to fear or cruelty, or both, in coursing, irrespective of whether the dogs are muzzled. I have heard submissions from the principal groups involved in this matter, including coursing representatives, who were indeed frank and sincere. Indeed, I commend them for being willing to amend their rules to try to solve the problems with which they are now confronted. I have also heard from representatives of the R.S.P.C.A.

However, weighing up the whole situation, I believe the hunting or coursing of hares should come within the provisions of the Prevention of Cruelty to Animals Act, 1936-1973. That is what the Bill sets out to achieve, and I support it.

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

LAND TAX ACT AMENDMENT BILL

Received from the House of Assembly and read a first time.

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

That this Bill be now read a second time.

Its main purpose is to overcome difficulties in determining liability for land tax. This tax must be calculated on the aggregate value of all land owned by the taxpayer at June 30 each year. Under the existing Act, section 31 provides that the taxpayer in respect of freehold land is the owner of the fee simple. By definition, the word "owner" is extended to include any person entitled to purchase or acquire the fee simple. The Crown Solicitor has advised that the registered owner of the fee simple of land could dispute his liability for land tax if he could show that he had sold or contracted to sell any one of his properties before the date at which the tax was calculated, even though no transfer of the land from his ownership had been registered at the Lands Titles Office and no advice of the transfer had been given to the Commissioner as required by the regulations. It seems reasonable that a taxpayer who deals in land should inform the Commissioner of sales of his land where transfer will not be lodged immediately at the Lands Titles Office for registration. The Commissioner is otherwise not able positively to establish the matters upon which liability for land tax depends.

Clause 1 is formal. Clause 2 makes metric conversion and introduces a consolidated definition of "owner" drawn from the material previously contained in sections 4 and 31. Clause 3 repeals and re-enacts section 31 of the principal Act, which imposes liability for land tax on the owner of land.

Clause 4 provides that the Commissioner may refuse to recognise any change in the ownership of any land where notice of the change has not been given as required by the regulations and that, upon such refusal, the person who is

recognised by the Commissioner as the owner of the land shall remain the taxpayer. The regulations will be amended to require owners to give a prescribed notice to the Commissioner if they part with their ownership in the circumstances in which a transfer will not be lodged for registration at the Lands Titles Office before June 30 of the relevant year. Clause 8 provides the necessary power to make a regulation covering this matter.

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

APIARIES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 12. Page 1849.)

The Hon. C. R. STORY (Midland): This Bill seems to do some of the things that have been agreed to over the years at various levels. As the Minister said to me yesterday in regard to another matter, there does not appear to be great unanimity within the industry; the Minister was referring to the dairying industry when he said that. I know from my experience that there are two strong organisations within the beekeeping industry, and they do not always see eye to eye on matters such as the one now before us. I assume that, before this Bill was introduced, some degree of unanimity had been reached and that someone had asked for the legislation. It is a principle of government that, if possible, a Minister should get unanimity before legislation is introduced and that someone should want the legislation: we should not be legislating for legislation's sake. So, I presume that someone asked for this Bill. It seems to me that not all the beekeeping industry asked for it. I have received the following letter, dated November 11, 1974:

As the elected South Australian producer representative on the Australian Honey Board and a member of the Commercial Apiarists Association of South Australia, I have been asked to advise you that our association President, Mr. S. J. Victor, of Clare, and myself have only this weekend heard of proposed amendments to the Apiaries Act of South Australia. We are alarmed at the possibility of crippling regulations and, in particular, we believe any alteration to the existing hive branding regulations is quite unwarranted. We believe that a very big majority of apiarists would appreciate having an opportunity of knowing just what is intended by way of regulations under the proposed amendments. We respectfully request that consideration of the amendments be deferred until commercial apiarists with a practical knowledge of the industry are given an opportunity of considering the proposals.

It therefore seems that there is some apprehension within the industry. I am not saying that only one person is in opposition. Obviously, anyone who is an elected representative of the apiarists on the Honey Board must be a person of some status; otherwise, he would not have been elected to that position. Further, that person is backed up by the President of the Commercial Apiarists Association of South Australia. Those two people are entitled to believe that they voice the opinion of at least a fairly large section of the apiarists of this State. The Minister will have to explain to us, either in closing this debate or at the Committee stage, just what is the position. If no-one in South Australia asked for this Bill, it would seem that it was unnecessary to introduce it. However, if some people have asked for it while the official body and the producers' representative on the Honey Board do not see any need for it, I should like the Minister to say what caused him to introduce the legislation. I should like the Minister to say whether the legislation is necessary; we must peruse the Bill to discover that. 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. The recent introduction of the solitary bee *Megachile rotunda* (leaf cutters) from Canada requires the scope of the principal Act to be confined to honey bees and, accordingly, this Bill makes provision for a definition of "bee" to be inserted in the principal Act.

I see great merit in that. I know something about the leaf cutter bee, as the Minister will know. Through my insistent questioning, I am sure that the Minister himself is aware of the subject. I was very keen to get the leaf cutter bee into Australia as a polleniser. It was introduced from North America as a result of the work of Mr. Ron Badman, a Nuffield scholar who studied that side of seed production in alfalfa (or lucerne, as we know it here).

We finally got the insects into South Australia in the face of a fair amount of opposition from people in other States who did not know much about it and were frightened that we would bring in some dreaded diseases. These bees were quarantined at the Waite Agricultural Research Institute, and the last report I had from the Minister was that the scientists had not been successful in getting the bees acclimatised in the open. I presume that either the legislation is out of date or that new stocks of leaf cutter bee have been introduced to make necessary the amendment. Perhaps new stocks have been brought into South Australia and are about to be released. I agree with having the two types of bee differentiated in the legislation. As I understand it, beekeepers in future will be required to brand every hive they own, branding the owner's name in the left-hand corner.

The Hon. T. M. Casey: No.

The Hon. C. R. STORY: Well, it is not in the Bill. I take it that the Minister is assuring me that it will not be in the regulations. At any rate, the owner's name will appear somewhere on every hive he owns.

The Hon. T. M. Casey: His brand.

The Hon. C. R. STORY: All right. If that hive changes ownership, the new owner will place his brand on the hive. Under the existing law the owner is required to brand one hive in 10, and this seems to be adequate where the hives are being put out in large numbers in isolated areas or in areas where half a beekeeper's hives are situated in one locality and half in another; provided there is identification somewhere in the group to indicate to whom the hives belong, that should be sufficient.

I can see the predicament that would occur if, as the Hon. Mr. Geddes said yesterday, an apiarist had hives scattered from Ceduna to Mount Gambier. In that case some groups of hives obviously would not be in the 1-in-10 category allowed at present. I can also see difficulty if some of the dreaded diseases in the bee industry were to occur, such as foul brood and chalk brood. In a case where perhaps 10 or 12 hives were on one side of the border and a few on the other side, and none of the hives had been branded, there could be great difficulty in quickly tracing the owner and also in locating all the other hives belonging to him. They could be scattered over quite a large area of the State. I do not see any great objection to having hives branded, as long as it is not necessary to brand them with a red hot iron, or something of that sort. In that case the apiarist would have to remove all the bees and the honey from the hives to carry out the branding. It would be difficult in some respects to do this.

If regulations are to provide for forms of identification other than branding of the hives I will not have so much objection. If, for instance, rivets or some form of permanent stencil could be used, I do not think apiarists would be greatly inconvenienced. I know that the object of this Bill is to try to get uniformity between States, but I am never particularly interested in falling in with every other State just for the sake of uniformity, because many conditions in our State do not apply in other States, and vice versa.

We are frequently fobbed off with restrictive measures necessary for legislation to function in another State but not applicable here. On our borders with New South Wales and Victoria are quite large areas of red gum and salvation jane, and on our western border we also have areas that would be involved in this predicament. Once the border is crossed, it will be necessary for the apiarists to conform to regulations in the other States, and people on the border, I think, would take that precaution in any case. I shall be interested to hear the Minister's reply to the points I have raised.

I should like to know, in regard to the regulations, whether alternatives in branding are contemplated, whether this measure is essential for apiarists in this State, and whether the objections of sections of the industry have been taken into account and whether they will be taken into account. I should also like to hear a general resume by the Minister of the practical application of this legislation. I know that Parliament will have the opportunity to see the regulations when they are laid on the table, but often by that time, by this precipitate sort of attitude and action, much animosity and heartburning has been engendered outside Parliament as well as inside Parliament. A little more consultation between members, Ministers, and the industry would be to the advantage of all concerned. I support the legislation thus far.

The Hon. C. M. Hill (Central No. 2): I had not intended to speak in this debate but I have been contacted by an apiarist who is interested in and concerned about this Bill, so I think I should speak on his behalf. I commend the Hon. Mr. Geddes and the Hon. Mr. Story on their contributions and support them in what I thought was a strong point—that there has been a lack of liaison between the Minister and the industry in the preparation of this Bill.

In support of that, I refer to a letter that the Hon. Mr. Story read in this debate, from an elected South Australian producer on the Australian Honey Board, an influential member of the Commercial Apiarists Association of South Australia. This man was asked to contact us, particularly by the association President, I understand the association is well known to the Minister; I have heard that the Minister has been to one of its meetings and was most impressed by the association and its members.

It is apparent that the Commercial Apiarists Association of South Australia was not consulted by the Minister in the preparation of this Bill. The other association that has been mentioned in the debate (the South Australian Apiarists Association) has written a letter and it, too, is concerned about not being consulted about the Bill's provision requiring hives to be branded. That seems to me to be the major contentious issue. One paragraph of this letter reads:

> This association is therefore of the opinion that this particular amendment is unwarranted.

That is the amendment dealing with the need to brand all the hives in lieu of the former arrangement of branding only one in 10. The paragraph continues:

> In the past beekeepers who have failed to place a brand on their hives have been dealt with on the report of a departmental inspector.

That is the branding of one in every 10 hives. The letter continues:

> There have been very few beekeepers who have failed to observe the branding requirements in the Apiaries Act, 1931-1964. A perusal of records will verify this.

I do not know that the Minister will have those records immediately at his disposal but I am prepared to accept the word of the Secretary of this association and say that this has not presented a great problem to the association in the past. It seems to me that the controversial clause is clause 11, which deals with branding. Surely those people involved in the industry who are now being caught up in this stringent control should have had some advice from the Minister and his department and should have been consulted before this Bill was prepared. That they have to approach members of Parliament at the last minute when the legislation is before Parliament is a very poor show indeed.

I hope the Minister can give some reason in his reply for his failure to take the industry into his confidence, so that these people in the field throughout the State can have a little more confidence in their Minister and in the Government than they have at present. These men are practical men who have lived in the country all their lives. They have been established for a long time in their business operations and they expect a practical understanding from the Minister when the Act under which they work is being amended. Now, they are concerned that the regulations to be brought down may be prepared without reference to them.

The Minister has failed miserably so far in connection with this issue. Therefore, will he undertake that in the next few months, when he and his department prepare the regulations, he will consult at least these two associations? That is a fair request, and it would be fair for the Minister to agree to consider representations from the people involved in the measure before the regulations are gazetted. If he does not do that, if the regulations come before this Council, and if the industry does not know their content, the Minister must realise that honourable members will have a very close look at those regulations.

The Hon. D. H. L. Banfield: They always do that.

The Hon. C. M. HILL: Yes, but there is no harm in mentioning the matter in advance. The regulations will be all-important, and I hope that when they are laid on the table—

The Hon. A. F. Kneebone: Regulations are always important.

The Hon. C. M. HILL: I am pleased that the Chief Secretary agrees with me. Perhaps he can give some advice to the Minister of Agriculture, as I am trying to do now. Apart from that worrying point, I accept the other provisions in the Bill. I do not agree with the requirement that all these men should have to brand every hive, but it is obvious from the tenor of the debate that the Bill will pass the second reading stage. I ask the Minister to explain the points I have raised when he replies.

The Hon. M. B. DAWKINS secured the adjournment of the debate.

STAMP DUTIES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 12. Page 1861.)

The Hon. R. C. DeGARIS (Leader of the Opposition): I hope my voice will last out today, and that it will be better than it was yesterday.

The Hon. A. J. Shard: Don't get worked up.

The Hon. R. C. DeGARIS: I was not worked up in what I said yesterday, but I think the remarks I made then have been borne out today in the *News,* which has just been delivered to members' desks. Yesterday, I dealt with the fact that policies being followed by the Commonwealth Government were in fact claimed as the policies of the Labor Party in South Australia some two years ago. Now we have seen a denial of those policies and a request from the Australian Labor Party in this State to change them. I turn now to the legislation before the Council. Over the years practically every Bill given a second reading in this Chamber was earmarked with the following statement:

This brings this State into line with the Eastern States.

All honourable members will recall that statement being made on succession duties, land tax, and many other matters that came before us, when we were told that our rate of tax was below that of the other States and that it was necessary to lift taxation levels in this State. Rather strangely, in this Bill that phrase is not being used, so I have taken the time to examine the reason why it is not being used. The reason, of course, is that we have gone beyond the point of equality with the other States in relation to taxation, and we are galloping well ahead. Over the past few years we in this Chamber have frequently warned the Government that if this State was to maintain its competitive position in relation to other States we would have to be more efficient in our administration and more efficient in handling ourselves as a State so that the tax structure here would be below that of the Eastern States. We have gone beyond the Eastern States in many of these matters. I quote from the policy speech of the Premier, delivered in 1970, when he stated:

The State which provides the complete range of human and community services. We'll set a standard of social advancement that the whole of Australia will envy. We believe South Australia can set the pace. It can happen here. We can do it.

We have certainly done it here. We have set the pace regarding stamp duties in certain areas that so far outstrips the other States that it is quite remarkable to see how far ahead we are. South Australia certainly has set the pace. I shall examine some of these areas in a little more depth. If honourable members like to examine the document headed "Weekly Report of the Legislative Council" dated November 8, 1974, they will see an interesting breakdown of figures.

The Hon. A. F. Kneebone: How do you get on to the mailing list for that?

The Hon. R. C. DeGARIS: Quite easily. If the Minister asks any honourable member in the Chamber, he will do it for him. In South Australia, the stamp duty on cheques at present is 6c, and this Bill takes it to 8c. Compare this with the other States. In Victoria it is 7c, in New South Wales 6c, in Western Australia 6c, in Queensland 6c, and in Tasmania 8c. So this Bill takes us up with the leading State, Tasmania. In life assurance, the stamp duty is increased by the Bill from $1 for each $100 of premiums to $1.50. In Victoria and New South Wales there is a tax on the premiums paid for life assurance. In Western Australia, such insurance is exempt. In Queensland and Tasmania there is a tax on life assurance policies. In Victoria it is 12c for every $200 of premiums. Our rate goes to $1.50 for each $100 of premiums, so it can be seen that we are ahead of Victoria in that field. In New South Wales the duty is 10c for every $200 of cover up to $2 000, and then 20c for each $200 of cover after that. In Queensland the duty is 5c for every $100 (or part) of cover, increasing to 10c for every $100 after $2 000. In Tasmania the duty is 10c for every $200 (or part) of cover up to $2 000 and then 20c for every $200 after that. So we are ahead of the field in stamp duty on life assurance premiums.

In general insurance the same picture emerges; I will not read out the charges, but we are ahead in that field. We can go to each of the fields in this Bill where stamp duty is being increased and we see we are ahead of all States except Victoria and New South Wales. However, the area I criticise strongly (and I shall be voting against this provision in the Bill although I am prepared to accept increases in the other fields where we are going ahead of the other States) is stamp duties on conveyances, where we are so far ahead that I am forced to vote against this increase in taxation. I quote from figures to indicate why I am opposing this increase. In South Australia, the stamp duty on conveyances of up to $20 000 will amount to $360. In Victoria it is $400, in New South Wales it is $235, in Western Australia it is $275, in Queensland it is $250, and in Tasmania it is $282.50. So, with the exception of Victoria, we are 50 per cent above all the other States.

Then we move to the next step up—$40 000. In South Australia the stamp duty will be $960 on a property of up to $40 000. In Victoria the duty is $800, in New South Wales it is $700, in Western Australia it is $575, in Queensland it is $500, and in Tasmania it is $582.50. So we are ahead in the $40 000 range: we are some 20 per cent above Victoria and almost double the existing rate in Queensland and Tasmania. In the range up to $60 000, the South Australian stamp duty will be $1 610. In Victoria it is $1 200, in New South Wales it is $1 200, in Western Australia it is $875, in Queensland it is $750, and in Tasmania it is $882.50. So in that case we are reaching a figure more than double Queensland's and 40 per cent above the figure for Victoria and New South Wales.

On transfers of up to $80 000, the tax in Victoria is $1 600, in New South Wales it is $1 600, in Western Australia it is $1 175, in Queensland it is $1 000, and in Tasmania it is $1 182.50. In South Australia the figure is $2 310 under the Bill, which is almost 50 per cent more than the figure for Victoria and New South Wales, more than double the figure for Western Australia, 2½ times higher than the figure for Queensland, and more than twice as high as the figure for Tasmania.

At $100 000, in Victoria the stamp duty is $2 000, in New South Wales it is $2 000, in Western Australia it is $1 475, in Queensland it is $1 250, and in Tasmania it is $1 482.50. Under this Bill in South Australia it will be $3 010, or more than 50 per cent above the figure for Victoria and New South Wales and more than 100 per cent above the figures for Western Australia, Queensland, and Tasmania. For transfers of up to $200 000, the duty in Victoria and New South Wales is $4 500, in Western Australia it is $2 975, in Queensland it is $2 500, and in Tasmania it is $2 982.50. Under this Bill in South Australia the stamp duty will be $7 010. I think it is completely and absolutely unjustified that people in this State in regard to stamp duties on conveyances and land transfers should, in some cases, pay almost double the tax payable in the big States such as Victoria and New South Wales.

That cannot be justified. However, I realise there are financial problems in South Australia, but for many of them only this Government can take the blame. No-one else is to blame. This Council has warned this Government time and time again of the prodigality of its expenditure, but it has taken no notice, and the people of this State have had to bear the brunt of these tax increases.

I am prepared to go along with the fact that we are going ahead of the other States a little in other stamp duties but I am not prepared to see people, and particularly young people, buying a house being fleeced in relation to conveyance fees to the extent that they will have to pay double the amount of tax payable in most other States, and 50 per cent above the tax in Victoria and New South Wales. Add to that the increases in housing costs in this State and the present interest rates, and the Government cannot justify the raising of the costs of conveyancing on properties in this State. I think I have given my views firmly on this matter. I am prepared to accept the passage of the Bill but am not prepared to see such a large increase in stamp duties on conveyances.

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

LICENSING ACT AMENDMENT BILL (HOURS)

Adjourned debate on second reading.

(Continued from November 12. Page 1852.)

The Hon. J. C. BURDETT (Southern): I support the second reading of this Bill, clause 3 of which relates to the extending of licensed hours until midnight on Fridays and Saturdays. I find that the question of licensed hours and their extension is difficult. Much of this Bill is designed to protect hotels, the traditional liquor retailers. I agree with the Hon. Mr. Story, who said that it is necessary to protect hotels. It would be a great pity to see small country hotels, many of them places of charm and character, going to the wall. I believe that the extended trading hours on Friday and Saturday nights have been introduced because clubs have become greater competitors to hotels. Clubs are frequently open on Friday and Saturday nights. To the extent that this extension of hours has been necessary to protect hotels, I agree to it. I hope that the extended hours will be used to encourage social evenings where the consumption of liquor is not the only or main occupation. I see little justification for bars remaining open until midnight on Friday and Saturday nights.

Clause 3 (*d*) makes an important amendment to the Act, as it provides for tavern licences. Taverns have long flourished elsewhere, and I see no objection to their being provided in South Australia, so long as the power is not used to provide unfair competition against the holders of publicans licences, who give the full traditional publican's service by providing lodging, meals and liquor. As the discretion is left to the court, I am sure that the new provisions will be properly administered so that unfair competition will not be allowed. I agree with the Hon. Mr. Story that the provision will be well used in the city, to ensure that there are sufficient outlets for meals and liquor for the public, where there is not the demand for many establishments providing lodging.

Clause 5 contains important amendments relating to retail storekeepers licences and their transfer. Generally, these provisions are good. They are necessary to stop unwarranted trafficking in licences and the transfer of a licence from one place of business, say, a country place of business, to another city or suburb with inadequate safeguards applying. Clearly, in the past the transfer of licences from one store to another was abused because of insufficient safeguards. In its present form, the Bill will prevent the courts from dealing with applications at present before them on the basis of the present legislation.

Referring to the applications for the transfer of storekeepers licences, I believe it only proper that the court should be able to deal with applications before it on the basis of the existing law. I intend to move an amendment to provide for this. It should be remembered that the matter will still be within the jurisdiction of the court and it will not follow that all such applications will be granted. As I have stated, this clause is designed to protect hotels, because they are the traditional purveyors of liquor and they have always had many other obligations in providing service to the public. However, I believe that my proposed amendment will not substantially or adversely affect hotels in any way. Moreover, it accords with the traditional principle of this Council, that is, of not allowing legislation to have a retrospective effect.

Clause 9 provides another important amendment in respect of permit club licences. In regard to new licences granted in the future, supplies will have to be purchased by those clubs from the holder of a full publicans licence or of a retail storekeepers licence. It is important to note that existing clubs that are not now obliged to purchase their liquor in this manner will not be adversely affected by the Bill. So, no existing clubs will have any cause to complain. This is another provision designed to protect hotels. Since the 1967 Licensing Act we have had a good balance in South Australia between clubs and hotels, both of which have their place in providing facilities for the public and, in the case of clubs, providing for club members and visitors, who are members of the public. I see no reason why that balance should not continue.

Already we have clubs having different privileges according to when they were first licensed; for example, in the matter of bottle sales. In future there will be a further distinction in privilege according to the date of the first licence, namely, concerning whether or not liquor can be purchased wholesale. I doubt that this will cause much confusion, and I do not oppose this portion of the Bill on those grounds. I support the second reading.

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

LICENSING ACT AMENDMENT BILL (FEES)

(Second reading debate adjourned on November 12. Page 1853.)

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

MARGARINE ACT AMENDMENT BILL

Consideration in Committee of the House of Assembly's amendment No. 2 which the Hon. T. M. Casey had moved be agreed to.

(Continued from October 31. Page 1827.)

The Hon. B. A. CHATTERTON: The Hon. Mr. Story referred to the Green Paper as being the Bible of the Australian Labor Party. I assure the honourable member that this report, commissioned by the Australian Government, draws attention to many valuable aspects of policy. It does not in any way bind the Australian Government, which has released it for discussion without having adopted it as a policy document.

The Hon. Mr. Story referred to one paragraph of the Green Paper to support his case. As he did that some time ago, I intend to refer to the Green Paper again to refresh honourable members' memories. Paragraph 3.99 of the Green Paper states:

> As a permanent form of protection, it should have no place in a rational rural policy. Nevertheless, the dairy industry should be given time and facilities to adjust—by providing for a gradual relaxation of such restrictions. The pace at which margarine restrictions should be liberalised requires judgments involving welfare comparisons and must, ultimately, be a matter for political determination.

Further to that, an asterisk showed that Sir John Crawford, who was heading another inquiry, had to dissociate himself from those remarks. Another paragraph of the Green Paper gives a broader indication of the general attitude to margarine quotas. Paragraph 3.101 states:

> It is perhaps worth adding that the existence of the controls has not been without its costs to the dairy farmers; it has required from the dairy industry a great deal of effort in terms of organisation of support, lobbying and in seeking to maintain the barriers against the campaign of the margarine producers to break down or circumvent the controls. That effort could have been channelled into more positive and constructive approaches.

Paragraph 3.102 states:

> The existence of the margarine restriction has also involved a major cost to the dairy farmer and to agricultural producers generally in terms of the "image" that it presents to the non-rural sector.

That paragraph is extremely important. It relates to a point that the Hon. Mr. Gilfillan and the Hon. Mr. Whyte made in a number of questions they asked in the Council some weeks ago, when they said how the press had wrongly reported that the Australian Government would be supplying $30 000 000 for the wheat industry. They were well aware that this was the image that the rural sector has in the eyes of the non-rural sector. The latter has the impression that the rural community is continually being supported by Australian Government money and artificial subsidies. They were aware of this and wanted to ensure that everyone knew that the $30 000 000 being paid to wheatgrowers was, in fact, their own funds.

The same situation applies in the dairying industry, and this aspect is well expressed in the extracts from the Green Paper to which I have referred. There is a considerable cost to the dairy farmer in terms of the image that this produces in the rest of the community. Also, other producers suffer in the eyes of the non-rural sector. This aspect should be more widely publicised. The Hon. Mr. Story referred to paragraph 3.99 as the basis for his argument. In this respect, I refer to a report, written by Trevor Johnston, in the September 13 issue of the *Chronicle.* The report states:

> There will be no spectacular increase in sales of poly-unsaturated margarines, but rather a steady growth as promotion (and the health angle) bites deeper.

He believed there would not be a spectacular increase in margarine sales, even in the poly-unsaturated sector. The lifting of quotas will therefore mean a gradual relaxation, as quotas are being lifted in one State only. To refer to a paragraph of the Green Paper out of context and particularly to say that, in view of other costs, margarine quotas are adding to the costs of the dairying and agriculture industries generally is to quote this report in an exclusive manner. For those reasons, I support the amendment.

The Hon. C. R. STORY: I am obliged to the Hon. Mr. Chatterton for having referred to the Green Paper. However, I did not intend to take paragraph 3.99 out of context, the Green Paper being available for all honourable members to read. We have known for some time that the image of the dairying industry has been dirty. It has been dirtied by the margarine manufacturers who come not from the vegetable oil side of the industry but who use tallow. These manufacturers, who have used every guile in the book, have lifted their share of the market from 15 per cent of Australian cooking margarine less than nine years ago to 54 per cent today.

The Hon. T. M. Casey: That's not a quota.

The Hon. C. R. STORY: The Minister should wait until I have finished.

The Hon. T. M. Casey: Let's be honest. If you are going to talk about quotas—

The Hon. C. R. STORY: I wish the Minister would contain himself. He is edgy.

The Hon. T. M. Casey: He is not.

The Hon. C. R. STORY: He is acting a bit like Cassius Clay at present.

The Hon. T. M. Casey: Yes, he came out on top.

The Hon. C. R. STORY: He has a big mouth, too, and has been unable to back up all his statements. I should like to hear from the Minister later. The great squeals that have been raised regarding the dairying industry over the years have come, in the main, from the cooking margarine section. We should remember the terrific campaigns that have been conducted from time to time by those people to establish their share of the market. Because of our South Australian law, they could not say, "This is as good as butter. It tastes like butter." However, they made implications in their clever advertising by portraying a product shaped like a pound of butter—the old butter knife trick. These people gave butter and the dairying industry a bad image. It is no good trying to lump together all sections of the margarine industry: they have not all been clean skins. It is no good saying that the image of the dairying industry has been damaged in the public eye by anyone other than those who wanted to damage it. Section 3.99 of the Green Paper says:

> The pace at which margarine restrictions should be liberalised requires judgments involving welfare comparisons, and must, ultimately, be a matter for political determination.

The operative words are "political determination" and, in my opinion, the removal of quotas is a matter of political expediency and has not been balanced by judgments involving welfare comparisons at all. It is a matter of political expediency introduced in this Parliament by an impetuous Minister who got out of his depth and said things that he is sorry for now.

The Hon. T. M. Casey: Never! You don't have to feel sorry for me. I feel sorry for you, because you won't be here in a couple of years.

The Hon. C. R. STORY: I am in very good health at the moment.

The Hon. C. M. Hill: The Minister may not be sitting where he is in two years.

The Hon. C. R. STORY: Opposition members have been grossly misrepresented in the whole debate ever since the Minister made his announcement about removing quotas. We have been defamed and generally built up as people who wish to retain quotas on table margarine. If the Minister pays attention, he will hear the Opposition's policy. He obviously did not know it when he leaked information that was published in the *Sunday Mail* last weekend.

The Hon. T. M. Casey: Isn't this a House of Review?

The Hon. C. R. STORY: That is a very interesting point. The Minister chose to introduce a very simple amendment. The House of Review was taken out of its normal role. The

second reading debate took place on a very simple Bill, but in another place it was substantially amended and then returned to this place, so that the new provisions had to be discussed in Committee; that precluded this place from having a full-scale second reading debate on the new material.

I do not know how the Minister got away with it. He got an instruction to put new matter into one of our Bills and it then came back to us, and we got the new matter in the form of a message. Sections of an Act are being repealed and three industries, with a capital investment of millions of dollars, will be substantially affected. In such circumstances it was wrong to introduce the new material in the way it was introduced. It should have been introduced in this Council in such a way that there could be a second reading debate, so that the press could be properly apprised of what was happening. As it was, the press had to scurry around during a debate that commenced on August 10 and has continued from time to time since then. It is little wonder that people like William Reschke should make such blatant mistakes in their reporting. The Opposition does not oppose, and has not indicated at any stage that it is opposed to, the lifting of quotas on table margarine.

It was made clear in another place (and I believe that the Minister in another place who handles this kind of legislation is on speaking terms with the Minister of Agriculture and that they communicate) what the Opposition's official policy was on margarine. I have stated in two one-hour speeches what the Opposition's policy is on table margarine quotas. Here is where the path divides: we believe in the removal of table margarine quotas in an orderly manner, in the way visualised in section 3.99 of the Green Paper. The Opposition's policy agrees with the policy of the Commonwealth Labor Caucus. The spokesman of that body on agricultural matters (Senator Wriedt) in collaboration with the Commonwealth Minister for Health (Dr. Everingham) made the following pronouncement on behalf of the Commonwealth Labor Caucus on July 24, 1974:

> The Australian Government—

he meant the Commonwealth Government—

> would not support the continuation of production quotas on table margarine beyond July, 1976. This was announced today by Senator Wriedt and Dr. Everingham following acceptance by the Federal Parliamentary Caucus of a recommendation from a joint meeting of its Health and Resources Committees. The Government's view will be put to the next meeting of the Australian Agricultural Council next month where margarine quotas are listed for discussion.
>
> The Ministers pointed out that table margarine production quotas in the individual States were a matter for those States to determine. However, the Australian Government is directly concerned with quotas within the A.C.T. and will not restrict production there beyond July, 1976. The current A.C.T. quota is 306 tonnes out of a national quota of 22 800 tons. The choice of July, 1976, to end support for quotas was chosen to coincide with the operational span of the new $28 000 000 dairy adjustment scheme, which is aimed at ensuring a better future for viable and potentially viable dairy farmers.

These people have thought the matter through, realising that the whole thing cannot be thrown overboard, leaving the dairy farmers without any guarantee of support after 1976, when they have had support for many years through the Commonwealth Government. They want to see what the effect of this will be and they want to hear what Sir John Crawford and his colleagues will bring forward in their report commissioned to be made under the Industries Assistance Commission.

Sir John Crawford is taking and has taken evidence, and I have many quotations from that evidence on my desk if any member wishes to challenge the points I raise. The people who have given evidence from the dairying industry require safeguards, and it is ridiculous for the Minister to have stated, as reported in the *Sunday Mail,* that he has had the United Farmers and Graziers of South Australia Incorporated assuring him of its official policy to support the lifting of margarine quotas. We do that, too. The Minister is reported to have said that the General Secretary of the South Australian Dairymen's Association (Mr. David Higbed) has also assured him that margarine quotas should be lifted. We agree with him, too. Further, the Minister is reported to have said that the Australian Oilseed Federation Chairman (Mr. Cope) had supported in a telegram his moves to lift margarine quotas. We agree with Mr. Cope, too. However, Mr. Cope wants a lot of guarantees, and a lot of things written in. He has been given some sort of behind-the-scenes deal by the Minister for the Act to be amended to cope with all his problems. Everyone who has asked has been accommodated; they can all have something written in. The whole point is that there is nothing before us at the moment to indicate that the Government is going to do that. The Minister said, according to the report in the *Sunday Mail,* that the Australian Agriculture Minister (Senator Wriedt) also supported his moves.

That is most interesting. I have quoted what Senator Wriedt had to say, and I shall quote at length, if necessary, what the Dairy Produce Board and the Federated Dairymen's Association evidence to Sir John Crawford's committee has been; it does not condone what the Minister has said and what he is attempting to do at this stage. The Minister frequently quotes as an old pal of his Mr. A. P. Beatty, of the Australian Dairy Produce Board, who has certainly at times said he thinks there will be a phasing out of quotas. He is the Chairman of the board, and he suggested that dairy factories might soon be making margarine to combat competition from the vegetable oil industry. I can go on at length, but that quotation was from the publication *Land,* dated July 18, 1974, and Mr. Beatty sees perhaps a merging of dairy produce and margarine produce. I do not disagree with that; in fact, the Opposition has no disagreement on that point. What we have is a bit of a conscience in relation to the people of South Australia.

I shall now indicate to the Minister and the Committee what I intend to do in this matter. If this clause is passed I intend to move that the amendment of the Minister passed in this Chamber last week be amended to provide that the Act shall come into operation on a date not prior to July 1, 1976. That will give a guarantee to the margarine manufacturers, the seed producers and processors, the dairying industry, and the consuming public that quotas on table margarine will be removed from the South Australian legislation by July, 1976. The amendment will facilitate, first, the orderly phasing out of quotas by allowing for a substantial increase in this State's quota commencing early in the new year. If the Minister wishes to take the opportunity, which I believe will be given at the next Agricultural Council meeting (or he could make an approach through Senator Wriedt to the other States to have a special meeting on this subject), the Opposition would welcome his asking for an additional quota for South Australia and would support him in every way in making the necessary legislation available to him.

The Hon. T. M. Casey: What size quota?

The Hon. C. R. STORY: I will give the Minister that suggestion, too, if he wishes.

The Hon. T. M. Casey: I shall be pleased to hear it.

The Hon. C. R. STORY: I should like the Minister to do what I believe he should have done in 1972, when he had the opportunity, and to bring South Australia's quota at least up to the Commonwealth average per capita. That would be quite a substantial increase. The quota at present is about 711 tonnes and I have no objection to the Minister's doubling that quota in the next couple of moves up before 1976. It will facilitate the moving out gradually of quotas.

The Hon. T. M. Casey: You realise we have only one quota holder in South Australia?

The Hon. C. R. STORY: That is another interesting point. I am well aware of that, and I am sorry we have only one quota holder in South Australia. I do not know whether the Minister has been approached by any other margarine companies in Australia asking for a licence to manufacture margarine in this State, other than the one who is operating at the present time; but, if the Minister has received any application for a new licence which he has not granted, one would be entitled to ask him why he did not grant a new licence.

The Hon. T. M. Casey: I have never had an application for a licence. I can clear that one up straightaway. Perhaps you had an application when you were a Minister.

The Hon. C. R. STORY: On the other hand, the Minister could have acted as Queensland did on one occasion when it was offered an additional quota: it put it up for grabs to see who wanted it, to see whether anyone else in the field wanted to take up an additional quota. The Minister is divided between two things, and that is why no new licences have been issued and why South Australia's available quota was not taken up. When the Minister first took office, the policy of his Party, particularly at Commonwealth level, was publicly announced as being anti-multi-national. That policy has prevailed until fairly recently, when there has been a quietening down of that policy—in fact, an acceptance of multi-nationals as not being the terribly rapacious people that the people of South Australia were led to believe they were in mining and development in this country. I ask the Minister and his colleagues just how far we would have progressed in this country without oversea capital from time to time being injected into this country in various forms. Then we have the spectacle of the Deputy Leader of the Commonwealth Government (Dr. Cairns) over in New York wooing the Chase-Manhattan Bank and all the other great banks, contacting the business men of New York and inviting them to come to Australia to get into the act.

The Hon. T. M. Casey: And buy margarine.

The Hon. C. R. STORY: I do not think the Minister is following me.

The Hon. T. M. Casey: The honourable member is side-tracking himself at the moment but he will come back to what he was saying.

The Hon. A. J. Shard: I thought we were dealing with margarine.

The Hon. C. R. STORY: The point raised by the Minister is interesting, about there being one quota in South Australia for the production of table margarine. I have explained why there is that one quota. The Minister will have the opportunity of speaking later, and I should like him to explain why we have only one quota in South Australia. I am telling the Committee why I believe we have only one quota. First, it was not the policy of the Labor Party to give an additional quota in this State to Unilever, the great multi-national company, because it was not a popular company in 1972, the year of the change of Government at Canberra; and, secondly, since then the Minister has not wanted to grant any more licences because the biggest licence holder in Australia is an Australian company that uses almost exclusively, as the main part of its ingredients, Australian produced oil seed. It has stuck in the craw of the Minister that that company has the biggest quota of table margarine in the country; it does not have a quota in this State for table margarine although it manufactures cooking margarine in this State. How did we get around to discussing quotas in this State? Various small companies were operating in this State and other States and the multi-national companies and the bigger companies combined in their operations. South Australia had three companies originally. Unilever bought two of the smaller ones. I well recall the benign old gentleman who used to sit in the gallery of this Chamber once every year when his dear and lovable friend the Leader of the Labor Party in this Council (Hon. Frank Condon) used to introduce a Bill and make an impassioned plea for the lifting of margarine quotas so that South Australia could produce more margarine. That gentleman in the gallery and his son had two businesses here in South Australia, the other being owned by someone else. Unilever bought two of those firms which had the table margarine quotas. The other company that was bought out did not have a quota and was bought by Vegetable Oils. That is the history of the matter in this State. They are the reasons why we have one manufacturer and why less margarine per capita is manufactured in this State compared to the other States.

In moving for a change in the date of operation of the Bill I have given the first and second sets of reasons, and now I come to the third, which is: to give the Government time to prepare a Bill to cover all facets of margarine production, distribution, ingredients, labelling, packaging, and advertising, including a clear definition of "poly-unsaturates". At present, if the Minister had done what he intended to do and what he had us believe he would do—remove quotas immediately—we would have had the greatest shambles if we had had to rely on our own margarine legislation. It will work all right while we have a quota but, the moment we throw away the quota, we have nothing. We have no clear definition of what is in the little plastic tub containing the margarine we buy. We would not be obliged to mark it "poly-unsaturated margarine". People would not know what poly-unsaturated margarine really meant, because we have no definition of it.

Axle grease could be used and we would not be any the wiser; we would not know whether it was poly-unsaturated or not, and it would not be wrong provided the health regulations were not breached and the material was not unfit for human consumption. It could contain 100 per cent animal fat, and that would not be anything like poly-unsaturated. If we can get a two-to-one formula for poly-unsaturated margarine we can deal with all these things in one piece of legislation. If we like to take the vegetable oils which at the present time are being used increasingly in South Australia (very few people now fry with dripping or lard: most people use poly-unsaturated vegetable oils) and if we want to help people's health, which the Minister occasionally remembers in this type of legislation, the best way to do it is to bring all these things under an oils and fats Act. I have no doubt that the Minister will say that we have sufficient power in the existing legislation to deal with any contingencies. We do not have sufficient power. Our definition of margarine dates back to 1940. We have a

regulation, which we must scratch through to find, to stiffen up the original definition of margarine. That was introduced only because of a likely court case.

Concerning labelling and marking, it is essential that the public knows what is is paying for. In Sydney one can purchase a superspread. It is not a 2:1 poly-unsaturate but a 3:1 poly-unsaturate. That is the manufacturer's claim, and it sells for about 98c for .453 kg. It would not be a good thing if we allowed margarine manufacturers from outside this State to load up supermarkets with margarine containers marked "triple poly-unsaturate" on the outside, without there being a formula in our legislation enabling us to prosecute them if they do not provide the standard claimed. We need a properly constituted and thought out Bill. I suggest that such a Bill be introduced to the Council early in 1975. The Opposition will give an undertaking to the Minister that it will give every consideration and possible help to anyone who sets out to draft such a Bill. Moreover, it will provide the opportunity for the dairying industry, the producers of the new spread (which the Minister is proud to call one of his babies), seed producers, and representatives of the new oilseed mill that has been established in South Australia to put their views to the Government so that they can be embodied in proper legislation dealing with production, distribution, ingredients, labelling, packaging and advertising, including a definition of poly-unsaturated margarine.

The Hon. T. M. CASEY (Minister of Agriculture): I do not want to reply to everything the Hon. Mr. Story has said, because he shifted his ground so much that I could not follow him all the time. He raised the question of cooking margarine and how it had had a monopoly of the margarine market throughout Australia since the inception of margarine in Australia and the introduction of margarine quotas in 1940. It is usual for a full page advertisement to appear in the press (such as that in today's *News)* publicising the new Gem Supersoft cooking margarine! However, I did not see a butterknife in the advertisement. I have seen a knife of some description, and I thought the Hon. Mr. Story was going to tell me what was the definition of a snob: it is a bachelor who uses a butterknife.

I refer now to the Green Paper. The Hon. Mr. Story likes to quote from official documents, but he never follows them through. He does so only when it suits him and, when he is trying to make a point in a debate, he quotes only what suits him at that time. Regarding the lifting or retention of table margarine quotas, the argument boils down to one simple fact: it will be a political determination. That is what was said in the Green Paper, and we all agree with it.

The Hon. C. R. Story: I read out that passage.

The Hon. T. M. CASEY: The honourable member reads out a passage when it suits him and, when he makes a point, he leaves out the other important points made in the document, as he did in this matter. It would not matter a tinker whether we wanted to lift table margarine quotas or not, because the decision will be a political determination. That is what I want to clear up once and for all. I have now had the opportunity to read the document to which the Council's attention was drawn earlier today by the Hon. Mr. Chatterton. The document, headed "Weekly Report of the Legislative Council", refers to margarine quotas and states:

When the Legislative Council debated the legislation, Ross Story and Dr. Victor Springett stressed the need for time to be given to establish the new butter/oil product on the market and the need for orderly relaxation of table margarine quotas so that both industries could adjust accordingly.

As I pointed out originally, margarine quotas have applied since 1940. How many more years do honourable members opposite want so that the industries concerned can adjust or be phased out? It does not make sense, as honourable members will agree. Someone has to make a political decision. It is interesting to note that Sir John Crawford does not adhere to the Green Paper. He divorces himself from it, because he is already committed to another project. The Hon. Mr. Story cannot say, as he did, that Sir John Crawford was in favour of what was written in the Green Paper. He is not in favour of it. The article continues:

The Minister of Agriculture gave Ross Story an assurance (*Hansard,* page 751) that South Australia's attitude would be to ask for an increase in quotas when the matter came before the Agricultural Council the following day in Melbourne.

I agree with that. I said that in this Council. I believed it would not be asking too much to have a 50 per cent increase in table margarine quotas throughout Australia. I stand by that. I agree with it. The article continues:

Imagine the consternation that occurred both here and interstate when the South Australian Minister announced that he intended to take unilateral action to abandon table margarine quotas as from February 1, 1975.

I explained to the Council what happened.

The Hon. R. C. DeGaris: Will you quote that again? There has been so much lobbying that the situation is clouded, but what is said there is true.

The Hon. T. M. CASEY: The article states:

Imagine the consternation that occurred both here and interstate when the South Australian Minister announced that he intended to take unilateral action to abandon table margarine quotas as from February 1, 1975.

The Hon. R. C. DeGaris: Consternation occurred, didn't it?

The Hon. T. M. CASEY: If anyone sets the cat among the pigeons there is consternation, and that is what happened. Why did not the author of this document state the reasons for this? I consider that this document is completely biased. Whoever wrote it is not being dinkum. I have tried to play the game all along the line as fairly as I could. I gave the Council the reason for what happened.

The Hon. R. C. DeGaris: What game are you playing?

The Hon. T. M. CASEY: I want to be fair in all respects. When I attended an Agricultural Council meeting and found that some Ministers from some other States would not discuss an agenda item (the margarine agenda item was the one in question, and it was not discussed because certain Ministers from certain States did not want to discuss it), I tried to get them to discuss it, but to no avail. I was left with no alternative but to call their bluff, and that is exactly what it was. The Leader came in there like the tide; it seems he might be responsible for writing this document. I do not know whether he did, but the President can find that out. It seems to me that, if one is going to publish the full text of a debate in the press, one should be fair in one's deliberations. The amount of politics that has entered into this matter is incredible. I have even received in my office letters addressed to "The Shadow Minister of Agriculture, Hon. C. R. Story", which I have sent on to him at Parliament House. I am sure that Mr. Dean Brown, the shadow Minister of Agriculture in another place, would not be pleased to hear of this. I

do not think the Hon. Mr. Story and Mr. Brown get along very well: they are shadow boxing for the distinguished title of shadow Minister of Agriculture.

It was noticeable that little was published in the press regarding this matter. It was unusual to read in the document to which I have referred that much consternation occurred here and in other States, yet one read little in the press about it. It seems to me that someone got on the telephone to the newspapers and said, "You had better lay off for the time being, because we do not want too much publicity given to South Australia regarding its lifting of margarine quotas. The more we can dampen this, the more we can kill such a move in that State." I have no doubt that that is what has happened; it is marvellous how wheels can turn within wheels, particularly when someone wants to do something in an underhand manner.

It seems ridiculous that the Opposition can say, "We wholeheartedly believe in the abolition of quotas. We are not influenced by Ministers from other States." Even the New South Wales Minister (Hon. G. R. Crawford) stated publicly (and this appeared in the press about 18 months ago, just before the New South Wales elections) that he favoured lifting quotas on table margarine products, as this would not hurt the industry. However, when things are different they are not the same. After the election, that State's representatives would not even discuss the agenda items relating to margarine at the Agricultural Council meeting.

I have told the Council what transpired at that meeting, and I have tried to inform honourable members of the true situation. However, they will not even consider the matter in its entirety; they twist things around to suit themselves. Opposition members want to defeat this Bill. There is no doubt that the Hon. Mr. Story or the Hon. Mr. DeGaris were told this morning by the Consumers Association that it wholeheartedly supported abolition of quotas.

The Hon. C. R. Story: They must have sent it to the wrong address, because I haven't got it.

The Hon. T. M. CASEY: Perhaps the Hon. Mr. DeGaris received a telephone call. In any event, I received a telephone call, I think from a member of the steering committee of the Consumers Association, who said he wanted to contact Mr. DeGaris. I gave the caller the honourable member's telephone number at Parliament House, and he then said that he wanted merely to convey to the honourable member that his organisation agreed with the abolition of margarine quotas. If he did not ring the Hon. Mr. DeGaris, that is not my problem: I gave him the honourable member's telephone number. This turn of events occurred only because the Bill happened to be in another place when this decision was made at Agricultural Council; there is nothing wrong with that. It is all right for the Hon. Mr. Story to say, "We want a completely new Bill. Let us have a clean sweep." This Bill will work quite well, as what the Hon. Mr. Story has talked about comes under the Food and Drugs Act.

The Hon. C. R. Story: No, it does not.

The Hon. T. M. CASEY: The honourable member knows it does. The Minister of Health attended a National Health and Medical Research Council meeting recently when it came down with all these labelling provisions. This organisation, not the agriculturists, makes the rules and regulations. It is not our job to do this, as I have stated so many times in the Chamber: after all, this involves food and, if regulations relating to food are to be promulgated, it should involve not the Agriculture Department but the Health Department.

The Hon. Mr. Story knows this, but he thinks it sounds good to say that we should cover all these angles, and that we should have a new Bill. It is just not done that way, as the honourable member knows. This Bill will cover what it is intended to cover: the repeal of certain sections of the Act, which will enable quotas to be lifted.

The Hon. C. R. Story: Straightaway?

The Hon. T. M. CASEY: I think so. The Hon. Mr. Story said there was only one quota holder in South Australia, which is true. The honourable member was Minister of Agriculture for a couple of years. Why did he not do something about it then?

The Hon. C. R. Story: I was giving the dairying industry a bit of a hand while I was in office.

The Hon. T. M. CASEY: I think the honourable member is being a little facetious, because, from South Australia's point of view, the dairying industry in this State is being as well looked after today as it was when the Hon. Mr. Story was Minister. I have tried to help the dairying industry even further by introducing dairy blend, which I think will help it tremendously. I do not want to enter into a debate on whether we should eat butter or margarine. I merely believe we should consider the public, which should be able to buy what it wants.

The Hon. C. R. Story: Provided they know what they are buying. You have no provision for it here.

The Hon. T. M. CASEY: As I said previously, this is a matter for the Health Department.

The Hon. C. R. Story: No, it isn't.

The Hon. T. M. CASEY: It is. It comes under the Food and Drugs Act and under the labelling provisions.

The Hon. C. R. Story: It comes under the Margarine Act. You are charged with a responsibility under the Act, and you are not carrying it out.

The Hon. T. M. CASEY: The honourable member is talking nonsense, because one just does not do things like that, as he knows. He is trying to hang his hat on the fact that we should have another Bill and that we should spell out all the details that are not spelt out in the Act. However, the Act has worked well.

The Hon. C. R. Story: Because there have been quotas.

The Hon. T. M. CASEY: It is not going to make any difference. It will still work, and the honourable member knows it. He cannot hang his hat on the argument that there must be a new Bill. We could go on and on talking about the pros and cons. I made the decision for the reasons I have given, and I do not go back on it.

It has always been the Labor Party's policy in this State to abolish quotas. The Hon. Mr. Story said that the margarine people were trying to blame the dairying industry all the time. Australia should be on the same basis as are countries where there are no restrictions on margarine. For a long time many European countries have had no restrictions on margarine.

The Hon. R. C. DeGaris: What about New Zealand?

The Hon. T. M. CASEY: There are none in New Zealand, nor are there any in America. Economists will tell honourable members that one of the worst aspects of quotas is that they have been detrimental to the dairying industry, as butter consumption has decreased. The whole

exercise has been detrimental to the dairying industry. Why quotas were not lifted years ago is beyond my comprehension.

The Hon. C. R. STORY: I am heartily sick of this subject. The Minister said that we got along nicely with our legislation as it is at present. The reason is that we have in the legislation two sections, one dealing with quotas and one dealing with licensing. They are pretty heavy sticks for the Minister to have in his hand; there are ways and means of dealing with anyone who transgresses. This applies not only to South Australia but also to other States that have similar legislation, but it is not exactly the same. Other States control their licence holders and quota people; if anyone steps out of line, he may lose his licence and his quota.

It has been all right while these provisions have been in the Act but, once we remove section 20, we immediately remove the quota provision and then we will not have nearly such a strong whip to keep the boys in line. So, we need adequate legislation to deal with the subject, as it will be a free-for-all after the lifting of quotas. People will bring in whatever they wish, so we will need a much stricter Bill to deal with the situation. I ask that we get a tidy set-up, and we have time on our side to do it. Even if we accept the Minister's amendment in relation to May, 1975, there is still time for the legislation to be properly drafted and presented to Parliament, so that Parliament can know what the skeleton of the legislation is. When the Government gets that legislation through and introduces regulations, we will have legislation that other States may use as a model when they lift their quotas, as they will do in due course. Only the Australian Capital Territory will be out of tune; it does not have any ordinance dealing with margarine manufacture at present.

I hope the Commonwealth Minister, if South Australia removes quotas, will not follow suit and open the flood gates. I think he is a responsible man who will see that the right thing is done. The statement that no applications have been made while the present Minister of Agriculture has been in office is not accurate. I would not like to doubt the Minister's word, but I believe that at least two applications have been made to the Minister for additional licences in this State since he has been Minister.

The Hon. T. M. Casey: I will check that out.

The Hon. C. R. STORY: I wish the Minister would.

The Hon. T. M. Casey: Are you speaking about Vegetable Oils?

The Hon. C. R. STORY: No. I am talking about Adelaide Margarine Company.

The Hon. T. M. Casey: That company is really Vegetable Oils.

The Hon. C. R. STORY: I do not know about that.

The Hon. T. M. Casey: I think you do.

The Hon. R. C. DeGaris: The Minister is making an allegation.

The Hon. T. M. Casey: You know that Adelaide Margarine Company is part of Vegetable Oils. The term "Adelaide Margarine Company" is used in Adelaide.

The Hon. C. R. STORY: I want to be accurate, because since Question Time I have been challenged about words and statements. I like to keep it straight. I prefer to say that Adelaide Margarine Company made the application. If Vegetable Oils applied, and if the Minister says that they are the same, it does not alter the fact that two written applications for additional licences have been made to the Minister which have not been granted. I have heard from outside quite a bit of comment, and I believe that some publicity has had some effect on the reading public of South Australia; I am referring to an article in the *Sunday Mail* of last weekend headed "Libs. may defeat lifting of quotas on margarine". The article says:

> The Opposition, through Mr. C. R. Story, has given notice that it will oppose Bills to amend the Margarine Act. Mr. Story has not indicated to the Parliament the grounds for opposition. The State Agriculture Minister, Mr. Casey, ready to sweep away the controversial controls after 34 years, is mystified by the opposition.
>
> "Everyone has come to realise that it is time for margarine quotas to go," he said yesterday. "They were introduced in 1940 to protect the dairy industry, but even the dairy industry now is convinced that quotas should go. They are not the only ones. Here is some of the support we have for abolishing the quotas."

He mentions United Farmers and Graziers of South Australia Incorporated, saying its official policy is to support the lifting of margarine quotas, provided margarine is correctly labelled. There is another injunction U.F. & G. wants on it, too, in common with the Australian Seedgrowers Federation: that Australian produced seed oils shall be used in poly-unsaturated margarine. That also comprises part of the evidence given by the Australian Dairy Board and the Australian Dairy Federation to the Crawford committee in the past fortnight or three weeks.

The Hon. T. M. Casey: There would not be enough Australian oil seed to manufacture, and you know it.

The Hon. C. R. STORY: I am well acquainted with that, but U.F. & G. and the oil seed people want that injunction incorporated. I know that Australia is producing only half the oil seed required for Australian use and that half of that half is used in the manufacture of other than margarine. One of the conditions the Minister has not met is that this poly-unsaturated matter and the Australian content should be straightened out.

The Hon. T. M. Casey: It would not matter, because you cannot get enough Australian oil seed for normal consumption. You know that.

The Hon. C. R. STORY: I am putting the contentions of the farmers and graziers. When the Minister gave the statement to Mr. Reschke, he dropped out the statement that another condition on which U.F. & G. would support the lifting of quotas was that the content of poly-unsaturated margarine should be oil seed produced and processed in Australia. That is also the official policy of the Australian Federation of Seedgrowers. The Minister is further reported in the *Sunday Mail* as having said that the South Australian Dairymen's Association General Secretary (Mr. David Higbed) had also assured him that margarine quotas should be lifted. Mr. Higbed's statement as spokesman for that association is different from the feeling of dairy producers overall in this State. Mr. Higbed's association draws its membership mainly from inside the blue line outlining the area subject to the provisions of the Metropolitan Milk Supply Act. Mr. Higbed is looking after the whole milk suppliers, who have a protected market in Adelaide, a market in which the milk board fixes the price to the consumer, the distributor, and the manufacturer.

Those people are not suffering the privations that other dairymen in this State are suffering and will suffer unless the U.F. & G. dairy policy is given more attention by the Minister than it has been given. The dairying section of U.F. & G. looks after the people in the Mid North, those in the outer fringes, the Murray Plains up to the Mallee, and in other parts of the State; excluded also as outside the blue line of protection would be the South-Eastern Dairymens' Association. Those people have to supply milk to

local towns or to manufacturers. It is in the manufacturing sector that the real problem comes, because until now an equalisation system has operated throughout the country. One of the multi-national corporations which has been involved on a voluntary basis, the Kraft group, has decided to pull out of the equalisation scheme, and this will leave the manufacturing side of the dairying industry in queer street. For Mr. Higbed or any other representative of the dairying industry to say that the lifting of margarine quotas throughout the country will not have any effect is, to my way of thinking, putting his head in the sand. Mr. Higbed is looking at his own protected group of dairy farmers that primarily makes up the numbers. If I were in his position, I would probably adopt the same attitude. However, he does not speak for all the dairymen in this State, by any means. The Minister should ask the dairy section of U.F. & G. about this. I have a submission from that section, too. I have taken up with the *Sunday Mail* what I consider to be unfair—

The Hon. R. C. DeGaris: I think based on false information.

The Hon. C. R. STORY: Yes, on false information. If honourable members will bear with me for a moment, I should like to quote a letter I addressed to Mr. William Reschke of the *Sunday Mail,* under whose name the article appeared. The letter states:

Dear Mr. Reschke,

I refer to your article in the *Sunday Mail* 10/11/74, carrying the headline "Libs Mays Defeat Lifting of Quotas on Margarine", on page 2. Over the many years I have known you I have appreciated your concern for your fellow man, in the fields of human suffering, under-privilege, leisure, growing old, conservation, cruelty, and a host of other subjects, which I have accepted as being well written, factual, researched and quite controversial. Imagine my dismay this morning when I opened my *Sunday Mail* to be greeted by a picture of "Al Capone" with my name under it, add to that my disappointment on reading paragraph 2, to find a deliberate attempt to denigrate my case, in order to build up a case for the Minister of Agriculture.

It is unlike you to do this; what motivated you? I don't think you would allow an article to be published under your name unless you had ascertained the facts, which leads me to the conclusion that the story was a press release hand-out and you were obliged to print it. My first point concerns your statement "Mr. Story has not indicated to the Parliament the grounds for opposition"; a reference to *Hansard* at page 1715, 1716 and 1717, October 29, sets out some of the objections I have to the action being taken unilaterally by the South Australian Minister of Agriculture. It can hardly be said I had not disclosed the basis of my opposition. I would direct your attention to pages 1818 to 1827 of *Hansard* under October 31, 1974, where Mr. Casey spoke for nearly an hour quoting most of the points you have printed. I then made a speech in rebuttal on behalf of the Opposition. I hope you will appreciate my disappointment, especially at a time when Parliament is being bombarded by the media to protect the rights of the press, in order to leave them free to report facts without fear of intimidation. On reflection, is your article factual, unbiased, and balanced?

I am enclosing a copy of the Minister's speech of October 31, a lot of which you have printed today (either wittingly or unwittingly) and my reply to him.

The debate is proceeding and will continue during the coming week; in the meantime I know I can expect strong pressures to be put on by vested interests, in an endeavour to wobble my judgment.

I am not crying for mercy, I am demanding justice; as simple as that.

Kind regards.

Yours faithfully,
Hon. C. R. STORY, M.L.C., Midland

I just wanted that recorded in *Hansard.*

The Hon. T. M. CASEY: Once again, this unusual step is being taken by the Hon. Mr. Story of quoting from certain newspaper clippings but not quoting the whole passage. He merely quotes Mr. Beatty's words that appeared under the heading, "Margarine from the dairy factory". I will not read what the Hon. Mr. Story has quoted because it is not necessary but I will quote the last four or five paragraphs of what Mr. Beatty had to say:

Mr. Beatty said he was not concerned over the prospect of margarine quotas being eventually lifted completely.

The Hon. R. C. DeGaris: I agree with that.

The Hon. T. M. CASEY: Just a minute! Wait until you hear the rest. Honourable members opposite have a bad habit of taking things out of context. The article continues:

"I am a realist and I think people should be able to buy whatever they like", he said.

The Hon. R. C. DeGaris: That's right.

The Hon. T. M. CASEY: The article continues:

I don't think margarine quotas have been helping the dairy industry at all. The advantage has been in the margarine manufacturing industry itself. Margarine quotas have been a rod beating the back of the dairy industry and receiving a minimum or nil advantage for it. It is a sophisticated world and people like to try things which are new.

We have an example of that today in the *News* with this new Gem cooking margarine; that is something new. The article continues:

We have got to meet them. The consumer is entitled to be given a choice of product.

Mr. Beatty is Chairman of the Australian Dairy Produce Board and it is incredible how these people who are spokesmen for the dairying industry say that they do not believe quotas are helping the industry one iota. Yet the Opposition today says, "We must be careful; it must be phased out." Over what period? It has gone on for 34 years so I suppose in another 34 years it may be phased out, if the Opposition has any stand at all then.

The Hon. R. C. DeGaris: That is not a fair statement.

The Hon. T. M. CASEY: I have dealt with people for some time now. Some of them are not prepared to believe the truth. As I have stated several times in this Chamber, I put the facts plainly to people, but they will not accept them. They laugh about it because they are twisted in their minds. I resent it. It seems to me that the arguments used in opposition to this matter cannot be justified because the consuming public (about whom I hear nothing from the Opposition) will determine the matter. If they want a certain product, why should they not have it if people can get it in any country except Australia? Why not? It is because of the political determination set out in the Green Paper, and we cannot get away from it.

The Hon. R. C. DeGARIS: I direct some questions to the Minister which I hope he will answer. I interjected on the Minister in relation to margarine in New Zealand. Can he tell me whether there is any control of the production of margarine in New Zealand?

The Hon. T. M. CASEY: If the Leader would be more specific, I might be able to judge what he was driving at. I understand margarine is manufactured in New Zealand and there are no restrictions or quotas; there are no restrictions of this nature in New Zealand.

The Hon. R. C. DeGARIS: I point out to the Minister that there are restrictions on the retail production of margarine in New Zealand and that the only margarine allowed to be produced and retailed in New Zealand is poly-unsaturated margarine. There is a very strong control there, and that is an important point. So it is useless for

the Minister to compare the situation in New Zealand with the situation under his Bill. Poly-unsaturated margarine in New Zealand sells at double the price of butter.

The Hon. T. M. Casey: That is because butter is subsidised.

The Hon. R. C. DeGARIS: Irrespective of whether or not butter is subsidised.

The Hon. T. M. Casey: But it is subsidised.

The Hon. R. C. DeGARIS: That does not matter.

The Hon. T. M. Casey: Oh, yes it does. One can get butter more cheaply in New Zealand than here.

The Hon. R. C. DeGARIS: But one cannot produce for the retail trade in New Zealand margarine that is not poly-unsaturated. If that was the position here, the Minister might not be in so much difficulty. Let us come to the next statement made by the New South Wales Minister, in which he referred to tallow of an unedible nature being used in the manufacture of margarine. The Minister knows that that statement was made.

The Hon. T. M. Casey: Yes.

The Hon. R. C. DeGARIS: We in this State will be pleased that the Minister is worrying about the consumer. So am I. I am just as concerned about the consumer as is the Minister. If the Minister wanted to produce in this State and allow to be sold in this State a poly-unsaturated margarine, I do not think there would be opposition to it, certainly not from me. However, I agree entirely with the point made by the Hon. Mr. Story that, if this Bill passes without the Council understanding exactly what it does, we shall probably see in this State margarine produced from unedible tallow and broken down in new processes: we can produce, as the Hon. Mr. Story has said, axle grease, add a little colouring and taste, and sell it as margarine.

The Hon. T. M. Casey: That is not right.

The Hon. R. C. DeGARIS: All right; I am telling you.

The Hon. T. M. Casey: Let us get this right. The New South Wales Minister mentioned tallow. When I first spoke on this, I said that this point had been raised in New South Wales, where inspectors of health visit margarine factories and supervise the tallow that goes into the production. The tallow is tested and it has been proved, beyond a shadow of doubt, that it is 100 per cent wholesome. That has been proved in New South Wales, and the same would apply here in South Australia with our health inspectors.

The Hon. R. C. DeGARIS: The Minister is replying to my question by saying that the New South Wales Minister referred to the fact—

The Hon. T. M. Casey: That was several years ago.

The Hon. R. C. DeGARIS: Yes.

The CHAIRMAN: Order! I think we can get along better without interjections.

The Hon. R. C. DeGARIS: The New South Wales Minister referred to the fact that an unedible tallow was being used in the production of cooking margarine. We are not arguing about the production of poly-unsaturated margarine; we are looking at the position in this State of the consumer being faced with a multi-national company that will supply margarine and promote margarine in this State if this whole thing goes through with no control, no packaging controls; as long as the margarine looks like margarine it can be sold.

The Hon. T. M. Casey: But you are talking about cooking margarine.

The Hon. R. C. DeGARIS: I am.

The Hon. T. M. Casey: There is no quota for that.

The Hon. R. C. DeGARIS: I realise that but, if we leave out quotas completely and introduce this new factor into the whole arrangement, that will be detrimental to the whole position in this State with the massive promotion campaign that has begun and is continuing. It is in today's *News.*

The Hon. T. M. Casey: What about Vegetable Oils? That company is not a multi-national.

The Hon. R. C. DeGARIS: One can talk about vegetable oils, but many vegetable oils are just as saturated as some fats and tallows.

The Hon. C. R. Story: The majority of them are.

The Hon. R. C. DeGARIS: The Minister should not think we are in this game with no consideration for the consumer. That is not so, and I refute any such suggestion. I refer to the situation in New Zealand, where only poly-unsaturated margarine can be sold. That is a totally different situation and a comparison between that and the situation in Australia is not valid. The Hon. Mr. Story clearly said that we were in favour of the lifting of production quotas of poly-unsaturated margarine. We have made the point clearly that to snatch the rug from under the present position, without providing time for phasing quotas out and for this State to take unilateral action in this matter, involves certain dangers that should be avoided. The phasing out of the current quotas until 1976 would give industry in Australia the chance to adapt to the new conditions. It would not throw the whole industry into chaos, as will happen if the Bill goes through in its present form.

The Hon. T. M. Casey's motion carried.

Legislative Council's alternative amendment to the House of Assembly's amendment No. 1 recommitted.

The Hon. C. R. STORY: I move:

To strike out "not being a day which occurs before the first day of May, 1975" and insert "the first day of July, 1976".

The Committee divided on the amendment:

Ayes (10)—The Hons. J. C. Burdett, Jessie Cooper, M. B. Dawkins, R. C. DeGaris, R. A. Geddes, G. J. Gilfillan, C. M. Hill, F. J. Potter, C R. Story (teller), and A. M. Whyte.

Noes (6)—The Hons. D. H. L. Banfield, M. B. Cameron, T. M. Casey (teller), B. A. Chatterton, C. W. Creedon, and A. F. Kneebone.

Pair—Aye—The Hon. V. G. Springett. No—The Hon. A. J. Shard.

Majority of 4 for the Ayes.

Amendment thus carried.

The following reason for disagreement to the House of Assembly's amendment No. 1 was adopted:

Because the Legislative Council's amendment will—(1) facilitate the orderly phasing out of quotas; and (2) provide sufficient time for the Government to prepare a Bill to cover all facets of margarine production, distribution, ingredients, labelling, packaging, and advertising, including a definition of poly-unsaturates.

DAIRY INDUSTRY ACT AMENDMENT BILL

Consideration in Committee of the House of Assembly's amendment:

No. 1, page 1, line 9 (clause 2)—After "proclamation", insert "not being a day that occurs before the first day of February, 1975".

The Hon. T. M. CASEY (Minister of Agriculture): I move:

That the House of Assembly's amendment be disagreed to.

When the Bill was returned from another place, I told honourable members that I thought the Council should agree to this amendment. At one time, I was approached by the industry responsible for the manufacture and marketing of this product. Thinking that it would not get the product off the ground before February 1, 1975, the industry asked whether I would incorporate this slight amendment in the Act, to which request I agreed. Since then, those concerned have discussed the matter with the Parliamentary Counsel and have ascertained that it is unnecessary to pass this amendment because, once the Bill is passed, it will be proclaimed. If it is proclaimed fairly soon, the industry will be able to market its product before February 1. The amendment serves no useful purpose. Indeed, it would be better if it was omitted, so that the product could be marketed as soon as the Bill was proclaimed. If the amendment was carried, the product could not be marketed before February 1, 1975.

The Hon. C. R. STORY: I agree with the Minister. If this amendment is not carried, the Bill reverts to the form in which the Minister introduced it, providing that the Act shall come into operation on a day to be fixed by proclamation. This amendment is before the Council only because the Minister intended to abolish margarine quotas and because he was trying to give a brief respite to dairy blend by not proclaiming the Bill until February 1, 1975. I agree that, the sooner we get dairy blend on the market, the better it will be. If there is any chance of the vegetable oil and butter industries coming together, it will be the first of the experiments to be conducted. I therefore support the Minister's intention.

Motion carried.

The following reason for disagreement to the House of Assembly's amendment was adopted:

Because the amendment is now unnecessary.

DAIRY PRODUCE ACT AMENDMENT BILL

Consideration in Committee of the House of Assembly's amendment:

No. 1, page 1, line 9 (clause 2)—After "proclamation", insert "not being a day that occurs before the first day of February, 1975".

The Hon. T. M. CASEY (Minister of Agriculture): I move:

That the House of Assembly's amendment be disagreed to.

The comments I made regarding the previous Bill also apply to this Bill.

The Hon. C. R. STORY: For the reasons I gave in the last debate, I agree with the Minister.

Motion carried.

The following reason for disagreement to the House of Assembly's amendment was adopted:

Because the amendment is now unnecessary.

FOOTBALL PARK (RATES AND TAXES EXEMPTION) BILL

Adjourned debate on second reading.

(Continued from November 12. Page 1848.)

The Hon. C. M. HILL (Central No. 2): The usual way in which parks, gardens and recreation grounds have been assisted in connection with exemption from rates and taxes has been through the Recreation Grounds Taxation Exemption Act, 1910. For various reasons, the principal one being that that Act gives exemption from local government rates, the Government has introduced this special Bill as a means of assisting the South Australian National Football League with its new and bold project, Football Park. The Bill provides assistance under three main headings to Football Park: first, it provides for exemption from sewerage rates under the Sewerage Act; secondly, it provides for exemption from water rates under the Waterworks Act; and, thirdly, it provides for complete exemption from land tax.

The Bill has been considered by a Select Committee of another place, to which representations were made by the Valuer-General, a representative of one of the residents associations in the West Lakes area, representatives of the Woodville council, the Past President of the Industries Development Committee, officers of the Engineering and Water Supply Department, the Parliamentary Counsel, and, last but not least, Messrs. Kutcher and Basheer, representing the South Australian National Football League.

Despite the Government's desire to assist the football league in this way, some glaring anomalies become apparent when one considers whether the Government is being fair in giving treatment of this kind to the football league while at the same time other sporting bodies pay full rates and taxes. For example, I believe that the Apollo Stadium is fully ratable; that stadium is the headquarters of the basketball association in this State. Further, I believe that the Wayville showgrounds and the Globe Derby Park development are fully ratable. I admit that it becomes very difficult, but the Government has a responsibility to be fair to all concerned.

There is some public objection that a specific group, the football fraternity, has been taken as a separate case. A representative of a golf club has explained to me that, whereas last year the land tax assessment on the club's course was $3 769, a new assessment has now been received for $25 030—a fantastic increase. People connected with that club are asking, "Is it fair that the football league should be completely exempted by special Act of Parliament from land tax when we are confronted with such a vast increase in land tax?" I have given careful consideration to the question of fairness. It is proper that I should repeat the Government's principal reason for deciding that this kind of help shall be restricted to the football fraternity. In his second reading explanation the Chief Secretary said:

> 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.

On reflection, I must agree that I do not know of any other project or development as vast or significant as Football Park. I realise that the Government has previously given some aid to the football league in connection with Football Park by way of guarantees for loans. I am content with the Bill, but I make the point that this should be the last financial concession given in connection with Football Park; at least, it should be the last concession given until other groups are given full consideration when they approach the Government for rate exemptions.

I advocate a balanced programme of assistance to sporting bodies large and small. Just because a body is exceptionally large it should not get help in this way while at the same time other sporting organisations, because they are much smaller and comparatively insignificant in some respects, are not getting the same proportionate rate exemptions and help. I support the Bill.

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

STATUTE LAW REVISION BILL

(Second reading debate adjourned on November 12. Page 1858.)

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

CONSTITUTION ACT AMENDMENT BILL

Received from the House of Assembly and read a first time.

[*Sitting suspended from 5.40 to 7.45 p.m.*]

PRIVACY BILL

Adjourned debate on second reading.

(Continued from November 12. Page 1857.)

The Hon. A. M. WHYTE (Northern): This Bill is, I believe, an honest attempt by the Attorney-General to do something about privacy, a matter that has been discussed by the United Nations Organisation and every organisation of any strength that is aware of intrusion on privacy and has a real desire to protect the individual. The Hon. Sir Arthur Rymill said he considered this Bill was one of the most pathetic pieces of legislation he had encountered during the whole of his time in this Chamber. It is a pity that such a statement has had to be made by such a qualified legislator, because I believe the Attorney-General probably persuaded his Government to make a real attempt to protect the individual. It is a great pity that I must vote against the Bill because it does not do what its designer set out to do.

The Hon. D. H. L. Banfield: Where does it miss out?

The Hon. A. M. WHYTE: It misses out in several ways. If the Minister will wait until I deal with the various clauses of the Bill, perhaps I shall be able to show him where I believe it misses out. I sympathise with the Attorney-General in his attempt to introduce legislation of a kind that does not exist anywhere else in Australia. Of late, it has been the fashion for Governments to legislate and dictate in relation to every movement the individual makes to the point where the individual has become sick of being over-protected and over-legislated for. If we continue in this vein, we shall reach the position where a person will have to telephone a Government department to find out which socks he should wear on a certain day. What concerns me is that all this legislation dealing with the man in the street is overpowering. The Government gives him no credit for being able to look after himself. He should be paid, for instance, for his efforts to aid charity. No longer is it desired that he should be part of the community and contribute something to it. Does the Government believe that he is unable to look after his own affairs? I do not for one moment agree that that is so.

It will be a sick and sorry society when we have to call in the police because we think someone is spying on us or interfering with our privacy. I would be too frightened to do too much of that for fear of getting a punch on the nose! This can be settled without having so much legislation and many lawyers and judges to determine whether someone has been interfering with one's privacy. This Bill has so many facets on how people can be over-protected that its clauses are contradictory. The second reading explanation made clear that the Bill was a genuine effort by an eminent lawyer to do all the things he intended it to do. The Bill has many points with which I entirely agree, so it is with some disappointment that I intend to vote against it. In trying to make up my mind about one section as against another, I was reminded of the principal character in the play *Fiddler on the Roof,* who would go along with a suggestion and then say, "But, on the other hand". I finished up on the other hand, after giving much consideration to the desire for legislation that would protect the private lives of individuals. Journalists have raised the most opposition to this legislation, and I make clear from the beginning that I have no intention of going out of my way to defend the press.

The Hon. M. B. Cameron: Has the press caused you trouble?

The Hon. A. M. WHYTE: No. The press has always been a dominating factor in every country, unseating dictators, Prime Ministers and Governments. Although the press speaks strongly about its code of ethics, I have never seen that code published and, at a guess, I would say that not many journalists have seen it, either. So, in my deliberations on this Bill I am doing nothing to defend the attitude of the press. I watched the television programme *Monday Conference* when the Attorney-General handled with great aplomb all the queries made by the press. On all occasions he gave the replies sought. I suppose it would be fair to say that the Attorney-General understood the Bill better than the press did, because he designed it, but at the same time he gave a most creditable performance and was, to say the least, well ahead of his questioners.

The Hon. M. B. Cameron: Could it be that the journalists did not have the right to a second question?

The Hon. A. M. WHYTE: Perhaps when one is in the chair one is in the box seat. Taking all that into consideration, I still think the Attorney-General did very well.

The Hon. A. J. Shard: Extremely well.

The Hon. A. M. WHYTE: That still does not persuade me to vote for a Bill that is so contradictory within itself. It will confuse the issue of protection for the individual, rather than make that protection available. I think the ones to gain most will be those in the legal profession. Perhaps the Attorney-General, who will retire as a member at the end of this Parliament, may have thought that he should do something for his profession.

The Hon. A. J. Shard: Come, come! It is not in accordance with your nature to make a remark like that.

The Hon. A. M. WHYTE: No-one can gain from the Bill except the legal profession. Clause 5 provides:

> "right of privacy" means the right of a person to be free from a substantial and unreasonable intrusion upon himself, his relationships or communications with others . . .

It astounds me how any person could really clarify "substantial and unreasonable intrusion upon himself". The definition states that an intrusion includes an intrusion by spying, prying, watching or besetting. Does this mean that, if Mrs. Bloggs has an argument with Mrs. Brown, who continues to peer over her fence, she can then seek redress against Mrs. Brown by using legal aid, thereby confusing the courts and costing the taxpayers a large sum? The term "substantial and unreasonable intrusion" would need much clarification; I have not seen such clarification anywhere in the Chief Secretary's second reading explanation, nor have I seen any real indication that he himself understands the term.

The Hon. F. J. Potter: The courts are supposed to clarify it.

The Hon. A. M. WHYTE: I know they are supposed to be able to interpret these things.

The Hon. M. B. Cameron: The Hon. Sir Arthur Rymill said that it would take 100 years to clarify the term.

The Hon. A. M. WHYTE: He said that it would take even longer than that.

The Hon. C. M. Hill: An amendment moved today included the word "reasonable".

The Hon. A. M. WHYTE: The Hon. Sir Arthur Rymill has said that the courts take a long time to make decisions and they always cover up by saying that a decision does not create a precedent: the courts say that their decision relates to a specific case.

The Hon. F. J. Potter: Don't you think a court deals only with individual cases?

The Hon. A. M. WHYTE: If it deals only with individual cases, how can a rule be set? The Bill provides that Parliament should not spell out what the crime is: the courts should do it. Clause 7 provides:

... a person shall be deemed to have infringed the right of privacy of another person . . .

How do we interpret those words? The Bill says that a person will be deemed to have infringed the right of privacy of another person until he proves that he did not so infringe. This is a reversal of the general law, which provides that a person is not guilty until he is proven guilty.

The Hon. M. B. Cameron: Under the Bill, he is a defendant from the start.

The Hon. A. M. WHYTE: Exactly. Clause 9 (1) provides:

. . . the court may, in addition to the remedies otherwise provided for in an action in tort—

(*a*) grant exemplary damages.

"Exemplary" means to make an example of someone. For a court to make an example of a person is a new concept in the law. As far as I know, a court has never had the right to make an example of a crime or criminal.

The Hon. D. H. L. Banfield: A magistrate has said on more than one occasion that he will make an example of a case so that there will not be further offenders. That happens every day of the week.

The Hon. A. M. WHYTE: Where did the Minister see that?

The Hon. D. H. L. Banfield: You don't read the papers.

The Hon. A. M. WHYTE: I do not read the scandal notes all the time. I should be pleased if the Minister could show me where a judge has stated that he is going to make an example of a particular case.

The Hon. D. H. L. Banfield: What about the drinking drivers at Elizabeth a few months ago? They were to be made an example of as a deterrent to others.

The Hon. A. M. WHYTE: I think the Minister is confused because the judges have said they will teach a person a lesson, but to set out with legislation that gives a judge the privilege of making an example of a certain person is contrary, I believe, to anything we have seen previously. Clause 12 provides a period of two years in which a person can make up his mind whether he has been spied on, pried on, or—

The Hon. A. F. Kneebone: Under some legislation people have six years to make up their minds whether to take a case.

The Hon. A. M. WHYTE: I believe this applies in some transactions, but surely there is no case where a person can take so long to accuse another of having spied on him or done any of these things prescribed in the Act. A person should know straight away. I would not agree to a two-year time lapse during which a person could take redress through the courts for an act of intrusion. Many features of the Bill are quite good. I have mentioned the ones I disagree with, because that is why I shall be voting against it. I think the Hon. Mr. DeGaris mentioned those pieces of legislation that are needed and should be covered. This related to intrusions on home life, surveillance devices, and unwanted publicity. There is a need to deal with listening devices and computer banks that contain unnecessary data on people for many years, but this Bill does not deal with any of those things. It is, to my mind, a piece of legislation that is unnecessary in many aspects, and that is a great pity, because, set out in their proper context, some of the contents of the Bill could have been of value. I believe the Attorney-General, having had the legislation kicked around to the extent it has been, could make a better job of it next time. As there seems no real way in which it could be amended, I intend to vote against the second reading.

The Hon. JESSIE COOPER secured the adjournment of the debate.

PUBLIC CHARITIES FUNDS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 31. Page 1810.)

The Hon. R. C. DeGARIS (Leader of the Opposition): This Bill makes certain corrections to the principal Act prior to the consolidation of the Statutes, and most of its provisions are not ones that should be debated at length in this Chamber. For example, it makes the usual changes from pounds to dollars, removes certain things such as guineas, which we do not hear much about today except when they are in gold form, and makes one other change. The Bill empowers the commissioners to take up and subscribe or acquire debentures or shares issued by corporations in which they already hold debentures or shares for any of the purposes authorised by the Act. I have examined this provision, and I can see nothing wrong with that procedure. It is a fairly lengthy Bill, making many amendments, but it is a normal Bill prior to the consolidation of the Statutes. I support the second reading.

The Hon. F. J. POTTER (Central No. 2): I support the second reading of this Bill, which comes before us because of the work being done by the former Parliamentary Counsel in consolidating the Statutes. The Bill has come to us specifically because more amendments are required than can be encompassed in a schedule such as the one to the Statute Law Revision Bill. Apart from the alterations referred to by the Hon. Mr. DeGaris, changing old currency to new currency, and so on, the commissioners are being allowed additional powers that they have sought from time to time, and a new enactment is carried out in connection with the expenditure of moneys for certain additional charitable institutions. The Bill does not require any further comment, and I support it.

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

SOUTH AUSTRALIAN MUSEUM BILL

Adjourned debate on second reading.

(Continued from November 12. Page 1862.)

The Hon. R. A. GEDDES (Northern): In speaking to this Bill I wish at the outset to criticise this Government, as I had to do yesterday in respect to beekeepers, concerning the tardiness of the Minister's second reading explanation presented with this Bill. In his explanation the Minister stated:

It is identical with a previous Bill relating to the South Australian Museum which passed the House of Assembly in November, 1973. Unfortunately, the Legislative Council made amendments to the Bill that were unacceptable to the Government, and the Bill lapsed.

The Minister says that the Bill, as amended, was unacceptable to the Government, yet on page 2053 of 1973 *Hansard* the Hon. T. M. Casey (Minister of Agriculture) told the Council that the House of Assembly had agreed to the Legislative Council's amendments Nos. 1, 2 and 5 to the South Australian Museum Bill, but it had not agreed to amendments Nos. 3 and 4. Five amendments were made to the Bill in 1973, and another place accepted three of those five. Yet not one reference in the explanation is made to any of those amendments which were agreed to, nor are they contained in this Bill.

Does the Government expect this Council not to question, without any information in the second reading explanation, why the amendments accepted by the Government last year have not been included in this Bill? If the Government is not willing to give an adequate explanation for its actions, the action that this Council must take is obvious. It will have to move amendments to the Bill similar to those moved in 1973. This situation reflects the tardiness of the Government. The Government should not take such high-handed action without proper regard to the principle which this Council has adopted in the past and which I hope it will maintain in the future. My two amendments on file amend the following paragraphs in clause 13, which provide:

(*c*) to carry out, or to promote, research into matters of archaeological, anthropological, biological, geological, and historical interests in this State;

(*f*) to disseminate information of archaeological, anthropological, biological, geological or historical interests in relation to this State;

In the past the museum has certainly been a centre of learning, and I expect that it will continue as such, a place where collected objects are displayed and housed for the benefit of mankind, for the benefit of future generations. The museum is a place where people from all walks of life can go to see, to marvel, and to learn. However, it appears from these two paragraphs, which refer to "interests in this State" and "interests in relation to this State", that this most important centre of learning is to be restricted. Learning has a far bigger world than South Australia and a far wider boundary than the South Australian boundary. The world covered by the words "archaeological, anthropological, biological, geological, and historical" goes far beyond the boundaries of South Australia. These areas of interest include items of interests that are world-wide—objects that should be stored within the museum.

I refer to the situation applying in the South Australian Art Gallery, housed in the building adjacent to the South Australian museum. Funds are currently being raised to purchase a self portrait by William Dobell. He is not a South Australian, but he is an Australian artist. Moreover, there are hundreds of paintings in the art gallery by artists from all over the world, as well as our own artists, and this is how it should be. However, I take the words included in these paragraphs to be restrictive on the museum board. If this Bill were passed, the museum might be restricted and confined in its activities to South Australia only.

The two amendments I have on file delete the words "in this State" and "in relation to this State". I have been told that our museum has an important collection of artifacts from Papua and New Guinea. The experts tell me that this is one of the finest collections yet obtained. Last year I spoke about the articles brought back from Antarctica by Sir Douglas Mawson, and a recent press article referred to the wonderful Cambodian china collection displayed in our museum. The Aboriginal artifacts housed in our museum comprise one of the finest collected displays. Therefore, unless the words relating to South Australia are deleted from these paragraphs, I fear that some future unscrupulous Minister or Government, having scant care for the historical interest of the museum, could get rid of some of the museum's exhibits because they do not relate to South Australia. I base my argument on that point. The museum is a house of learning and a place of teaching, and the board's powers should be as broad as possible, without any possible restrictions.

The Hon. Jessie Cooper moved certain amendments last year, and these amendments are again on file. I commend them to the Council, and I ask honourable members to consider them seriously, especially that amendment concerning section 13, paragraph (*g*), which provides:

to perform any other functions of scientific, educational or historical significance that may be assigned to the board by the Minister.

Centres of learning such as universities, primary and secondary schools, the South Australian Institute of Technology and other centres do not have this impediment of being instructed by the Minister.

The Hon. Jessie Cooper: They are all autonomous institutions.

The Hon. R. A. GEDDES: Yes, those institutions are all autonomous. The affairs of the art gallery, the museum, and the State Library are not controlled by a Minister of the Crown. I commend the Hon. Jessie Cooper's amendment which provides that, if the Government wishes to direct the board, such direction shall be by regulation. In that way, Parliament can at least consider whether the Government's intentions are correct. I refer now to clause 20 (1), which provides as follows:

The Governor may make such regulations as are contemplated by this Act, or as he deems necessary or expedient for the purposes of this Act.

Under the suggested amendment, the Governor may, upon the board's recommendation, make such regulations. This is an extremely important amendment, especially when one considers how regulations are passed through the Houses of Parliament under the watchful eye of members of the Joint Committee on Subordinate Legislation. It would be fair to say that few people, except those intimately involved with the museum, would realise the significance of such regulations.

If the Subordinate Legislation Committee is examining regulations relating to the weights of motor trucks, for instance, it can obtain evidence from certain people and then consider that evidence. The regulations can then be amended to make them more equitable and just. However, few people would have the qualifications (and I do not say this unfairly) to give evidence on regulations regarding the museum. On the other hand, the committee could say that, because it has been given one point of view and is not being given the opposite point of view, the regulations were satisfactory. That could well happen, particularly if there was a majority of Government members on the committee. It is therefore correct that the board, which is responsible for the oversight, control and direction of the museum, should at least have the opportunity of telling the Subordinate Legislation Committee that proposed regulations have its sanction and that they are as the board would like them to be.

In that way, the museum could continue operating freely, unfettered by unnecessary political or Ministerial whims inflicted on it by people of lower intelligence and with

lesser qualifications than those charged with this responsibility. I support the second reading, and give notice that I will support the amendments on which I have spoken so eloquently.

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

PARLIAMENTARY SALARIES AND ALLOWANCES ACT AMENDMENT BILL

In Committee.

(Continued from October 17. Page 1565.)

Clauses 1 to 5 passed.

Clause 6—"Basic salary."

The Hon. F. J. POTTER: I move:

In new section 5b (5) after "metropolitan area" to insert "or electoral districts that lie partly within and partly outside the metropolitan area".

I remind honourable members that in the second reading debate I said the opportunity should be taken between now and the next election, when undoubtedly the Parliamentary Salaries Tribunal will sit (although its exact sitting date is unknown), to give the tribunal power to fix electorate allowances for Council members in the light of the new situation that exists under the Constitution Act, namely, that after the next election Council members will represent the State as a whole. Consequently, it will be necessary for electorate allowances to be fixed on an entirely new basis from that on which the tribunal must at present have regard to in fixing allowances for Council members representing specific districts.

I understand that my suggestion met with a favourable reception by the Minister, and I was invited to submit a suggestion along these lines. It has not altogether been easy for me to do so because it is, in effect, necessary to provide for certain matters. First, the tribunal must deal with the present situation, with the districts that are still existing. Consequently, there must be no fettering of that jurisdiction.

Secondly, before the next election the tribunal must determine the new electorate allowance based on the new situation, and fix an allowance to come into force as from the date of the next election. Otherwise, an entirely wrong basis will exist not only for this House but *vis-a-vis* members of another place. Also, it is only right and proper that the new electorate allowance should apply from the date on which the new system comes into operation, and that we should not be left with an uncertain position, it not being known when the tribunal will meet thereafter, if indeed it meets at all. In view of the announced policy of the Australian Government regarding indexation of wages and salaries, the development of the wage fixing process, even for members of this Parliament, is a little doubtful. It is important that we take this opportunity of passing amendments now so that the Government will not have to amend the Act again. The policy of the Bill concerning electorate allowances is that, where possible, and having regard to the matters referred to in the clause, where electorate allowances can be fixed equally, this should be done.

No-one quarrels with that as a principle. Honourable members will see that the purpose of this amendment is two-pronged. First, it covers the situation of the Legislative Council members when they represent the whole State because their district, then being the whole State, will comprise both the metropolitan area and all areas outside the metropolitan area. The second purpose is that it would cover the possibility of a future alteration to the metropolitan area boundaries. When that occurs, as it undoubtedly will at some time, it is possible that any Assembly electoral district might lie partly within and partly without that new boundary. The amendment I am now moving is therefore a kind of preliminary amendment to those that will follow.

The Hon. G. J. GILFILLAN: Although many honourable members will know what is intended in this amendment, which has been circulated for only a short time, two members are now absent from the Council on important business. In the circumstances, would the Chief Secretary report progress?

The Hon. R. C. DeGARIS (Leader of the Opposition): I refer to the tremendous amount of work done by the Hon. Mr. Potter in framing these amendments. He is well aware of the problem at issue and has found great difficulty in drafting the amendments to find the correct answer. While the problem superficially is simple, it is difficult to draft a suitable amendment. I support the Hon. Mr. Gilfillan's request that progress be reported, because of the complexity of the amendments, so that all honourable members can examine the implication.

The Hon. A. F. KNEEBONE (Chief Secretary): I have no objection to reporting progress if honourable members desire to look at these amendments. I agree with the Leader that the Hon. Mr. Potter has worked hard on them; I thought he had been able to solve the problem for honourable members. However, I am prepared to report progress.

Progress reported; Committee to sit again.

ADJOURNMENT

At 8.50 p.m. the Council adjourned until Thursday, November 14, at 2.15 p.m.